

# EXECUTIVE

Minutes of the meeting held on Wednesday 10 August 2011 at the Town Hall, Royal Leamington Spa at 6.00 pm.

**PRESENT:** Councillor Michael Doody (Chairman), Councillors Caborn, Mrs Gallagher, Mrs Grainger, Mobbs, Shilton and Vincett.

**ALSO PRESENT:** Councillor Barrott (Labour Group Observer), Councillor Boad (Liberal Democrat Group Observer), Councillor Gifford (Chair of Overview and Scrutiny Committee), Councillor Mrs Knight (Chair of Finance and Audit Scrutiny Committee) and Councillor Williams.

Apologies for absence were received from Councillors Coker and Hammon.

## 37. **DECLARATIONS OF INTEREST**

### Minute Number 41 – Future Funding for the Voluntary & Community Sector

Councillor Boad declared a personal and prejudicial interest, and left the room for this item, because he was trustee and a director of the Chain.

Councillor Gifford declared a personal and prejudicial interest, and left the room for this item, because he was treasurer for Friends of the Dell.

Councillor Barrott declared a personal and prejudicial interest, and left the room for this item, because he was a member of the CAB board.

Councillor Mrs Knight declared a personal interest because she attended board meetings of Bath Place Community Venture.

### Minute Number 46 – Sydenham Sports Centre

Councillors Caborn, Doody and Shilton declared personal interests because they were Warwickshire County Councillors.

## 38. **MINUTES**

The minutes of the meeting held on 13 July 2011 were taken as read and subject to a minor correction to minute 31, signed by the Chairman as a correct record.

### **PART 1**

(Items which a decision by Council is required)

There were no part one items.

**PART 2**

(Items which a decision by Council is not required)

**39. BUDGET MONITORING TO 30 JUNE 2011**

The Executive considered a report from Finance informing them of a number of items including the Estimated 2011-12 out-turn projections, virement amounts and variations forecast and slippage.

The report also sought approval for budget changes, highlighted potential risks and proposed new arrangements for the future management of the Contingency Budget.

The existing General Fund service expenditure position was a proposed overspend of £141,000 compared to the 2011-12 budgets. The report included a breakdown of the net cost of General Fund Services and the variances from the proposed General Fund budget for 2011/12.

One alternative option would be not to submit regular reports to the Executive for monitoring, however, it was felt that this would be irresponsible in the current economic climate. In addition, due to the level of savings that were required over the next few years, it was imperative to reduce budgets and to continue to slip capital to the correct year to ensure more effective monitoring of projects.

The Finance & Audit Scrutiny Committee recommended to Executive that

- (1) recommendation 2.6 be amended to read "unforeseeable demand", rather than "legitimate demand"; and
- (2) Executive set up a working party to look at reducing car parking fees, particularly on quiet days, in order to stimulate the Town Centre economy.

In addition to concerns expressed over car parking charges, the Finance & Audit Scrutiny Committee was unhappy about the costs of the Spa Centre and lack of progress in saving money. The Committee therefore requested that a report be submitted from CMT to the Committee's October meeting, and agreed that both car parking and the Spa Centre should be added to the significant risk register.

In response Councillor Mobbs explained that the deficit in the car parking income was being investigated by himself, the Portfolio Holder for Service and Head of Service to inspect the reasons for this, to ensure that the forecasting was accurate. Councillor Shilton added that last year all Town Councils agreed that parking charges were fair. There were planned discussions this year with the Town Councils and along with the Chambers of Trade for the Towns. As part of this work the Service Area was considering the impact of major works in town centres on the car parking income and general footfall. The outcome of this work would go to the fees and charges working party ahead of recommendations to Council. Councillor Mrs Knight thanked the Councillors for the information and looked forward to seeing the outcome of this work.

## **EXECUTIVE MINUTES (Continued)**

It was highlighted that a Monitoring Group had been established to follow the development of the Spa Centre and part of this role was to develop the draft business plan and the addition of a further report on this could delay the implementation. The draft business plan had been circulated to the monitoring group who had not offered comments on it at this stage and a revised deadline, of 1 September, had been set for comments.

The Chief Executive advised the Executive that the risk was not the Spa Centre and Car Parking itself and that the risk was budget shortfall from a number of potential areas. If this area was to be included, it should be part of project with milestones for delivery, however, if the Spa Centre did not deliver it was not the issue because this was already considered as part of the £2.8million that needed to be found.

It was also explained that the Spa Centre was included in the Service Area Risk register and that the final business plan would be coming to the Executive for approval in due course.

Councillor Mrs Knight accepted this point and agreed to circulate the draft plan to Finance & Audit Scrutiny Committee and she would bring the views of the Committee to the Monitoring Group.

Councillors Mobbs explained that it was his role to apply pressures to all budgets to enable the Council to maintain a balanced budget and without the deficit in parking we would have had a balanced budget again. He accepted the suggested wording from Finance and Audit Scrutiny Committee with regard to recommendation 2.6 but could not propose the additional working party with regard to the car park income for the reasons explained. Councillor Mobbs proposed an additional recommendation regarding the reviewing of earmarked reserves as set out at Appendix A which was accepted and that the funding referred in recommendation 2.12 should be earmarked for projects in Warwick.

### **RESOLVED** that

- (1) the budget positions for the current year for the General Fund (£141,000 adverse), HRA (£126,000 favourable) and Capital (£596,800 underspend), be noted;
- (2) the expected variances on the Capital Programme and HRA be noted and the virement from capital to revenue (£150,000) and the £600,000 Capital Slippage to 2012-13, be approved. (This figure is subject to the recommendation regarding the Sydenham Dual-Use Roof that is on the Agenda for this Executive Meeting);
- (3) the most significant area of risk to this Council that is currently being reported is the estimated shortfall of £206,000 on Car Parking Income. If further significant risks become apparent, this

## **EXECUTIVE MINUTES (Continued)**

will be reported in the next monitoring report to Executive;

- (4) the General Fund Budget reductions identified as part of the Prior Year Underspend analysis, amounting to a total of £177,300 for 2011-12 of which £82,600 is recurrent (Appendix B), be approved. It is recommended that £127,300 is returned to General Fund Balance, with the residual £50,000 being added to the Contingency Budget to cover any of these savings that may be subject to such a request, as outlined in paragraph 17.6 of the report, during the remainder of 2011-12. The the reduction in HRA Budgets of £61,400 that were also identified as part of the same exercise, be approved;
- (5) any urgent request for Contingency Budget funding up to £10,000 should be delegated to the Head of Finance and the relevant Head of Service to approve, in consultation with the Finance Portfolio Holder and relevant Service Portfolio Holder. Appropriate details would subsequently be reported to the Executive by the Head of Finance in the next Budget Monitoring report or sooner if necessary;
- (6) where a Budget Manager is able to demonstrate there is a unforeseeable demand upon a budget that had previously been reduced as a result of the scrutiny of the 2010-11 outturn or subsequently, it is subject to the following procedures. The Head of Finance and the Head of the relevant Service, after consultation with the Finance Portfolio Holder and relevant Service Portfolio Holder, to be able to approve releasing an amount from the Contingency Budget, up to the sum previously given up from the relevant budget. Relevant details would be included in the next Budget Monitoring report to the Executive, or sooner if appropriate, along with consideration of any budget implications for future years if necessary;
- (7) the work carried out on reviewing the Postages Budget, be noted. It is recommended that of the saving of £28,800 (all General Fund), £28,400 is transferred to the General Fund balance and £400 to offset the Procurement

## **EXECUTIVE MINUTES (Continued)**

Savings budget. For 2011-12 (during the Revised Estimates process) onwards it is recommended that the Postages budgets be amalgamated into one Corporate Budget under the Document Management Centre with future savings from more efficient practices and procurement being returned to General Fund/HRA balances;

- (8) the work that is currently underway in respect to the recharging of the Printroom design and Advertising Budgets and the savings that will arise from the new Photocopying arrangements, be noted. It is recommended that the saving of £6,000 (£7,300 from 2012-13) identified to date from the introduction of the new contract (part year effect) be removed from these budgets, with the General Fund Proportions for 2011-12 and 2012-13 being offset against the Procurement Savings Targets. It is recommended that when the rest of this work is complete, the necessary budget reductions are approved under delegated powers by the Head of Finance with the Executive being notified of the actual reductions when the next monitoring report is presented to them in November;
- (9) training budgets be reduced in 2011/12 and future years as shown in Appendix C of the report, with the creation of a £10,000 Central Training budget to be administered by Human Resources;
- (10) the budget adjustment in respect of the new Catering Contract be offset against the procurement savings budget for this year, £8,000 plus a further £23,000 for the 2012-13 target;
- (11) £23,200 be returned to the Contingency Budget as it is no longer required for the Community Enterprise Officer; and
- (12) the funding originally allocated for Queen's Square Warwick (£250,000) and Coten End (£120,000) be returned to the S106 Budget but earmarked for projects in Warwick;
- (13) The recommendation from Finance & Audit Scrutiny Committee regarding car parking fees

## **EXECUTIVE MINUTES (Continued)**

be declined because work was already underway to ensure that the estimates for car parking income deficit were accurate. In addition consultation work is also under way with the Town Council's and Chambers of Trade on next year's car parking fees to ensure they were fair and reflected the challenges being faced by each of the Town Centre which will feed into the Fees and Charges Group for them to bring forward the fees and charges report later in the year;

(14) all Portfolio Holders review the earmarked reserves in Appendix A, of the report, on a quarterly basis with service heads to ensure that all projects are on target at the most efficient costs so that any savings can be returned to the relevant fund; and

(15) the views of the Finance & Audit Scrutiny Committee that they review the draft Spa Centre Business Plan, be noted, but advised they should wait because a revised plan will be brought to the member monitoring group for sign-off and then to Executive for approval, allowing for full scrutiny and comment.

(The Portfolio Holder for this item was Councillor Mobbs)  
(Forward Plan reference 327)

### **40. UPDATE ON THE REVIEW OF CONCESSIONS OFFERED BY WARWICK DISTRICT COUNCIL**

The Executive considered a report from Finance detailing the concessions currently offered by the Council, which were attached as an appendix to the report, and gave details of the proposed mechanism to review them.

The proposed mechanism would assess whether the concessions were still appropriate and whether they needed altering, reducing or discontinuing.

The report highlighted that concessions were offered by the Council and by doing so there was a financial effect to the service manager's income budget. Some of the concessions offered were historical and the Council could be offering concessions to those who did not need them. The concessions had not been reviewed for a number of years and it was felt that now was the right time to do so.

An Income Generation Member Working Group was set up in 2010 to assist with the maximisation of income the Council received through the Fees and Charges process and the recommendations in the report would

## **EXECUTIVE MINUTES (Continued)**

allow the Working Group to look into the issue in more detail and they would be able to meet on a more frequent basis.

It was not felt that there were any alternative options available.

The Overview & Scrutiny Committee advised the Executive to write to Group Leaders asking them to confirm their representatives on the Income Generation Member Working Party.

The Executive agreed with the Overview & Scrutiny Committee and confirmed that there should be two conservatives on the group and one from each of the other Groups and asked Group Leaders to notify the Head of Finance as soon as possible who their representatives would be.

### **RESOLVED** that

- (1) the income generation working group of five members (two conservatives and one from each of the other groups) bring forward recommendations in consultation with Portfolio Holders and Heads of Service proposed changes to the concessions currently in place within the fees and charges regime;
- (2) any proposals for change coming forward from this Working Group be brought to the Executive as part of the October Fees and Charges Report for its consideration; and
- (3) no concessions be excluded from the review.

(The Portfolio Holder for this item was Councillor Mobbs)

#### **41. FUTURE FUNDING FOR THE VOLUNTARY & COMMUNITY SECTOR**

The Executive considered a report from Corporate and Community Services which summarised the progress made by the Member Grants Review Panel and outlined a reviewed structure and process for procuring and monitoring voluntary and community sector services for the period 2012-2015.

The terms of reference for the Member Grants Review Panel stated that consideration would be given to 'opportunities to better deliver the Council's priorities and support the delivery of the Warwick District Sustainable Community Strategy'. The Panel concluded that the four Thematic Priorities (Safer Communities, Health and Wellbeing, Housing, and Economy, Skills and Employment) were in the main the purview of public bodies. They also felt that the purpose of the Community Partnership Team grant budget should be to support voluntary and community sector activity to enable involvement, engagement, and to build the capacity of the sector.

## **EXECUTIVE MINUTES (Continued)**

The report requested approval of the proposed tender specification and process for procuring voluntary and community sector services for 2012-2015 and this was attached as an appendix to the report.

Equality Impact Assessments were undertaken in relation to the service package to be procured and these were also attached as appendices to the report. In addition, the recommendations asked that the annual budget for this work be noted, the lack of budget to support requests for emergency funding and the results of the consultation be noted.

The Finance & Audit Scrutiny Committee noted that funding was not restricted to local charities and groups only, expressed some concern that there was no room for growth, but supported the recommendations in the report.

The Overview & Scrutiny Committee were content with the report and encouraged its approval.

The Portfolio Holder explained that under procurement regulations it was not possible to place a "local criteria" on the organisations who were tendering for the services but this aspect should be brought up by the ability to deliver the services and the cost of delivering the service because the cost implications of establishing a premises locally.

### **RESOLVED** that

- (1) the proposed tender specification and process for procuring voluntary and community sector services for 2012-2015, as set out in Appendix 1 to the report, be approved;
- (2) the Equality Impact Assessments undertaken in relation to the service package to be procured through the tendering process, as set out in Appendices 2,3 and 4 to the report, be noted;
- (3) the annual budget for commissioning voluntary and community sector services for this year will be £288,900 and this will be the same for 2012-13 as is reflected in the Medium Term Financial Strategy;
- (4) there is no budget to support requests from voluntary and community sector groups for emergency funding; and
- (5) the consultation results be noted.

(The Portfolio Holder for this item was Councillor Mrs Grainger)  
(Forward Plan Reference 345)



## **EXECUTIVE MINUTES (Continued)**

### **42. THE LOCAL GOVERNMENT BOUNDARY COMMISSION FOR ENGLAND ELECTORAL REVIEW**

The Executive considered a report from Electoral Services which provided details of the forthcoming Electoral Review within the District and sought permission for additional funding to enable the necessary work to be carried out.

The Local Government Boundary Commission for England was established in April 2010 and their key roles were to conduct electoral and structural reviews of local government in England. Consideration for review was given to authorities with electoral variance of wards in excess of 10% of the average for the district; 30% of the wards in Warwick District fell within this category.

The Commission therefore decided that an electoral review of Warwick District Council would commence in September 2011 and the process should last no longer than a year. The process would be made up of four stages; a 12 week consultation period when proposals were submitted from all parties; a 10 to 14 week deliberation period based on the submissions received and preparation of draft recommendations; publication of the draft recommendations and a 12 week consultation period on these; and finally a 10 to 14 week deliberation based on comments received, formulation and publication of final recommendations.

The report advised that a cost of £34,000 had been projected, some of which could be covered by the Electoral Services budget but officers were requesting an additional £9,700 supplementary funding to cover both financial years.

It was not felt that there were any alternative options to be considered.

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

Councillor Mobbs informed the Executive that the current un-allocated fund in the contingency budget was £246,100.

#### **RESOLVED** that

- (1) details of the Electoral Review which are known so far, be noted and that, subject to Regulatory Committee's approval, the details will be forwarded to all Town and Parish Councils in the District so that they can begin to consider their response;
- (2) additional funding of £9,700 from the Contingency Budget be approved, to cover costs which cannot be accommodated within existing budgets as identified in paragraph 5.1 of this report for carrying out the Electoral Review; and

## **EXECUTIVE MINUTES (Continued)**

- (3) the Canvasser Fees budget is reduced by £12,500 from 2013/14, and this is factored in to the Council's Medium Term Financial Strategy.

(The Portfolio Holder for this item was Councillor Doody)

### **43. TRAVELLERS COSTS**

The Executive considered a report from the Deputy Chief Executive (AJ) which updated members on the issues experienced during the week of 13 June 2011 when a number of illegal Traveller encampments arrived on privately owned land.

The report highlighted the security arrangements that had been put in place by officers to reduce the risk of Council land being occupied and the cost implications of these.

The report advised that the Council had no budget to respond to issues brought about by the real or potentially illegal activity of Travellers in the District. Therefore, when a response was necessary, whether pro or re-active, the Chief Executive needed to exercise his emergency powers.

In this instance, officers were aware that a large number of Traveller vehicles had occupied privately owned land and that Bailiffs, supported by the Police, would be evicting the occupiers. It therefore appeared prudent to put security arrangements in place to deter the Travellers from moving on to Harbury Lane, a site that had been occupied by Travellers in the recent past.

Due to the urgency of the situation, the Deputy Chief Executive (AJ), in the absence of the Chief Executive, exercised the use of powers allowed, under Section 4 (4) CE (4) of the Council's Constitution, in consultation with the Group Leaders to spend up to £10,000 from the contingency budget for 2011/12 to put the necessary security arrangements in place to deter illegal encampments by Travellers on Council owned land. Only £4,700 of this money was used and the report asked the Executive to note this decision.

It was recommended that the Executive agreed to provide a fund, of up to £10,000, including the £4,700 spent, to enable officers to respond quickly to any future situations arising.

### **RESOLVED that**

- (1) the use of delegated powers be noted; and
- (2) any further actions necessary, to deter illegal encampments in 2011/2012 from the Council's Contingency Budget up to a maximum of £10,000, be approved.

(The Portfolio Holders for this item were Councillors Hammon, Shilton and Vincett)

**44. USE OF DELEGATED POWERS**

The Executive considered a report from the Deputy Chief Executive (BH) which advised members of the exercise of delegated powers under CE(4) of the Scheme of Delegation to enable a letter of support to be submitted for a proposed University Technical College (UTC) at Stoneleigh Park.

UTCs were colleges for 14-19 year olds, specialising in technical studies. Each UTC would be sponsored by a university and offer full time courses which combined academic and practical studies. They were being established under the Coalition Government's academies programme, from which they would receive funding after bid proposals were approved by the Department for Education.

The Stoneleigh Park bid was jointly sponsored by Coventry University and Warwickshire College and would specialise in science and technologies in relation to land based industries, in their widest sense. The development of a UTC at Stoneleigh Park would be consistent with the vision of its owners, LaSalle Investment Management, to establish the site as the primary national location for rural and agricultural organisations.

In the absence of the Chief Executive, the Deputy Chief Executive (BH) used delegated powers to seek approval for a letter of support for a bid proposal for the UTC at Stoneleigh Park, attached at appendix one to the report.

**RESOLVED** that the use of delegated power CE(4) for the purposes of submitting the letter of support attached at appendix one to the report, be noted.

(The Portfolio Holder for this item was Councillor Hammon)

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

Minute No.	Para Nos.	Reason
46, 47	1	Information relating to an individual
48	3	Information relating to the financial or business affairs of any particular person (including the authority holding that information)

## **EXECUTIVE MINUTES (Continued)**

The full minutes of agenda items 9 Olympics 2012 (Minute 46), 10 Sydenham Sports Centre (Minute 47), and 11 Support Services Review (Minute 48) were contained within a confidential minute which would be made available to the public following the implementation of the relevant decisions. However a summary of the decision was as follows:

### **46. OLYMPICS 2012**

The recommendations were agreed as printed subject to an amendment to recommendation 2.4 to include, in consultation with the Leader of the Council and Culture Portfolio Holder.

The recommendations from the Finance & Audit Scrutiny Committee were declined and the reasons for this will be detailed in the minutes.

### **47. SYDENHAM SPORTS CENTRE**

The recommendations as set out in the report were agreed.

### **48. SUPPORT SERVICES REVIEW**

The recommendations as set out in the report were agreed.

(The meeting ended at 7.16 pm)