

Cabinet

Minutes of the meeting held on Wednesday 7 December 2022 in the Town Hall, Royal Leamington Spa at 6.00 pm.

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

Also Present: Councillors: Boad (Liberal Democrat Group Observer), Davison (Green Group Observer), Cullinan (Labour Group Observer), and Milton (Chair of Overview & Scrutiny Committee).

61. **Apologies for Absence**

Apologies for absence were received from Councillors Cooke and Grainger.

62. **Declarations of Interest**

Minute Number 68 – Draft Local Transport Plan – Consultation Response

Councillors Falp and Matecki declared an interest because they were Warwickshire County Councillors.

Minute Number 71 – Future Funding of Warwick Visitor Information Centre

Councillor Tracey declared an interest because he was a Warwick Town Councillor and having sought advice prior to the meeting, left the room while this item was discussed and did not vote on this item.

63. **Minutes**

- (a) The minutes of the meeting held on 3 November 2022 were taken as read and signed by the Chairman as a correct record; and
- (b) The following paragraph was added to Minute Number 36 of the 29 September Cabinet minutes:

"and the Cabinet confirmed that the minutes of the meetings for this municipal year should be sequentially numbered from Minute 1 at its meeting on 25 May 2022".

Part 1

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

64. **Minor Amendments to the Scheme of Delegation**

The Cabinet considered a report from Democratic Services which brought forward changes to the scheme of delegation and also reported an urgent decision taken by the Chief Executive under delegated authority.

The report provided a number of recommendations which were considered reasonable to either confirm current working practices or make efficient use of Council resources.

When reviewing the decision of the Cabinet on 9 September 2021 to establish the Leamington Transformation Board it was identified that the decisions, below, were not sufficiently clear.

“(6) the Composition of Councillors who will serve on the Transformation Board, as set out in paragraph 3.15 in the report, in consultation with WCC and LTC, be determined by the Cabinet.

(7) the remit of the Transformation Board, as set out in paragraph 3.16 and 3.17 in the report (subject to discussions with WCC and LTC) and that authority be delegated to a designated Cabinet member to take decisions on this remit”.

The Transformation Board remit was agreed by all parties in April 2022, however, it was not intended to be a decision-making body. The remit of the Transformation Board, while in spirit was the same as that set out in the report, was more detailed and there were points that had not been considered by the Cabinet.

The appointment of its Independent Chair was a formal decision, especially as they would be receiving payment from Warwick District Council. Therefore, the final decision on this and the remit needed to be formally taken within the Council. The proposed delegations at Appendix 2 to the report in relationship to the Leamington Transformation Board formalised this approach. The Chief Executive sought agreement of Group Leaders to use his emergency powers to confirm the appointment. The Cabinet was also aware the Leamington Transformation Board would need to have its terms of reference amended to reflect that the final decision on the Independent Chair would need to be taken by WDC but based on the recommendation of the Board.

The proposed delegations were Executive functions which could only be delegated by Cabinet to officers. However, only Council had the authority to update the Constitution to reflect the changes, hence the wording for recommendation (3).

Officers had been reflecting on experiences in working with other Councils and believed that there were some cases where Section 106 agreements did not need to come before Planning Committee. An example was variations to S106 agreements already approved by Committee or where the application would otherwise be determined by officers.

In relation to variations to s106 agreements, there was currently no delegated authority for the Head of Service to vary s106 agreements. Sometimes these variations could be very minor in nature e.g., in October, a variation to amend a definition had to go to Planning Committee. It was proposed to delegate such changes to the Head of Place, Arts and Economy in consultation with the Chairman of the Planning Committee and relevant Ward Councillor(s).

Another issue had arisen in the case of s106 agreements required in connection with delegated planning decisions. The scheme of delegation did not currently cover this, which led to the odd situation of the Head of Place, Arts and Economy having delegated power to determine planning applications but not enter into connected s106 agreements.

Following the Planning Committee meeting of 9 November, officers had also reflected on the current delegation in respect of Council Planning applications that reads "Applications submitted by Warwick District Council or Warwickshire County Council, other than for approval of routine minor developments". Officers were of the view that this should be amended to be more specific in relation to Warwick District Council to include reference to Milverton Homes (or any partnership it was in). While officers considered this would happen anyway, they felt it was appropriate to remove any ambiguity.

If Cabinet and Council were minded to support these delegations, as set out in Appendix 1 to the report, it would also bring changes to the responsibility of functions for the Planning Committee. This would see the removal of delegation (vi) as it was covered by (i) due to the revisions to officer delegation DS(70).

In reviewing the delegations in respect of Planning Committee, officers also took time to consider those in respect of matters that came to Licensing Panels. Councillors involved in those Panels were aware that the final wording of their decision was often formulated after the meeting. Therefore, officers felt it was appropriate to have a delegation in place to confirm this arrangement.

Secondly, in this area, there was potential for decisions of a Panel to be challenged. At times, this could be over a minor point and mitigate the need for an appeal to be heard. This proposal allowed for these changes to be made, after appropriate consultation and for transparency to be reported back to the Licensing & Regulatory Committee.

Section 33A of the Planning and Compulsory Purchase Act required Local Planning Authorities "to engage constructively, actively and on an ongoing basis" with other local authorities and with prescribed bodies in respect of their plan-making activities. This Duty to Co-operate requirement was expanded on in the National Planning Policy Framework (NPPF) and accompanying Planning Practice Guidance (PPG). The Duty to Co-operate was a legal test that needed to be satisfied as part of the local plan examination process for a local plan to be found, sound and adopted.

Importantly, the Duty to Co-operate was not a duty to agree per se, but the LPA needed to demonstrate that they had engaged constructively in respect of progress to addressing strategic cross-boundary matters. In particular, joint working should have helped to determine where additional infrastructure was necessary, and whether development needs that could not be met wholly within a particular plan area could be met elsewhere.

This constructive engagement was demonstrated through the publication of an audit trail showing early and ongoing discussions culminating in the publication of signed Statements of Common Ground (SoCG).

Responsibility for the day-to-day operation of Duty to Co-operate (e.g. content of SoCGs) was undertaken by the Council's planning policy service and fell within the Planning & Place Portfolio. However, formal processes needed to be established to allow for the signing of any SoCGs on behalf of the Council given that the content could have a significant bearing on

how WDC prepared its own local planning documents.

This matter was particularly relevant at the moment, given that the Council was in the process of preparing a new Local Plan. The delegation of Executive functions set out in appendix 2 to the report allowed for authority to be delegated to the Head of Place, Arts & Economy in consultation with the Leader and Portfolio Holder for Planning & Place, to sign Statements of Common Ground in respect of plan-making activities.

There was another dimension to this given that the Council was currently preparing a joint Local Plan with Stratford-on-Avon District Council. There would be issues where other authorities would need to engage with both WDC and SDC in respect of Duty to Cooperate issues and SoCGs would need to be agreed. Equally, there would be some issues where authorities would need to engage with one Council through Duty to Cooperate, however that Council would need to consult with the other because the issues related to matters pertaining to the whole South Warwickshire Local Plan area covering both Council areas. An example of this would be in relation to housing and employment land distribution in the Greater Birmingham and Black Country Housing Market Area (HMA). Warwick District Council was not within this HMA and so would not normally be included in any Duty to Cooperate discussions or need to agree any SoCGs. SDC was, however, in that HMA and the implications of any SoCGs could have had an impact on the whole South Warwickshire Local Plan area. It was appropriate and necessary therefore, for SDC to consult with WDC before agreeing any SoCG relating to this HMA.

The requested delegation therefore also proposed that this delegated authority was extended to situations where adjacent authorities consulted with WDC on SoCGs that were of common interest. Furthermore, in an opposite situation where WDC only was asked to sign a SoCG, recommendation (3) proposed that before such a SoCG was signed, WDC would consult with that authority. In practice, this would only happen in respect of SDC and the South Warwickshire Local Plan. (Members were asked to note that SDC was currently putting reciprocal arrangements in place to ensure that WDC was consulted in respect of SoCGs that it was asked to agree, and which impacted on joint planning work.)

Many SoCGs dealt with procedural matter and set out ways of working to address common challenges. Others might have been more significant, the most obvious example being the creation of new Memoranda of Understanding relating to strategic matters such as housing or employment land distribution. Such matters were likely to have strategic implications and should, properly, be agreed formally by the Council. The proposed delegation therefore provided that the delegated powers would not be exercised where, in the judgement of the Leader, Portfolio Holder for Planning & Place and the Head of Place Arts & Economy, the issues arising from the consultation were such that they had important strategic implications for Warwick District.

Banning orders were made under Housing and Planning Act 2016 and came into force in 2018. They were intended to be used on landlords and property agents for those who had been convicted of the most serious housing-related offences. They had the effect of preventing landlords from letting housing or managing property in England.

Local authorities had the power to apply for Banning Orders from the First Tier Tribunal. The Council needed to first serve on the landlord a notice of intention to apply for a Banning Order and offer an opportunity for representations to be made. If they were satisfied, they could then apply to the First Tier Tribunal.

Councils were expected to develop and document their own policy on when to pursue a Banning Order. This was likely to include:

- seriousness of the offence;
- previous convictions/entry on rogue landlord database;
- harm caused to the occupying tenants;
- punishment of the offender;
- deter the offender from repeating the offence; and
- deter others from committing similar offences.

The individual the Council was seeking a Banning Order for, was well known to Private Sector Housing. They had been associated with sub-letting property over several years and their practices caused the Council concern.

The Private Sector Housing team successfully prosecuted them in September, which resulted in a significant fine. They were operating a HMO in Royal Leamington Spa and were convicted of:

- Failing to provide information required under Section 16 of the Local Government Miscellaneous Provisions Act 1976.
- Failing to comply with an Improvement Notice under Section 30 of the Housing Act 2004.
- Failing to licence a House in Multiple Occupation under Section 72 of the Housing Act 2004.
- Failing to comply with The Houses in Multiple Occupation Regulations 2006 under Section 234 of the Housing Act 2004.

The Council served a notice of intention to apply for a Banning Order on 3 October giving until 31 October for representations. No response had been received.

Therefore, following consultation with the Group Leaders, the Chief Executive exercised his delegated authority CE(4) to proceed with an application to the First Tier Tribunal for a Banning Order. Officers considered delegating authority for such cases in future would be an appropriate route as this would enable swifter action to be taken for the most serious of matters. In addition, officers recognised the need to have a Policy in place for such matters and a draft was already being produced as a priority, with a view to it being completed before Christmas 2022. The delegations to approve the Policy were considered reasonable to ensure it was robust and once completed, it would be published on the Council website and Councillors would be notified of this.

The protocol for the operation of the Warwick District Council Proposed Development Review Forum currently prescribed that all meetings should be held in person at the Town Hall, Royal Leamington Spa. Since the protocol was produced, the Council had been able to make use of

technology for holding meetings and briefing sessions remotely. Therefore, as the Proposed Development Review Forums would involve external development agents (potentially from across the UK), and see all 44 District Councillors invited, along with relevant Parish/Town Council, CAF and other statutory consultees (as considered appropriate), hosting the meetings online would make them more easily accessible. This was not to say all meetings of the forum would be online, but provided the option if it was considered reasonable.

In terms of alternative options, the proposed recommendations were minor changes to provide more robust decision making within the Council. The Cabinet could reject the proposals if it so wished but this was advised against for the reasons set out above.

Councillor Bartlett proposed the report as laid out.

Recommended to Council that

- (1) the amendments to the scheme of delegation as set out at Appendix 1 to the report, be approved and the Constitution be updated accordingly; and
- (2) the amendments to the Executive functions within the scheme of delegation as set out at Appendix 2 to the report, be approved and the Constitution be updated to reflect this change.

Resolved that

- (1) the urgent decision of the Chief Executive made under delegation CE(4) to confirm the appointment of Mark Lee as Independent Chair of the Leamington Transformation Board and the application for a Banning Order in respect of a landlord, be noted; and
- (2) the Protocol for the operation of the Warwick District Council Proposed Development Review Forum be amended to enable meetings to take place online in a meeting hosted by Warwick District Council.

(The Portfolio Holders for this item were Councillors Bartlett, Cooke, Day, Falp and Matecki)

Forward Plan Reference 1,337

65. **Quarter 2 Budget Report**

The Cabinet considered a report from Finance which provided an update on the current financial position as of 30 September 2022, both for the current year 2022/23 at the end of Quarter 2, and for the medium term through the Financial Strategy. Key variances and changes were

highlighted to inform Members, with some recommendations also being put forward for their consideration

The Medium-Term Financial Strategy (MTFS) showed that the Council needed to make further decisions to continue addressing the deficit position presented in the report. Decisions made to date had helped offset adverse implications of the current economic environment, which were seeing costs increase and demand for services being impacted. The Financial Strategy reflected initial implications arising from the recent Autumn Statement but was still awaiting critical funding information, typically received as part of the Local Finance Settlement in late December.

Noting the significant risks facing the Council's finances in future years, it was important that officers and Members took all actions to ensure that new efficiency, income generating, or savings schemes were brought forward, as well as delivering on those as agreed as part of the 22/23 budget setting process.

The recommendations and updates would enable the Council to ensure Members and other stakeholders continued to be informed on the most up to date financial position of the Council, both in year and for the medium term. It would enable decisions to be made based upon these positions to ensure that the Council could continue to operate within a balanced budget.

In relation to the General Fund Financial Position as of 30 September, variations had been identified by the Accountancy Team and reviewed in conjunction with the relevant budget managers, and where necessary, narrative provided in the report and below. As of 30 September (end of Q2) there was a favourable variance of £1,292k, with a forecast adverse variance for 2022/23 of £482k. A summary was provided below:

2022-23				
Service (General Fund)	Variation Description	Q1 Variation £'000	Q2 Variation	Forecast Full Year Variation £'000
Employee Costs	Staffing	£385 F	£410 F	£500 F
	Pay Award (funded by Vacancy budget) including member allowances	-	-	-
Neighbourhood & Assets	Delays to PPM works	£315 F	£402 F	-
	Utility Charges – Electricity	-	£54 A	£250 A
	Previous waste contract Income	£111 F	£238 F	£200 F
	Green Waste Permits	£200 F	£486 F	£486 F
Place, Arts & Economy	Arts activity increased	£326 F	£269 F	-
	Leisure Concession	-	£84 F	£200 A
	Planning Income	£189 F	£57 A	-
Housing Services	B&B Accommodation	£100 A	£13 A	-
Customer & Digital Services	Benefits subsidy and payments		£396 A	£396 A
Strategic Leadership	Warwickshire Place Partnership (Health & Wellbeing)	£100 F	-	-
	De-Carbonisation Grant	£20 F	-	-
	Members Allowance	£10 A	£20 A	£40 A
	Contingency Budget	£135 F	£53 F	-
	Crewe Lane LLP Interest	-	-	£62 A
	Removal of EMR	-	£500 F	£500 F
	Budget Savings proposals linked to merger	£128 A	£256 A	£512 A
	Budget saving proposal – digital transformation	£52 A	£104 A	£208 A
	Budget Savings in-year underspend	£125 A	£250 A	£500 A
TOTAL		£1,366 F	£1,292 F	£482 A

Continuing with the Salary Vacancy Factor process established during 2021-22, the table at 1.1.2.2 in the report reflected the underspends on salaries within service areas during periods 1-6 (April-September). These were offset against a pre-determined value agreed at budget setting of expected levels of savings driven by gaps in establishments throughout the year, which was set at 3.6%.

As part of the Vacancy Factor process for Q2, £257,000 (GF) and £90,000 (HRA) was appropriated from staffing budgets.

Both the General Fund and HRA vacancy factors had now been met for the year.

In conjunction to meeting the vacancy factor budgets, as part of the Q1 report it was outlined that budget released would be used to support the pay award once agreed. This had now been agreed, with the pay award

amounting to an average 6% increase in staffing costs (circa £900k). Budget released to date takes into consideration the need to back-date the pay award. Any further budget released would then be returned to GF and HRA reserves and be available to use as necessary to meet other emerging challenges and opportunities.

After the Vacancy Factor Adjustment and departmental service reviews had been taken into consideration, General Fund salaries were £420k favourable against budget at the end of Q2. However, following the vacancy factor process and discussions with the relevant managers, some of the remaining underspent budget would be required to backfill where work had fallen behind due to staffing, establishment, and recruitment issues. This could take the form of additional fixed term staffing, agreed overtime and in some instances the use of agency staffing, which could carry a cost premium. These assumptions would continue to be reviewed and challenged into quarter 3, and forecasts updated, as necessary.

The value that the vacancy factor was set at (currently 3.6%) would also continue to be reviewed. Given the high levels of underspend reported in Q1 and Q2, proposals to increase this value were currently being assessed as part of the Budget setting process to increase this provision to better reflect the ongoing staffing challenges within service areas. Within the revised Medium Term Financial Strategy presented in the report, it was assumed that a pay award for 23/24 of similar value to the 22/23 pay award would also be funded through underspends in existing establishments.

The recruitment and retention issues currently being faced by the Council were subject to review, with work ongoing on how this was tackled going forward.

In relation to Neighbourhood & Assets, delays to the commencement of Planned Preventative Maintenance (PPM) programmed works had continued in 2022/23. The Assets team were continuing to face resourcing challenges, driven by high levels of sickness and difficulties in recruiting to the substantive establishment. It was expected that the full allocation of budget would be used to meet the cost of repairs necessary to maintain the corporate stock. However, it was likely that up to a third of the £1.5m programme would have to be slipped into the following financial year and so not present a real saving.

Centralisation work was ongoing between finance and the assets teams to ensure resources were available and to enable programmed works to be more effectively managed, supported by timely, accurate and available information in the Financial Management System. This work was supported by the agreement made as part of recommendation 9 within the Q1 report and was being incorporated into the budget setting process for 23/24.

As reported in Q1, the number of residents who had signed up to the new green waste collection service had significantly exceeded expectations for 22/23, given that the service launched mid-season in August. Current forecasts were for permit income to exceed £700k (35,000 permits), and this was despite the reduced cost of the permit due to the part year effect of a mid-year introduction.

The overall projection for the service in 22/23 had been forecast at £550k, increased by £486k over the original forecast of £64k, once additional costs that would be incurred in supporting the service had been factored in.

Previously agreed budget proposals forecasted that from 23/24, £1m per annum would be generated from the service. Given the current performance and take up by residents of the service, the forecast from 23/24 had been increased to 40,000 permits, generating income of £1.6m (£1.4m once additional service costs were factored in) at the fee of £40, as agreed through the Fees and Charges report in November.

In relation to Place, Arts & Economy, the Royal Spa Centre had received increased income during the first half of the year driven in part by a number of rescheduled events having now taken place.

Income and Expenditure would continue to be monitored as the peak season was approaching, including the return of the Christmas Pantomime following previous years' cancellations due to COVID-19. Despite a positive first half of the year, the full year forecast remained prudent as there was still uncertainty as to how sites would perform going forward.

The leisure contract continued to outperform forecasts provided by the concession provider as part of the open book process agreed following the revision to the 22/23 contract (An 80/20 split on surpluses in place of the originally agreed 90/10 split). The forecast for the year was still expected to be a significant reduction in income from that agreed as part of the original concession contract given that increases in delivering the services would be most felt in the second half of the year due to continuing rises in costs. The financial strategy had already been adjusted for this as part of the Q1 update.

In relation to Customer & Digital Services, Benefits subsidy and payments were reducing as new claimants transferred over to Universal Credit. The figures were based on the latest mid-year claim submission.

In relation to Strategic Leadership, within the 2022/23 Budget agreed by Council in February there was a Contingency Budget of £200k for any unplanned unavoidable expenditure. To date £147k had been committed from this budget.

Earmarked Reserves which were approved within the Final Accounts 21/22 Report in September were currently being reviewed. As part of initial work completed, £500k could be released, as it was no longer required. The main element of this release related to funding earmarked to support the Planned Preventative Maintenance (PPM) Programme. However, ongoing delays to the programme and the use of the Corporate Asset Reserve allowed this money to be used to support the base position in year.

In relation to the Housing Revenue Account, variations had been identified by the Accountancy Team in conjunction with the relevant budget managers, giving a favourable variance of £1,028k as of 30 September, with a forecast favourable variance for 2022/23 of £150k. A summary was provided below:

2022/23				
Service	Variation Description	Q1 Variation £'000	Q2 Variation £ '000	Forecast Full Year Variation £ '000
HRA	Staffing (after Vacancy Factor Adjustment)	£78 F	£95 F	£150 F
g	Housing Repairs	£950 F	£810 F	-
TOTAL		£1,028 F	£150 F	£150 F

resources across the Housing Revenue Account had seen similar issues to those impacting the Assets teams. Sickness and recruitment challenges had been present and were likely to continue going forwards in the immediate future. The Q2 value took into consideration the recently agreed pay award, which was why the favourable variation had not grown at similar levels to that seen in Q1 despite many of the staffing challenges remaining.

Continued delays in receiving invoices from contractors for housing repairs, both major and responsive, was leading to the favourable variance YTD. A process was currently in development to ensure order data from the Housing Management System (Active H) appeared in the new Finance Management System (FMS) as orders were raised, ensuring expenditure reporting was more robust and timelier than it was through the existing FMS. Currently expenditure was passed through to the FMS when paid.

This project to bring active orders into the FMS when approved, and the centralisation of all R&M budgets would allow more timely financial management of these budgets. Major and responsive works were ongoing, with the expectation that the full budget allocation for the year would be utilised.

The Medium Term MTFS was last formally reported to Members in September as part of the Q1 Budget Review report. The table at 1.3.1 in the report detailed the profile of revenue savings to be found.

As well as the in-year changes detailed above, there had been key changes to the MTFS for future years made during Q2, as outlined below.

Major contracts would be subject to their own agreed cost profile and inflation levels, which were/would be factored in to the MTFS as appropriate. These were being reviewed as part of the budget setting process in conjunction with the service areas and ensuring the contract register was up to date and reflected the latest positions.

In addition to the treatment of the agreed pay award as outlined in the report, it had been assumed that any 23/24 pay award would also be able to be accommodated by underspends against the existing establishment driven by the recruitment and retention challenges currently faced. However, from 24/25, it had been assumed that the Council would not be able to rely on high levels of vacancy to offset the cost of recent and future pay awards, and so the impact of this was reflected within the latest MTFS.

This would continue to be reviewed based on the latest information from ongoing pay award discussions. The vacancy factor target would also be reviewed alongside this, to ensure that this was set at a level reflecting the continued establishment gaps.

Given the increased levels of inflation, the cost of delivering many of services was expected to continue rising over the duration of the MTFS. To support the cost of delivering current services, future Fees and Charges levels had been set at 5% in the latest update.

In conjunction with the Fees and Charges as agreed by Members in November, further recurrent income of £360-410k per annum had been included in the MTFS from 24/25.

Within the Q1 Budget Report, utility forecasts were significantly increased based on indicative estimates provided by ESPOs Energy Trading/ Risk Management team.

The Council contracted to buy electricity through ESPO for the period October – September, but for gas, the period was April - March.

Further updates had now been received from ESPO. For context, the rates provided for the current year were below the levels set as part of the current business energy price guarantee levels.

The forecast for electricity had been updated to reflect further expected increases in cost for 24/25, and the forecast for gas had significantly changed from April 2023 when the current contract ended.

In light of the more recent information, the MTFS had been updated with the changes outlined below:

	2022/23	2023/24	2024/25	2025/26	2026/27
	£'000	£'000	£'000	£'000	£'000
Further Increase (Decrease) in Electricity charges	0	-62	272	50	0
Further Increase (Decrease) in Gas charges	0	190	136	0	0

Work was underway to mitigate the impact of these increases, with the Building Management System operator, SERTEC being instructed to carry out an urgent review of our key sites to see if any changes to heating / lighting / cooling etc. could be introduced and if these might cause any loss of amenity at a building. There was limited scope at the Pump Rooms as the art and museum collections required regulated air and temperature to prevent artifact deterioration.

Work was also underway to look at whether there were options to install PIR sensors in any corridors, kitchens, toilets etc. at any locations. The

costs were likely to be small in comparison with the energy cost increase and any marginal energy savings were worthwhile.

As part of the Governments Autumn Statement, it was confirmed that the cap on Council Tax had been increased from 2% / £5 (whichever was higher) to 3% / £5. For Warwick District Council, this would equate to an additional 30p per Band D property. Based upon current tax base levels, there would be a £17,700 increase in Council Tax received in 23/24.

However, this had not been included in the MTFS at this stage, as work was ongoing as part of the budget setting process reviewing the tax base for 23/24. Any changes relating to Council Tax would be included as part of the Budget Setting report due to be presented to Members in February.

Taking into account the changes highlighted, the Medium Term Financial Strategy now presented the following deficit position:

R	2022/23	2023/24	2024/25	2025/26	2026/27
e	£'000	£'000	£'000	£'000	£'000
c					
u					
Deficit-Savings					
Req(+)/Surplus(-)	482	2,558	3,012	2,688	2,545
future years					
n					
Change on previous	0	2,076	454	-324	-143
year					

savings of £2.6m needed to be secured to enable the Council to be able to set a balanced budget from 2023/24 onwards. Officers were continuing to review ways of reducing the deficit, including income generation, service efficiency and cost saving schemes, with the expectation that schemes would be factored into the budget setting process and reported to Members in February.

In relation to Capital Variations, the following proposed changes to the Capital Budget had been identified:

- 1) Castle Farm Sports Pitch Drainage - £73k slippage into 2023/24;
- 2) Commonwealth Games Cycle Improvements at Leamington Station - £60k vired from main project in 2022/23;
- 3) Car Park Pay & Display Machines - £12,600 additional budget in 2022/23 funded from repairs and maintenance budget;
- 4) Recycling & Refuse Containers - £6k additional budget in 2022/23 funded from income; and
- 5) Skate Park in St. Nicholas Park - £38.8k slippage into 2023/24.

In relation to Members allowances, the Members Allowances Scheme defined that "[...] shall be increased by the annual local government pay percentage increase as agreed each April (linked to spinal column point 38 of the NJC scheme) to be implemented the following May in that year from the date of the Council Annual Meeting".

This year, the pay award for all scale points was £1,925. Following consultation with the Leadership Coordination Group, it was proposed that

6.6% would be the increase for this year. This was based on the basic allowance and how that equated to salaries for officers. The Independent Remuneration Panel for the Council were consulted on this proposal and raised no objections. This would have had an adverse effect on the budget of over £24,000 before any on costs (national insurance contributions) were included.

In 2022/23, this would be funded through underspends against existing staffing budgets due to the recruitment and retention challenges currently faced by the Council and would be built into future budgets as baseline growth.

The Overview & Scrutiny Committee raised a general concern that subsequent to it becoming responsible for what was much of the remit of the former Finance & Audit Scrutiny Committee, Members had found the volume of items requiring attention had significantly increased. A consensus was that this led to less effective scrutiny and was no longer tenable.

The Chair of the Overview & Scrutiny Committee informed Cabinet of these concerns and requested that officers should be asked to review the situation and provide options for improvement going forward.

The Leader agreed with the concerns raised by the Committee, and he would follow this through with the Chief Executive and Deputy Chief Executive and Monitoring Officer to see what arrangements could be done to support the scrutiny process.

In relation to the Quarter 2 Budget Report, the Overview & Scrutiny Committee thanked officers for their work and noted the report. Concerns were raised about the continuing issues relating to staff recruitment. Whilst these issues meant that the Council's budget position had improved, recruitment had not.

Councillor Hales thanked the Head of Finance and his team. He then proposed the report as laid out.

Recommended to Council that

- (1) the Members basic allowance & special responsibility allowances, along with the allowance for the Chairman and Vice-Chairman of the Council, up rating for 2022/23, be 6.6%; and
- (2) the ongoing forecast deficit outlined in the MTFS is reviewed further as part of a later report to Cabinet once proposals for tackling the deficit have been developed, be agreed.

Resolved that

- (1) the latest current year financial position for both Quarter 2 (General Fund £1,292k

Favourable and Housing Revenue Account (£1,208k Favourable) and forecast for the year (General Fund £482k Adverse and Housing Revenue Account £150k Favourable), with the key variations that drive these positions, be noted;

- (2) the impact on the Medium Term Financial Strategy (MTFS) due to changes detailed within the report, and how these changes are expected to be accommodated, be noted; and
- (3) the current capital variations for schemes originally approved in February 2022, be noted.

(The Portfolio Holder for this item was Councillor Hales)
Forward Plan Reference 1,313

Part 2

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

66. Local Development Scheme (LDS)

The Cabinet considered a report from Place, Arts & Economy which sought the approval for a refreshed Local Development Scheme (LDS) to the version published in May 2021. The LDS was a requirement of the Planning and Compulsory Purchase Act 2004 and set out the work of the Planning Policy team over the next three years in terms of the production of planning documents.

The production of a Local Development Scheme was a statutory requirement and should have been reviewed regularly. The report and Appendix 1 to the report set out the planning policy priorities regarding the production of policy documents for the next three years, albeit to be reviewed next year. It sought to set out a realistic and deliverable programme for delivery given staff resources.

The Warwick District Local Plan (2011-2029) was adopted in September 2017. This comprehensive Plan set out additional Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs) that were required to support the Local Plan and add further detail for applicants, decision makers and other relevant stakeholders in the planning process. planning documents which formed the basis of the Local Development Scheme (LDS).

Much of the programme of work in the LDS was driven by commitments in the Local Plan. As well as these commitments, additional work would arise in response to either local planning issues, changes in Council priorities or changes in national legislation. Where possible these were factored into the LDS, to ensure that it both provided an update on progress made and identified new areas of policy being worked on.

Since the adoption of the Local Plan in September 2017, the Planning Policy team had delivered eight Supplementary Planning Documents, set

out below:

- Parking Standards.
- Residential Design Guide.
- Air Quality and Planning.
- Land East of Kenilworth Development Brief.
- Public Open Space.
- Custom and Self-Build.
- Developer Contributions.
- Affordable Housing.

In addition, the team had also produced supplementary planning guidance on the mix of housing for large scale developments; guidance relating to Policy H6 (Houses in Multiple Occupation and Student Accommodation) of the Local Plan; and had updated the Council's Statement of Community Involvement during the Covid-19 pandemic to enable planning consultations to continue in previously unforeseen circumstances.

Furthermore, the Planning Policy team had worked closely with relevant qualifying bodies (usually Parish or Town Councils) to assist in the adoption of Neighbourhood Development Plans with 10 having been adopted since 2016, eight of which were 'made' following the adoption of the Local Plan. The team had also offered support to other qualifying bodies that were preparing Neighbourhood Development Plans that had yet to be adopted, with one actively progressing their Plan (Cubbington).

Whilst not required to be set out in the LDS, it was important context to understand other important work undertaken by the Planning Policy & Site Delivery team that supported the Council and impacted upon resources available to developer DPDs and SPDs. This included (list not exhaustive):

- Production of an Authority Monitoring Report – produced annually to monitor progress against Local Plan objectives.
- Production of an Infrastructure Funding Statement – produced annually to report on contributions sought and received from developments for the provision of infrastructure and the subsequent use of those contributions.
- Publication of a housing trajectory – updated annually.
- Preparation of an Infrastructure Delivery Plan.
- Maintenance of a Brownfield Land Register.
- Maintenance of a Custom & Self-Build Register and associated progress reporting.
- Government monitoring returns.
- Quarterly and annual monitoring of development.
- Consultees on planning applications.
- Advice provided to Development Management and additional consultancy support procured where appropriate (e.g., for the Gigafactory application), other Council departments, WDC members, Parish Councils, and other stakeholders in the planning process.
- Management of the Community Infrastructure Levy – including its day-to-day administration, supporting Parish and Town Councils, and distributing funds to them, allocating funds to infrastructure projects, and annually updating the CIL Charging Schedule.
- Active engagement in a sub-regional planning group (Coventry, Solihull and Warwickshire Association of Planning Officers – CSWAPO) including

the joint commissioning of key technical information to underpin policy, e.g., the Housing and Economic Development Needs Assessment (HEDNA).

- Procuring and managing consultants to provide updated evidence on various planning policy matters.
- Significant role in the delivery of major development sites through supporting Development Management and working with developers, Members, and other stakeholders.

The adoption of so many SPDs and Neighbourhood Development Plans since the adoption of the Local Plan could be considered a success and had assisted the Development Management in their decision-making processes. However, the production of Local Plans/DPDs required substantially more work than SPDs and therefore in the coming three years, the LDS would focus on the delivery of a lesser number of documents, reflecting the work required to adopt them. For Local Plans/DPDs there were more statutory required stages for public consultation and an examination in public with a Planning Inspector, in addition to the early preparation and consultation stages required for an SPD. This took a considerable amount of additional time and stretched resources. The additional stages for adoption also introduced more variables in terms of certainty of delivery within timescales that might be set at the outset of a workstream.

The Policy & Site Delivery team comprised of three main components: planning policy, site delivery, and managing the Community Infrastructure Levy. Focusing solely on the first of these components, the policy team currently comprised:

- Principal Planning Officer x 1.
- Senior Planning Officers x 2 (1.1 FTE).
- Planning Assistants x2 (1 studying at university one day a week; 1 on a fixed term contract being seconded on work on the South Warwickshire Local Plan).
- Development Monitoring Officer x 1.

It should have been noted that within this, 1.5 FTE posts were working full-time with colleagues from Stratford-on-Avon District Council to deliver the South Warwickshire Local Plan.

This level of resources was not sufficient to deliver the programme of planning policy work outlined in the proposed LDS, particularly noting the range of other related tasks that the team needed to deliver. An opportunity had been created, however, through the recent wider management restructure which saw the deletion of the Policy & Projects Manager role (which previously gave support to planning policy work). This had given the opportunity to review the resources, capacity and skills needed to deliver the LDS, and this funding would be redeployed to increase the capacity and capability of the planning policy team.

It should also have been noted that staffing resourcing challenges since the publication of the current LDS in May 2021 had impacted on the team's ability to deliver all the elements of the current LDS. The deploying of resources as outlined above, together with recruitment to any currently vacant posts, would provide the resources to deliver the proposed LDS.

Two key workstreams had dominated planning policy work since the production of the most recent LDS in May 2021. These were the preparation of a joint South Warwickshire Local Plan (SWLP) with Stratford-on-Avon District Council and the production of a Net Zero Carbon DPD. Significant positive progress had been made in relation to these two Plans.

Owing to staff resource challenges and the amount of work associated with the two workstreams referred to above, there had been limited progress on developing other documents set out in the 2021 LDS delivery plan.

The following highlighted progress on stated priorities in the previous LDS. They also provided explanatory information that supported the updated LDS now proposed, as set out in Appendix 1 to the report.

The National Planning Policy Framework (NPPF) required Local Plans to be reviewed every five years to ensure that they remained relevant and continued to deliver the growth laid out in the Plans. The Council had previously agreed that work on the Local Plan Review would be undertaken jointly with Stratford District Council, whose Core Strategy was also in need of review and the authorities were now working collaboratively to produce a South Warwickshire Local Plan.

The two Councils undertook a Scoping and Call for Sites consultation, which ran from 10 May until 2 June 2021. Following this, the team had collated representations from the consultations, developed and commissioned further evidence to support the Plan. Officers had regularly met with a SWLP Advisory Group comprising Members across the two Councils to secure support and seek direction, where appropriate. The publication of an Issues and Options consultation was expected to commence in January 2023, subject to approval by Members of the Joint Cabinet at its meeting in December. This consultation would refine the initial growth options explored in the Scoping Consultation and set out greater detail on the scope of the Plan and the issues that it sought to address. It was initially hoped this consultation could take place earlier in 2022. However, it was delayed ensuring that a key piece of evidence to inform the Plan, the Housing and Economic Development Needs Assessment (HEDNA) took into account key findings of the 2021 Census, published earlier this year.

A joint team of officers across the two Councils had successfully worked collaboratively to progress the Plan. A distinct team had been formed to allow certainty around resources available to support the preparation of the Local Plan, although this had impacted upon available resources to deliver other items on the LDS. It should have been noted that whilst Warwick District were supporting the joint team both through providing officers and a financial contribution to ensure a balance in costs between Warwick and Stratford, the Local Plan did require notable involvement from other members of the team and service area.

Previous iterations of the LDS had identified the production of a Gypsy and Traveller DPD. Rather than produce a separate DPD on this matter, policy relating to Gypsy and Traveller accommodation would be developed

through the SWLP.

Along with the Net Zero Carbon DPD, officers considered the SWLP to be one of the two top priorities for the Council in terms of policy production. Recommendation 3 asked Cabinet to note a procurement exemption from the Code of Procurement Practice authorised on 13 September 2022 by the Chief Executive using his emergency powers. The procurement exemption related to work on the SWLP and specifically work being undertaken by Lepus Consulting to provide Strategic Environmental Assessment (SEA) and Sustainability Appraisal (SA) work. Following initiation of the procured contract, it was identified that additional work beyond that initially identified with the tendered contract, to a value in excess of that allowable under the public contract regulations 2015. The additional cost to undertake the more detailed work was £56,362, bringing the total contract award to £93,690.

The production of SEA/SA reports was a legal requirement as part of the production of the Local Plan. Officers considered it appropriate to ask the consultants to undertake more detailed analysis and to ensure a consistency of approach to how SEA/SA was undertaken for the Plan as a whole, it was not considered to be in the best interests of the Council to award the contract for this additional work to a different supplier.

Significant progress had been made on the preparation of the Net Zero Carbon (NZC) DPD document since the LDS was last published in 2021. At that point in time, it was known as the 'Climate Change and Sustainable Buildings DPD'. Officers considered that a more appropriate title to reflect the content of the document that was being produced was the updated title.

Since the last LDS was published, a draft DPD had been produced, two public consultations had taken place, three reports had been brought to Cabinet and one report considered by Council relating to the Plan. The Plan had also been submitted to the Secretary of State for formal Examination in Public and an Inspector had been appointed.

A high-level timeline of key milestones was set out in section 1.30 of the report.

The DPD was one of the first to be produced by local authorities on this issue in England and attempted to deliver on the Council's Climate Change Action Programme and respond to the Council's climate emergency declaration. Therefore, initially it proved difficult to obtain the assistance of external expertise for what was an emerging and very technical area of policy. However, consultants with relevant technical expertise were appointed in September 2021 and this had allowed the Council to refine the DPD and had given officers the confidence that the DPD was robust and stood up to scrutiny.

The 2021 LDS indicated a slightly earlier deliver profile than had been realised. However, staff resource challenges had had a significant impact. Furthermore, the DPD had proven to be challenging given its very technical nature, the need to satisfy the Council's stated climate change ambitions, to ensure that the policies would not result in development

being unviable and to ensure that it was practical to implement on a daily basis by planning officers determining planning applications. Whilst the DPD had been largely supported and well received, there had been criticism that the policies did not go far enough and also the polar opposite, that the policies went too far and would impact upon the delivery of development.

A Regulation 19 consultation was undertaken on the Canalside DPD between 9 November and 21 December 2020.

Through the consultation, the Canal and River Trust raised some fundamental concerns in terms of the tests for soundness that needed to be met in order for a DPD to be successful at Examination.

Owing to resource challenges within the team, along with the need to prioritise the SWLP and NZC DPD, officers had not been able to progress this DPD. It was recognised that as the Canal and River Trust was a key consultee relating to a DPD on canals that it would not be sensible to progress to submit the DPD for examination without seeking to address their fundamental concerns.

With the benefit of the recent addition of a member of staff to fill an existing vacancy, it was proposed to commence work on this DPD again. Therefore, the team had recently re-established communication with the Canal and River Trust and had met to better understand their concerns and how they might be addressed.

Having recently reviewed the DPD, officers also wished to re-visit the purposes of the DPD and benefits of its adoption and would also need to update its content given time elapsed.

It was likely that a further Regulation 19 consultation, if not a further Regulation 18 consultation, would be required if the Council was to proceed to adoption. The LDS set out in Appendix 1 to the report assumed just a further Regulation 19 consultation, although would review this when it was clearer what changes might need to be made.

Whilst the policy team wished to move this document forward, in light of the political and public interest in the adoption of policy on purpose-built student accommodation and the priority of progressing other documents within the LDS, it was proposed to give priority to the other workstreams. The Canalside DPD would remain in the LDS demonstrating the commitment to producing the document, although would not have a timetable against it. Should sufficient capacity mean that this could be progressed alongside other documents, then officers would endeavour to do this. As the LDS was reviewed every year, priorities would be reviewed next year.

In the 2021 LDS, a public consultation on a Purpose Built Student Accommodation (PBSA) DPD PBSA DPD was indicated for Quarter 4 of 2022. The PBSA DPD had previously slipped due to priority being given to the SWLP and the NZC DPD. Furthermore, the impact of the Covid-19 pandemic on the numbers of overseas students had made it difficult to predict what the accommodation needs for Warwick University students may be. These challenges in predicting student numbers would make it

very difficult to have a reliable evidence base on which to prepare a PBSA DPD and on which its soundness would depend.

Since the publication of the LDS in 2021, the team had experienced significant staff resource challenges and therefore with the limited capacity available in the team, the decision had been taken to focus on the SWLP and NZC DPD. Both of these Plans continued to require significant input from officers within the team and therefore little had changed in terms of resources available.

The team had previously explored with the University how it might be able to support the Council in bringing forward this document at the earliest opportunity. Officers proposed to resume these discussions to see what tangible support might be available to expedite this piece of work. Officers had useful discussions with elected Members about bringing forward policy on student accommodation and a clear steer had been given by those Members and the Place & Economy PAB that looking to adopt policy relating to purpose-built student accommodation and houses in multiple occupation quickly, in the form of an SPD, would be preferable to the development of a DPD that would take longer to adopt.

Notwithstanding this helpful steer, the LDS continued to propose the production of a DPD on this topic. This was for two reasons:

1. An initial piece of work was needed to be undertaken to understand what it was officers and Members were trying to achieve and the scope of an SPD and how this might differ from a more detailed DPD; and whether an SPD would achieve the objectives that the Council was seeking.
2. Previously the Council had sought to produce an SPD on this topic and owing to the desire to develop detailed guidance, strayed into the development of new policy resulting in a legal challenge as a new policy would have to be delivered through a DPD mechanism. To avoid a similar situation, the scope of the guidance/policy needed to be carefully considered before taking a decision to move away from the production of a DPD.

Officers, therefore, proposed to undertake this initial piece of work at the earliest opportunity, likely to be in Q1 of 2023.

If it was possible to produce a policy document that added sufficient value to support existing policies without the need to create new policies through a DPD, then officers would be happy to recommend progressing along this route, that would enable the adoption of an SPD earlier than a DPD. If an SPD were to be progressed, it would look to add further guidance relating to Local Plan policy H6 (Houses in Multiple Occupation and Student Accommodation) to update and strengthen existing guidance already published.

Whilst not a DPD or SPD, the 2021 LDS indicated that the Statement of Community Involvement would be reviewed, updated, and adopted by the end of 2021. For reasons explored above relating to limited resources and other priorities, this proved to not be possible.

The policy team had recently started to review the SCI and consider that it was achievable to bring a report to Cabinet in Quarter 2 of 2023 to seek approval for either consulting on an updated SCI (not a requirement but perhaps appropriate) or the adoption of an updated SCI without formal consultation.

Whilst officers would approach the review with an open mind, it was unlikely that the SCI review would arrive at a position that suggested a radical alternative approach to community involvement, given that the current arrangements largely followed statutory guidance. There would be a need to consider commitments relating to public consultation and engagement in line with those of Stratford-on-Avon District Council in respect of the SWLP.

In light of the resources available to the team and the ongoing extensive work on the SWLP and other DPDs along with the other tasks of the team, there was unlikely to be capacity to undertake much further work in the coming three years.

However, three further workstreams were proposed in this LDS:

- SPD/SPG to supplement Net Zero Carbon DPD.
- University of Warwick Masterplan SPD.
- Old Town (Royal Leamington Spa) Regeneration SPD.

Through the preparation of the Net Zero Carbon DPD and responding to consultation representations, it was considered beneficial to prepare supplementary guidance to support the implementation of the DPD (in the form of a Supplementary Planning Document or Supplementary Planning Guidance, the latter having less status). Precise details of what this might cover were to be determined but the following matters would initially be considered for inclusion:

- Content of energy statements to assist developers and planning officers and possibly include an energy statement pro forma.
- Advice on the types of technology best suited to broad locations.
- How contributions to the carbon offset fund would be utilised and how the Council would exercise its discretion regarding the acceptability of alternative offsite offsetting solutions.
- Guidance on embodied carbon assessments.
- Guidance on retrofitting existing buildings.

The production of this additional guidance was recommended by the consultants that had supported the Council in producing the DPD. It was deemed more appropriate to be included in a supplementary document to avoid delays in the adoption of the DPD and also to clearly differentiate between the core policies of the DPD and guidance that assisted in the implementation of the policies.

The guidance would make the policies easier to implement and seek to minimise the potential for confusion or challenge. It would assist officers in Development Management with the assessment of documentation required to support planning applications resulting from the adoption of the DPD. It would also provide clarification and certainty to applicants about what was required and guidance to support them in designing schemes to meet the requirements of the DPD.

The updated LDS therefore included the document above as an SPD. However, the timing of its delivery would depend on multiple factors including: whether the DPD was found sound (if the DPD was not adopted then there would be no requirement for the supplementary guidance); the time it took for the DPD to be examined and found sound; availability of technical expertise from external consultants; and the proposed content of the SPD. As an alternative to an SPD, it might be considered appropriate to adopt guidance that did not have SPD status, and that would reduce publication time. However, this decision could only be taken once the scope of the additional guidance had been determined.

Notwithstanding the uncertainty around the adoption of the DPD, officers and consultants supporting this work considered it prudent to progress this supporting guidance prior to the adoption of the DPD. Whilst the work was therefore undertaken at some risk, the Council would want to be in a situation where the guidance could be adopted shortly after adoption of the DPD to ensure clarity was provided to applicants and decision makers.

The University of Warwick Masterplan SPD was something that had been driven to date by the University and was expected to provide a masterplan framework for growth until 2030. The 2009 University Masterplan created a framework for growth between 2009-2019 and The Hybrid Plan, approved in 2018 guided the development of the campus from 2019-2023. Both were now out of date or in need of updating and there was a need to develop a new masterplan to reflect the University's vision to 2030 and beyond. Officers at Warwick District and Coventry City Council had agreed with the University that the preparation and adoption of an SPD would be sensible to guide development proposals that might come forward and ensure that development came forward under a comprehensive vision for the University and crucially that key matters such as transport, biodiversity, flood risk/drainage and sustainability/energy were properly considered and a framework for planning obligations was agreed.

Whilst officers would be involved in the preparation of the Masterplan, much of the work to prepare the masterplan would be undertaken by the University and their appointed consultants thus reducing the burden on officers. There would, however, be a need for some officer involvement and discussions were currently underway with the University about how that might be resourced with a Planning Performance Agreement being considered as an option. Notable involvement from officers would also be required before, during and after a public consultation on the SPD.

The timetable in the LDS reflected the ambitious timetable that the University hoped to achieve. However, it should have been recognised that discussions were ongoing with the University, Warwick District and Coventry City Council officers about resourcing the work and the timetable and therefore this might be subject to change. It should also be noted that the SPD would cover the University's estate in both Warwick District and Coventry, and whilst this Council would only consider matters relevant to Warwick District, the SPD would need to be approved by both Councils in order to come into effect.

Leamington's Creative Quarter was a long-established regeneration partnership initiative which had recently made significant progress with its first development on the ground at Spencer Yard, supported by the Future High Street Fund (FHSF). The second development, also supported by the FHSF, was utilising WDC building assets at Stoneleigh Arms on Clemens Street and Old School on Court Street. To maximise the catalyst for further regeneration in the surrounding area of the Old Town, a Supplementary Planning Document (SPD) was proposed covering Althorpe Street, Court Street, Wise Street, Bath Place Car Park and linking up to Spencer Yard and the Old Post Office / Sorting Office.

Architects had been appointed by the Council to progress this work and liaise with Council officers, and the LDS proposed that this work on developing a regeneration framework would continue from the end of 2022 through to Spring 2023. In Summer 2023, it was proposed to consult on the SPD with a view to assessing the responses and amending the document where appropriate and then seeking adoption of the document by the end of 2023.

A significant amount of the preparatory work to produce this SPD would be undertaken by Council staff outside of the Policy team, with support from their appointed consultants.

The updated LDS would continue to place a priority on the progression of the SWLP towards adoption and also on the Net Zero Carbon DPD. The development of policy on purpose-built student accommodation / houses in multiple occupation would be prioritised above the Canalside DPD. The Canalside DPD remained within the LDS as policy that the team would like to adopt but owing to other priorities was not timetabled for delivery in the LDS.

The LDS also proposed the adoption of an updated Statement of Community Involvement, the production of a University of Warwick SPD, an Old Town Regeneration SPD, and supporting guidance to supplement the Net Zero Carbon DPD.

It was noted that the delivery of the LDS as per the timetable in Appendix 1 to the report, was dependent on a number of variables, not least the capacity available within the team. The LDS developed assumed a full complement of staff as identified in Recommendation 2 and in paragraphs 1.12 – 1.13 in the report.

In terms of alternative options, the Council could choose not to adopt this Local Development Scheme, and instead suggest a different range of priorities and timetable for the delivery of the identified documents. However, the attached LDS had been developed to bring forward the right documents as swiftly and efficiently as possible in a realistic timeframe and given the resources available. Therefore, this option had been discounted.

The preparation and maintenance of an LDS was a requirement of the Planning and Compulsory Purchase Act 2004 and therefore it was not an option to not publish an updated LDS.

The Deputy Chief Executive and Monitoring Officer, in response to a comment made by the Leader regarding additional resources that might be required and more innovative ways of delivering the LDS, suggested that in order to mitigate the need for a further report, the following addition to Recommendation 2:

“and delegates authority to the S151 Officer to utilise appropriate reserves should further resources be required”.

The Leader accepted this suggestion as constructive, and Group Leaders and the Chair of the Overview & Scrutiny Committee were also in agreement. Councillor Day then proposed the report as laid out, and subject to the above addition to recommendation (2).

Resolved that

- (1) the content of the Local Development Scheme (LDS) (Appendix 1 to the report), be noted, and the adoption of the LDS and its proposals for delivery of planning documents over the forthcoming three years, be agreed;
- (2) officers are utilising existing resources within the planning service to ensure there is officer capacity to deliver the LDS, be noted, and authority be delegated to the S151 Officer to utilise appropriate reserves should further resources be required; and
- (3) the decision taken by the Chief Executive in September 2022 under emergency powers to authorise a procurement exemption to support work on the South Warwickshire Local Plan, be noted.

(The Portfolio Holder for this item was Councillor Cooke)
Forward Plan Reference 1,322

67. Business Improvement District (BID) Leamington – Update on BID Renewal Process and Progress

The Cabinet considered a report from Place, Arts & Economy which updated on the progress of the Business Improvement District Leamington Ltd (BID) renewal process within Leamington Spa town centre and which sought delegated authority to deal with elements of the process.

BID Leamington Ltd was initially established in 2008 with Warwick District Council (WDC) acting as Billing Authority and had been renewed in 2013 and 2018. The current term concluded in June 2023. The BID Leamington Board of Directors had decided it wished to proceed with a renewal ballot.

In accordance with the mandatory notice period of 126 days before the ballot date, the Board of BID had notified WDC (as the billing authority) and the Secretary of State in October 2022 of their intention to seek a renewal ballot.

In line with the Business Improvement Districts (England) Regulations 2004, Regulation 4, BID needed to submit to WDC a copy of their renewal proposal, their proposed financial business plan, a summary of the consultation taken with the BID levy payers and a summary of the financial management arrangements for the BID. This was currently being worked on by the BID and would be presented to Cabinet at the 9 February 2023 meeting.

The BID Regulations (2004) required every BID to have a Baseline Agreement with the Local Authority for the areas that set out the services that the Council would deliver. This Agreement ensured that the BID Levy was only used to provide 'additional value' services for the business community and was not used to pay for core services provided by the Council. The Baseline Agreement put in place for the 2018 renewal covered a broader Baseline Agreement than the previous agreements and it was proposed the same agreement be used for the 2023 Renewal. This was set out in Appendix Two to the report, but delegated authority was requested if there was a need to make any minor changes prior to the commencement of the ballot process.

UK Engage were an independent supplier of ballot and election services and were selected from a competitive tender interview process to provide the service for the BID Ballot. The Chief Executive would remain the Returning Officer. The costs for the Ballot would be borne out of WDC's Economic Development budget.

The BID Legislation (2004) required that the proposal document and Business Plan needed to be submitted to the local authority (as the Accountable Authority) for sign-off, ensuring that the Plan was legally compliant.

The Operating Agreement would be reviewed by SDC Legal Services and amended to reflect the actual steps of the BID levy collection process. The Operating Agreement formed part of the BID Business Plan and, although good progress was being made, it was not yet agreed and there was insufficient time to bring the Operating Agreement to the Cabinet for separate approval prior to being incorporated into the Business Plan and as such delegated authority was sought to approve the Operating Agreement.

A final report would be brought to Cabinet on 9 February 2023 with the completed Business Plan, a review of the completed milestones and a recommendation regarding the Council's voting position.

In terms of alternative options, Members could choose not to support the renewal of BID Leamington. This was not considered as there were no grounds to do this and because of the significant impact on the business community and the Council's reputation.

In response to a question from Councillor Tracey regarding recommendation (3), Councillor Bartlett stated that the cost to the Council would materially be less than £5,000 worth of funding and was within the economic development budget, so had no material impact on the budget. He then proposed the report as laid out.

Resolved that

- (1) as required by regulation 3(2) of The Business Improvement District (England) Regulations 2004, BID Leamington (as the BID proposer) has served notice of their intention to seek a BID renewal ballot to the Secretary of State and Warwick District Council (WDC) as the Billing Authority as per the timeline in Appendix One, and a letter was sent to The Secretary of State and WDC on Tuesday 11 October 2022 and confirmation of receipt was received on the same day, be noted;
- (2) the proposed Baseline Agreement, set out in Appendix Two to the report, be noted, and authority be delegated to the Head of Place, Arts and Economy, in consultation with other relevant officers and Portfolio Holders to agree any minor changes to the Agreement;
- (3) the Chief Executive will be the Returning Officer for the ballot, the cost of which will be borne by the Council and approves the engagement of 'UK Engage' to carry out the renewal ballot on behalf of the Council in accordance with the BID Regulations (2004), be noted;
- (4) authority be delegated to the Head of Place, Arts and Economy (PC) in consultation with the Place, Arts & Economy Portfolio Holder to agree an appropriate Operating Agreement with the BID; and
- (5) a further report will be presented to the Cabinet at its 9 February 2023 meeting providing details of BID Leamington's proposal document and Business Plan, be noted.

(The Portfolio Holder for this item was Councillor Bartlett)
Forward Plan Reference 1,329

68. Draft Local Transport Plan – Consultation Response

The Cabinet considered a report from the Programme Director for Climate Change which sought approval for the response to Warwickshire County Council's recent consultation to the Draft Local Transport Plan, as set out in Appendix 1 to the report.

Warwickshire County Council was in the process of updating the current Local Transport Plan (LTP), which was a document that set out the transport needs, challenges, objectives, and priorities for the County. The LTP set out policies to shape future transport schemes and developments within the County. It allowed the County Council, to target resources to deliver a transport network that gives people who live and work in Warwickshire access to the facilities they need to go about their daily lives, along with those who visit the area

The current local transport plan (LTP3) was intended to run from 2011 to 2026. But major changes to the way people move, work, shop and carry out leisure activities mean it was necessary to adapt and change to provide a modern transport system. Significant global developments also affected Warwickshire and there was a need to acknowledge and respond to transport challenges brought about by climate change, lifestyle changes because of the Covid-19 pandemic and emerging new transport technologies.

In September 2021, the County Council consulted on the overall strategic priorities of the new Plan (LTP4). This indicated that the four key themes should underpin the new Plan. The four themes were Environment, Well-being, Economy, and Place. In the new consultation, the County Council set out a Core Strategy to show how the four key themes linked into the County Council's wider aims. These aims were:

- Thriving Economy and Places – the right jobs, training, future skills, education, infrastructure, and places.
- Best Lives - communities and individuals supported to live safely, healthily, happily, and independently.
- Sustainable Futures - adapting to and mitigating climate change and meeting Net Zero commitments.

The Core Strategy was supported by six proposed 'Key Strategies' that together made up LTP4. The key strategies were:

- **Active Travel:** a strategy to promote walking and cycling in Warwickshire to bring the physical and mental health benefits from these forms of transport to more people and protect the environment.
- **Public Transport:** how the Council intended to work with bus and rail companies to improve the existing public transport network in Warwickshire.
- **Motor Vehicles:** recognising the role of motor vehicles in the County as there was a move towards more sustainable transport options such as electric vehicles and hydrogen-fuelled transport.
- **Managing Space:** making changes to public spaces to make them more attractive places to be, cleaner and less dominated by vehicles, with the routes that connected them less congested.
- **Safer Travel:** reducing the number of people injured on Warwickshire's roads and increasing the safety and attractiveness of all travel options.
- **Freight Strategy:** managing freight movements across the County to promote and grow a successful economy.

The consultation opened on 24 September and closed on 20 November. Officers had provided an Interim Response to the Council to meet the 20 November deadline. This was set out in Appendix 1 to the report. Members were asked to agree Appendix 1 as WDC's formal response to the LTP4 consultation.

In terms of alternative options, it was possible to offer different views and different priorities in relation to each of the LTP policies. Whilst alternative comments had been considered, officers had based their recommended comments on the overlapping priorities set out in the Climate Change Action Programme and the emerging South Warwickshire Local Plan. Carbon reduction had been the key driver behind the proposed comments.

Another alternative option would be to not make a comment on the draft LTP. This was not recommended as it would deprive the Council from influencing a document which would have a direct impact on the District. Furthermore, with work on the South Warwickshire Local Plan progressing, it was important that any transport ambitions within the emerging Local Plan were also aligned, as far as was within the Council's control, to those in the LTP. This consultation was an opportunity to seek that alignment.

The Labour Group had called this report in for scrutiny but the Overview & Scrutiny Committee Chair decided that because it did not concern a Warwick District Council policy, but instead was for a response from this Council to a County Council consultation exercise, a better approach would be for Councillor Cullinan to consult with officers and bring forward to Overview & Scrutiny Committee proposals for comments to be made to Cabinet.

The Overview & Scrutiny Committee:

1. Requested that the report should clarify that the reference to road planning in planning applications related to safety assessments and not the planning of routes.

The Council should make clear in its response that it is supportive of the proposals on pedestrian active travel rather than giving no comment.

Councillor Rhead proposed the report as laid out, including the elements from the Overview & Scrutiny Committee.

Resolved that the consultation response, set out at Appendix 1 to the report, as WDC's response to the County Council's Local Transport Plan (LTP4) consultation, be approved.

(The Portfolio Holders for this item were Councillors Cooke and Rhead)
Forward Plan Reference 1,332

69. **HEART Shared Service Partnership**

The Cabinet considered a report from Housing which summarised the evaluation of the Home Environment Assessment and Response Teams (HEART) delivery of Disabled Facilities Grants and related services and proposed that Warwick District Council should remain a partner for the

period 2023–28 by renewing its membership of the partnership for a further five years.

It was considered that given the limited and risky alternatives, current financial challenges within the public sector, continuing signs of improving HEART performance, strong progress in delivery of the Strategic Development Plan, and the service resilience and breadth of the HEART offer, that remaining within the HEART Partnership was a more viable option with greater merits and fewer risks than the Council establishing a new service, separate to HEART to deliver an identical provision.

Since 2017, the five District and Borough Councils in Warwickshire and the County Council had delivered equipment and adaptations funded by Disabled Facilities Grants (DFG's), addressed housing conditions, and provided associated financial support through the HEART. HEART was a shared service hosted by Nuneaton and Bedworth Borough Council (NBBC) and leadership and oversight was secured through the HEART Board, whose membership was formed from all of the Warwickshire District and Boroughs and Warwickshire County Council.

The key function of the HEART Service was to deliver DFG's to fund adaptations and deliver aligned funding and support to enable people to live independently in their own homes. These were typically property adaptations, including stair lifts, level access showers and similar, that enabled older or disabled individuals to live in their own homes and avoid admittance to hospital or care facilities as a result of frailty or accident.

The initial HEART Shared Service agreement was set to expire in early 2022, however for a variety of reasons including the disruptions experienced because of the COVID-19 pandemic and the general view of partners being that disbanding the shared service at this time would present considerable risks and significant implications for partner's delivery and its customers, a 12-month extension was agreed by all authorities. This would have enabled some reflection on the delivery of the service by HEART and enabled the Board to deliver some of the improvements required following the service reviews.

The 12-month extension had afforded the opportunity to consider in detail, the two external reviews and enabled progress against the priorities within the HEART Board Strategic Development Plan. There were clear partner expectations and the benefit of improved understanding of the 2021 White Paper for Social Care. The partnership had benefited from specialist input from Foundations (the national body for Disabled Facilities Grants and Home Improvement Agencies) to ensure that decisions surrounding the future of this important provision were strategic, well informed and focused on the best interests of residents.

The temporary extension expired on 31 March 2023 and therefore each partner was deciding on their part of the shared service thereafter. Any partner wishing to leave the service was obliged to provide 12 months' notice. This period would be essential for the leaving organisation to establish a new service and for the continuing shared service to revise the operation.

There was a risk that if partners did leave the shared service, that the County would take back its employees and with them the substantial additional grant that it provided to support the operation.

The HEART service had benefitted from significant scrutiny since its establishment. The most recent report received by Cabinet (and OSC through call in) earlier in 2022 concluded that the Council should work with the HEART Board, the host, and Foundations to deliver the Strategic Development Plan recommendations and return to the question of whether to remain in the Partnership when there was a clearer direction of travel in respect of both the plan and performance.

This time was now and therefore the remainder of the report summarised the current position, in order for a decision to be made on this important question. A revised Business Case had been produced which was at Appendix One to the report.

The approach to measuring HEART performance focused on measures that had been recorded historically and which reflected the number of DFG's completed and the time it took for the adaptation to be completed. Together with the waiting list and budget approvals, these measures were felt to be reflective in broad terms of the efficiency of the service in delivering adaptations and mirror national measures.

The Improvement Plan was a key area of focus, particularly as it had been developed in response to two service reviews.

For the purposes of this review a further measure had been included, relating to the following:

- Grant spend – Grant Allocation v's Expenditure Financed by Grant (by year).

This measure was an important addition as performance was to a degree dictated by the budget available, as spend could not exceed budget and reserve.

The service had been assessed against the national performance guidance standards.

Performance trends were shown at Appendix Two to the report. Delivery of DFG's was broadly consistent with a dip in 2019/20 as a consequence of being unable to undertake works during the lockdown periods of the pandemic. End to end times were shown from enquiry to case close down and were reported in calendar days. Figures at 1.3.4 in the report on the same measure but for comparative purposes showed from application to completion of works and were shown in working days.

Alongside pure performance data, the ability of the HEART Board to deliver the priorities derived from the Strategic Development Plan were considered an important facet of the evaluation of progress. These Strategic Development Plan priorities were summarised in the 20 April 2022 report to Cabinet as follows, commentary was provided in brackets on the current position. The full plan was available at Appendix Three to the report:

- Refresh the Business Plan to ensure it reflected current intent and purpose - (Business Plan refreshed and signed off by HEART Board).
- Ensure the service delivery model reflected the Business Plan objectives and met all partners requirements - (Work in progress).
- Update the staff structure to provide for sufficient capacity to meet the needs of the service and act to develop HR policies which supported the team to be effective and efficient - (Work with HR leads underway and Warwick DC contributing, Joint Protocol for HR Management likely to be agreed by end of 2022).
- Complete the installation of the case management and reporting software - (Core Configuration Complete, Go Live planned for March 2023 now seen as the date for full implementation).
- Refresh the Partnership Agreement and governance arrangements. Considerations included appointing an independent Chair to the Board - (Independent Chair Paul Smith the Director of Foundations appointed).
- Consider options for reporting customer satisfaction to the Board and key partners - (Customer satisfaction and revised performance reporting framework in operation).
- Update the Housing Assistance Policy when the Business Plan and service delivery model were signed off - (Revisions to the Housing Assistance Policy underway, options paper received by HEART Board, next steps to refine this and progress through partner governance arrangements with a view to this being live from 1 April 2023.)

The table at 1.3.3 in the report set out the Grant Allocation vs Expenditure Financed by Grant.

The table at 1.3.4 in the report set out Warwick performance against National Guidelines – end to end times.

There two cases that skewed the performance figures in 2022/23 are as follows:

- Issue: Children’s Case - Customer decided to use his own Architect due to costs. Architect had to draft new plans as customer wanted to make changes to accommodate additional work which would be paid for privately. Customer delayed works as they thought HEART contractor was expensive. Customer also wanted additional works not covered under the DFG, which he wanted quoting by his own builder.
- Issue: Delays with Freeholder granting permissions for adaptation. Case placed on hold at the request of the customer due to health issues.

It was clear that the performance of HEART fell well within national recommended guide times.

It was the HEART Board's view that significant progress had been made since the last report in April, however some of the priorities were lengthy and complex projects e.g., installation of the case management and reporting software, and whilst these remained incomplete, they were progressing well.

On balance, the view was that the direction of travel was positive and that considered together, the continuing delivery of this work would ultimately enable the service to improve throughput volumes, end to end times and customer experience.

In broad terms, the options for the future of HEART remained identical to those outlined in the 20 April 2022 report. The HEART Board continued to remain unanimously of the view that the option offering the most for residents was to retain the HEART Partnership as was, with the existing host and continue to drive performance improvement.

The question for the Council was a simple one of whether, given the above, it wished to remain part of this improving Partnership or establish a new team to delivery DFGs for just Warwick District.

Much of the national context was unchanged since the last report and revolved around the role for adaptation in the recent Social Care White Paper 2021. The White Paper made it clear that there would be a growing role for the DFG process and minor repairs/changes within people's homes in maintaining independence as they aged. This aspiration was likely to be supported by increased funding (additional £570m cited). It remained the HEART Boards' and Foundations' view that the growing contribution of DFGs was best facilitated through a countywide delivery mechanism.

The DFG was funded by the Department of Health and Social Care as part of the Better Care Fund, in recognition of the importance of ensuring adaptations were part of an integrated approach to housing, health, and social care locally, and to help promote joined up person-centred approaches to supporting communities. Funding needed to be spent in accordance with Better Care Fund plans which were agreed between local government and local health commissioners and owned by the Health and Wellbeing Board.

Funding for DFG's had grown slightly faster than inflation over the past decade with all Warwickshire authorities receiving approximately 45% higher allocations in 2021/22 than they received in 2016/17. This represented an increase from £3.5m (2016/17) to £5.1m (2022/23).

In March 2022, the Government published a new guidance document for Local Authorities in England which stressed the importance of working together to deliver DFG and allied services to those in such need.

In terms of alternative options, one was to serve an appropriate notice and leave the HEART Partnership and create a new platform for the delivery of DFG's and aligned services. This was not the preferred option for all the reasons detailed in the Risk Assessment section.

The Overview & Scrutiny Committee thanked officers for their work. Members noted that it was a complicated service to get right and recognised that it was heading in the right direction.

Corrections were required to reflect the reasons for the underperformance at that time at 1.3.1 in the report.

The Committee welcomed the commitment to some form of a continued Break Clause in the contract going forward.

Councillor Matecki thanked the Overview & Scrutiny for their comments, and he then proposed the report as laid out.

Resolved that

- (1) the progress to provide one consistent service to deliver Disabled Facilities Grants and a Home Improvement Agency Service for the whole County, be noted;
- (2) Warwick District Council renew membership of HEART from April 2023 for a period of five years, be agreed;
- (3) once a new legal agreement for a five-year Partnership is complete, authority be delegated to the Head of Housing, in consultation with the Portfolio Holder for Housing and Assets, to agree the revised HEART Partnership Agreement; and
- (4) authority be delegated to the Head of Housing, in consultation with the Portfolio Holder for Housing and Assets, to agree the revised HEART Private Sector Housing Assistance Policy.

(The Portfolio Holder for this item was Councillor Matecki)
Forward Plan Reference 1,333

70. Proposal to adopt an Additional Licensing Scheme

The Cabinet considered a report from Housing which made the case for the introduction of an Additional Licensing Scheme in Warwick District. Additional Licensing was a discretionary form of House in Multiple Occupation (HMO) Licensing which could be applied in respect of three or four person HMO's.

There were known to be at least 1409 HMO's operating in total in the District. There were currently 604 (43%) HMOs which were already subject to Mandatory HMO Licensing and 805 (57%) which were currently non- licensable. Designating an area as subject to an Additional Licensing Scheme would bring 3- and 4-person non-licensable HMOs in the designated area into scope enabling the Council to better regulate property standards and management.

Mandatory HMO Licensing was introduced in 2006 and applied to HMOs with five or more persons living as two or more households in properties containing three or more storeys.

In 2018, Mandatory Licensing was extended to cover all HMOs with five or more persons living as two or more households, irrespective of the number of storeys, with the exception of certain purpose-built blocks of flats. In Warwick District there were currently 604 such licensed HMOs.

HMO Licensing required landlords to meet minimum property standards and comply with a set of standard conditions designed to ensure they were maintained in good order. The application process required landlords to submit a range of certificates to demonstrate that appropriate safety standards were in place and maintained. Landlords were also required to pass a 'fit and proper person test' as part of the application process. Every HMO which was the subject of an application was inspected before a licence was issued and inspections throughout the term of the licence could also be undertaken. Each licence placed a limit on the number of permitted occupiers to prevent overcrowding.

Mandatory licensing had proved to be instrumental in improving standards in HMOs with five or more persons. Prospective tenants could have confidence that a licensed HMO would meet minimum standards and would often engage with the Council if they identified any issues concerning repairs or management.

Many landlords of licensed HMOs had established good working relationships with the Council through the licensing process and were keen to ensure they remained compliant. A better understanding of their responsibilities also often promoted a better relationship with their tenants.

A number of prosecutions had taken place against landlords who had failed to licence their HMOs, and these had been given publicity to reinforce the requirement for landlords to operate within the legal framework.

In Warwick District, there were understood to be 805 non-licensable HMOs. Apart from some contained in Purpose Built Student Accommodation (PBSA), these would contain three or four persons living in two or more households. This represented 57% of the HMO stock. This was likely to be an under-estimate because there would be more HMOs in operation that the Council were unaware of, and due to their relatively small size, it could be expected that some would switch between letting to a family/couple to HMO as tenancies came to an end.

The Council would respond to requests for service from occupiers of non-licensable HMOs but did not have the resources to embark on a full-scale inspection programme to ensure they were all brought to standard within a defined timescale. Furthermore, statutory powers were limited to dealing with the more serious hazards under the Housing Health & Safety Rating System (HHSRS) and compliance with the HMO Management Regulations. Unlike licensed landlords, they were not required to pass a fit and proper person check or submit regular safety documentation to the

Council and neither were they subject to the same controls requiring them to deal with matters concerning their tenant's noise or waste issues which might affect neighbouring residents.

Additional Licensing was a discretionary form of HMO licensing for three and four person HMOs which were outside the scope of Mandatory Licensing. Section 56 and 57 Housing Act 2004 set the criteria required for such schemes.

The Council was able to designate the area (i.e., the whole) or an area (i.e., a part) of its District as subject to additional licensing subject to certain conditions. It needed to be satisfied that a significant proportion of the HMOs of that description were being managed ineffectively as to give rise or be likely to give rise to one or more particular problems either for those occupying the HMOs or for members of the public.

Before making a designation, the Council needed to take reasonable steps to consult persons who were likely to be affected by the designation and consider any representations made in accordance with the consultation and not withdrawn.

Section 57 Housing Act 2004 required the Council to also take the following considerations into account when exercising its power under Section 56 to designate Additional Licensing areas. The Council needed to ensure that any exercise of the power was consistent with the Council's overall housing strategy, and it needed to seek to adopt a co-ordinated approach in dealing with homelessness, empty properties and anti-social behaviour affecting the private rented sector as regards combining licensing with other courses of action available to the Council and as regards combining licensing with measures taken by others.

The Council must not have made a designation under Section 56 unless it had considered whether there were other courses of action available to it that might have provided an effective method of dealing with the problem(s) and it considered making the designation would significantly assist in dealing with the problem(s), whether or not they took any other course of action as well. The issues in surrounding this were addressed in the Feasibility Study set out in Appendix 1 to the report.

The Feasibility Study had been prepared to examine the case for introducing Additional Licensing. The report considered the background and legal context before considering the evidence base, drawing on a number of data sources. It then considered the advantages and disadvantages a scheme might offer, alternative options with some analysis and conclusions.

The Feasibility Study demonstrated that 88% of non-licensable HMOs were located in Leamington Spa/Whitnash (CV31 and CV32) postcode areas. 65% of all non-licensable HMOs were houses and flats occupied by university students. Warwick (CV34) and Kenilworth (CV8) post code areas each accounted for only 6% of the known non-licensable HMO stock, i.e., 12% in total. It was not surprising therefore that service requested linked with non-licensable HMOs across the Private Sector Housing, Environmental Protection and Contract Services teams were mainly

centred on Leamington Spa wards.

Although the focus of HMO Licensing was on ensuring the health, safety, and welfare of the occupiers, it was important to note that the service requested data in the Feasibility Study showed a significant number of requests associated with noise nuisance and various waste management issues in both licensed and non-licensable HMOs. This was evidence to support the claim that a significant proportion of non-licensable HMOs had a management issue or particular problem for the occupiers or members of the public. These issues could be addressed through Additional Licensing by placing the same licence conditions on HMO landlords which were not currently subject to licensing controls so that they had a level of accountability for their tenants' behaviours.

The extension of Mandatory HMO Licensing in 2018 enabled the Feasibility Study to focus on the inspection findings of all of the five-person (one and two storey) HMOs which had since been licensed. These were considered to be of similar character and size to the three and four person HMOs and enabled some interesting analysis. Of 127 of these HMOs, 115 (91%) were found to be deficient in fire safety measures and many had multiple defects.

There were a number of case studies in the Feasibility Study which highlighted some of the more serious issues which could be found in three and four person HMOs arising from service requests such as absence of heating and hot water, flooding, fire safety and overcrowding. These cases had involved tenants who were some of the more vulnerable members of society and had included the need for formal action such as service of Improvement Notice, Prohibition Order, and prosecution.

Since the introduction of the Council's HMO Licensing and Planning Permission Policy in April 2021, landlords submitting licence applications would be required to obtain planning consent for HMO use before they were granted an HMO Licence. Under an Additional Licensing Scheme, three and four person HMOs would similarly be forced to ensure they had the relevant planning consent when applying for HMO Licences. There were currently 74 cases of non-licensable HMOs requiring planning enforcement investigation.

The Feasibility Study concluded by supporting a consultation on a District-wide Additional Licensing Scheme. Whilst the evidence base clearly highlighted particular issues in Leamington Spa's wards, there were benefits of having a level playing field for landlords and tenants alike, irrespective of HMO location. Restricting a scheme to apply only in Leamington Spa could encourage development outside of the Leamington ward boundaries. Although much of the data was focused on Leamington Spa, it did not follow that property standards were necessarily lower than those found in non-licensable HMOs in Warwick or Kenilworth for example. It was prudent for Members to consider the results of the public consultation exercise before taking a final decision on whether to designate any scheme on a District-wide basis.

In terms of alternative options, the Council could choose not to proceed with Additional Licensing and instead continue to deal with non-licensable

three and four HMOs on a case-by-case basis as and when service requests were received. However, this was not considered to be a strategic approach and would not deal most effectively with the issues highlighted in the Feasibility Study.

The Feasibility Study referred to a range of alternative options that the Council could follow instead of adopting an Additional Licensing scheme. Each was considered in turn. However, none of the options had the potential to effectively address the range of issues encountered in an appropriate timeframe and suitably resourced.

Councillor Matecki stated that other authorities who had introduced such a policy had improved things greatly. Having the policy set out as it was, meant that the funding was there to employ the officers to enforce the policy which was key. He then proposed the report as laid out.

Resolved that

- (1) the feasibility study (Appendix 1 to the report) on the introduction of a proposed Additional Licensing scheme, be noted;
- (2) a statutory public consultation exercise to take place between 9 January and 20 March 2023, be agreed; and
- (3) a further report be brought to Cabinet following the above consultation exercise to determine whether to proceed and if so, to agree the scheme arrangements and to issue the formal Additional Licensing scheme designation, be noted.

(The Portfolio Holder for this item was Councillor Matecki)
Forward Plan Reference 1,334

(Councillor Tracey left the meeting)

71. Future Funding of Warwick Visitor Information Centre

The Cabinet considered a report from Place, Arts & Economy which set out the Business Plan provided by Warwick Visitor Information Centre (VIC), in conjunction with Warwick Town Council, which set out the ambition, aims and objectives for the period 2023 – 2026.

As well as considering the Business Plan, the Cabinet were asked to approve the continued ongoing financial support to the Warwick VIC for the period 2023-2026, enabling the centre to continue to provide a valuable visitor experience and support the local visitor economy in the town of Warwick and the wider District.

As the current Business Plan expired at the end of this financial year, 2022-23, officers had requested a new Business Plan to support the aspirations of Warwick VIC and the financial contribution from Warwick District Council going forward. The Business Plan was attached at

Appendix 1 to the report.

Following huge success of the hosting of the 2022 Commonwealth Games Men's' and Women's Road Cycle Races in August 2022 and the hosting of a Festival Site in Market Square, Warwick – Warwick was well and truly put on the national and global tourist destination market. The town welcomed thousands of visitors over the period and was televised live across the world. The BBC stated they had 57.1 million online streams, 28.6 million viewers in the UK and 1.6 billion viewers worldwide making the coverage of the Games six times higher than any other previous Games.

There was significant development of the tourism offered in Warwick either planned, or currently being undertaken, which would enhance Warwick's reputation as a credible and desirable tourist destination and as such greatly supported the need for an active and effective VIC. Notable development within the town was briefly listed below:

- The Lord Leycester Hospital.
- Warwick Castle Hotel Development.
- Collegiate St Mary's Church.
- Fusiliers Museum.
- St Mary's Lands Masterplan.
- Railway Station improvements.
- Racecourse improvements.

Financial support for Warwick VIC had been in place for many years to ensure that there remained a positive visitor experience and to ensure the future of tourism activities in Warwick Town, recognising that Warwick was a major tourist destination within the District.

The revised Business Plan attached at Appendix 1 to the report, set out the financial breakdown in terms of the overall operating costs for the Warwick VIC, demonstrating the dependency of the Warwick District Council contribution currently set at £25,000 per annum. Consideration had also been given to the fact that the District was a more expensive location to be based within and, in offering this grant funding, to ensure that the District remained competitive and clearly appear to be 'business-friendly' and 'welcoming.'

The withdrawal of the current grant would present Warwick Town Council with a financial pressure in terms of future operation of Warwick VIC, and this would pose a significant threat to the ongoing operation of the VIC.

The SWOT Analysis within the Business Case stated that the reduction in funding would detrimentally impact service delivery.

Tourism was a major contributor to the economy in the District, generating in 2021 more than £208 million (including multiplier effect) spent in the local area and supporting 3,891 jobs, both for residents and those living nearby. By comparison, in 2019 tourism contributed £315 million to the local economy and supported 5,400 jobs in the sector. The industry was still below 2019 trading and currently faces additional challenges. The tourism and hospitality industry has been particularly

adversely impacted by the effects of Brexit, Covid-19 and the current cost of living / energy crisis and visitor numbers had still not returned to the pre-Covid levels of 2019. The work of Warwick VIC was more vital now more than ever in supporting the local visitor economy to recover.

Warwick VIC provided a valuable service to visitors to the town. Footfall and other visitor usage of the VIC data over 2019 and 2022 to date were shown in the tables in Appendix 3 to the report. 2020 and 2021 figures were available but not used as a comparison due to the negative impact of Covid-19 pandemic, the restrictions on travel and social distancing during the lockdown periods.

Since the last review, Warwick VIC had successfully introduced its Town Ambassadors Programme. The Ambassadors greeted and assisted visitors, directing them to local attractions and local businesses. The service had been very well received particularly in the re-opening of the 'High Street' after the Covid-19 pandemic.

Collaboration with Warwick Chamber of Trade had seen great success in creating a dynamic social media presence through #Buyin2Warwick and enhanced by a public relations campaign for the town as part of the Welcome Back Funding had driven much trade to the town.

There was an ongoing working relationship between officers of Warwick District Council and Warwick Town Council and Warwick VIC, specifically through the Strategic Economic Development Officer, the VIC Manager and Town Clerk. This ongoing dialogue had proved successful in creating a meaningful collaboration between the different stakeholders.

This ongoing liaison and monitoring would ensure that the funding was being utilised with specific aims of improving the visitor experience and sustaining the economic benefits of the tourism industry in the Town of Warwick.

Officers had continued to work in close liaison with Warwick VIC, and Warwick Town Council throughout the period of the previous Business Plan to provide advice, support, and guidance (where needed) in improving the visitor experience at Warwick VIC and to monitor footfall in terms of visitor numbers.

There had been no uplift in grant funding since 2017 and Warwick Town Council was not requesting an uplift for this three-year period of 2023-2026.

Given that a considerable level of financial support to Warwick VIC was being provided, it was felt prudent that WDC officers continued to meet on a regular basis with the VIC manager and the Town Clerk to review progress against the Business Plan, and any Grant Agreement if authority was given to do so, to provide relevant advice, assistance, and signposting to other organisations to optimise the use and effectiveness of the VIC.

Whilst there were no specific KPIs being put in place, as this could have left the Council open to a procurement challenge on the basis that the funding arrangement could constitute a formal contract for services, the purpose of the grant funding was that it would be utilised in relation to

tourism and visitor activities provided by the Warwick VIC and the ongoing liaison and monitoring processes would ensure this was the case which would be enhanced by a Grant Agreement if given authority to do so.

Warwick VIC was the primary one-stop shop for visitors to Warwick from both regional, national, and international tourist markets.

The VIC offered advice to tourists and visitors on the wide range of attractions in the town centre and the District, including entertainment, food and drink offerings to supplement the tourist hot spots such as Warwick Castle and the Lord Leycester Hospital.

The aim of the VIC was to be on hand for visitors through the telephone, email and face to face promoting local attractions, businesses, events and selling tickets to a range of attractions, as well as providing tips on 'hidden gems' within the area, which did not have a strong online presence.

Warwick VIC had received grant funding from Warwick District Council over several years. Over the previous funding period from 2020–2023 Warwick District Council had provided £25,000 per annum toward the cost of the service. Warwick VIC was seeking a continuation of the three-year grant of £25,000 per annum with no uplift.

At the Executive meetings in January 2017 and February 2020, it was resolved that the Head of Development Services, in consultation with the Portfolio Holder, be delegated authority to re-negotiate and agree the payment of the Tourism Grant to Warwick Town Council as a contribution to the running costs of Warwick VIC up to a maximum of £25,000 per annum.

Following that meeting in 2017, the original funding was reduced from £40,000 per annum (which included £15,000 per annum for staffing resources in relation to the Leamington VIC), to £25,000 per annum. As part of the negotiations, Warwick VIC produced a three-year Business Plan designed to outline their use of the Warwick District Council grant along with the financial breakdown of other contributions to the associated running costs of Warwick VIC.

In terms of alternative options, one was not to approve the continued financial contribution of £25,000 and utilise this internally to provide an alternative method of support for tourism in the town of Warwick. This option was not supported as it was recognised by Visit England, the national Destination Management Organisation, that the existence of tailored, physical, and bespoke tourism information within major tourist location sites was one the most vital components in terms of the visitor experience, essential to most if not all overseas tourists. Whilst there was an increase in online tourism and tourism related activity, the existence of face-to-face local expertise remained a valuable asset to the industry on a local basis.

Councillor Bartlett proposed the report as laid out.

Resolved that

- (1) the contents of the new Business Plan for the Warwick VIC and its aspirations for the period 2023 – 2026, be noted;
- (2) the continued funding of the Warwick VIC to the amount of £25,000 per annum for a further three-year period from 2023/24 to 2025/26, be approved;
- (3) officers will work in conjunction with Warwick Town Council to assist with, and monitor, the outcomes and objectives as set out in the Business Plan and that relevant support and guidance is provided as part of the Council's ongoing liaison with Warwick VIC, be noted; and
- (4) that a formulation of a grant agreement between WDC and Warwick Town Council be drawn up, and authority be delegated for the sign-off to the Head of Place, Arts and Economy in conjunction with the Portfolio Holder for Place, Arts and Economy.

(The Portfolio Holder for this item was Councillor Bartlett)
Forward Plan Reference 1,328

(Councillor Tracey re-joined the meeting).

72. **Extension to the Voluntary and Community Sector Contracts**

The Cabinet considered a report from Housing which sought approval to change from the existing funding arrangements via contracts to providing the investment in the voluntary and community sector through grant aid/ service level agreements. In addition, it also sought approval to allow an exemption from public contract regulations to enable a variation of the Voluntary and Community Sector (VCS) Contracts so they could be extended for a further three months.

Built into the original decision by the Executive on 7 February 2018 was the ability to extend the contracts for a period of two years.

In order to develop the new funding arrangements, transferring from contracts to grants and service level agreements and consider the TUPE implications for the current contract holders, approval was sought from the Cabinet to extend the contracts by three months.

Warwick District Council had made a longstanding commitment to helping its most vulnerable residents to improve their lives and circumstances. Following on from the then Sustainable Community Strategy, the Council had reaffirmed this commitment in its Corporate Strategy 'Fit for the Future'. Although there was no statutory requirement to provide this type of support, the rationale for supporting the voluntary and community

sector was that, in addition to improving the quality of life of its residents, the investment allowed the delivery of social and financial inclusion services for the most vulnerable members of the communities. This could improve the capacity and resilience of communities and help to reduce the pressure on other public services provided by the Council and its partners, not least by expanding the capacity of voluntary and community sector (VCS) organisations and improving the wellbeing and self-reliance of individuals.

The Council had continued its investment into the VCS approved in February 2018 by the then Executive through a three-year contract with the ability to extend for two years conditional on satisfactory performance. In addition, to the approval to continue the investment in the VCS, it was agreed at the end of the contract period to undertake a review of the funding arrangements to ensure that providing funding by contracts was the most appropriate and effective way to provide investment in the voluntary and community sector.

A review of future funding arrangements was undertaken in 2021-22 in conjunction with Procurement and it was concluded that the time and expense in undertaking a full procurement exercise was not advisable due to the limited number of organisations the Council had or would potentially attract to apply to deliver contracts of this nature. In addition, to respond to unforeseen events such as COVID-19 or the Cost-of-Living Crisis, the arrangements with the VCS required some flexibility to enable a more timely response to local community need and therefore it was no longer appropriate to issue funding via contracts.

The outcomes of the review were reported to the Community Protection Programme Advisory Board in February 2022 who were tasked with overseeing the performance monitoring the contracts.

To allow the time to undertake work to transfer the funding arrangements from contracts to grants with Service Level Agreements, it was proposed to extend the current contracts for a period of three months.

In terms of alternative options, the contracts could cease. However, this would affect the ability of WDC to provide specific services to the deprived communities, which had been identified as priority neighbourhoods.

The Council would have to 'pick up the tab' if there were no VCS provision and the impact would be that the Council would be unable to deliver its commitment to social value. The Council would be unable to demonstrate its recognition of the value of volunteering and the important contributions it made to developing and supporting communities and potentially there could be a loss of services.

The perception of the Council was that if funding was to be withdrawn, particularly post Covid; its ability to deliver its social responsibility; its partnership reputation; and its support to the most vulnerable members of the community would all suffer.

The Council could retender the work and draw up contracts, however this has proven to not deliver the optimum benefit for the authority.

Councillor Falp proposed the report as laid out.

Resolved that

- (1) the proposal to transfer from providing investment in the voluntary and community sector from contracts to grant aid/ service level agreements, be approved;
- (2) an exemption of the public contract regulations to enable the extension of contracts with the voluntary and community sector for a further three months, be agreed. This will allow time of the new funding arrangements, to be put in place; and
- (3) £70,000 is included in the Medium Term Financial Strategy so that the cost of the extension can be reflected in the 2023/2024 Budget, be agreed.

(The Portfolio Holder for this item was Councillor Falp)
Forward Plan Reference 1,336

73. Asylum Seeker Dispersal Scheme

The Cabinet considered a report from Housing which sought a response to be provided to the West Midlands Strategic Migration Partnership (WMSMP) in relation to government proposals in respect of the dispersal of asylum seekers within the District.

The asylum accommodation system was under enormous pressure because of the sustained and significant increase in asylum intake over the last 12 months which together with the Covid-19 legacy measures, placed unsustainable pressure on a limited number of authorities who were accommodating asylum seekers in their areas. Historically, asylum seekers had been dispersed in cities in Unitary or Metropolitan Councils. More recently some cities had been vocal in suggesting that all Councils should play a part and a small handful commenced legal action against the government. The then Minister for Safe and Legal Migration, Kevin Foster MP wrote to all authorities in April 2022, expressing a commitment to move to a fairer distribution of asylum seekers and that with immediate effect, all local authority areas in England, Scotland and Wales were expected to participate in a new system of full dispersal to allow the move from hotels to less expensive and more suitable dispersed accommodation. There were now over 30,000 asylum seekers being housed in temporary contingency accommodation such as hotels, at a significant daily cost.

The proposal was to achieve dispersal through three key interventions:

- (a) To reduce and eliminate the use of hotels for asylum seekers by moving to a full dispersal model for asylum accommodation. This

meant expanding the existing approach of using private rental sector housing to all local authority areas across England, Scotland, and Wales.

- (b) In May 2022, following the local elections, the Home Office would launch an informal consultation with local government to inform how this model would work across England, Scotland, and Wales and within regions and nations. The consultation was to explore how asylum dispersal could better take account of the other impacts on local authorities, of resettlement and the care of unaccompanied asylum-seeking children.
- (c) Providing specific funding to recognise the existing contribution of local authorities and for new dispersed accommodation. Government stated that it would continue to work with local government to capture and evaluate data to understand the impact of asylum dispersal on local authorities going forward.

To support the implementation of a full dispersal model, as part of the consultation process, the Home Office had committed to undertaking a new burdens assessment. This was said to be an opportunity to better understand the costs associated with asylum dispersal and engage with the local government sector. Where genuine additional and ongoing costs were identified, these would be addressed in line with the New Burdens Doctrine and subject to a post-implementation review.

To recognise the existing contribution and longstanding support from local authorities, each local authority in England, Scotland and Wales which was accommodating asylum seekers on 27 March 2022, was to receive a £250 one off payment per asylum seeker. Payments applied only to accommodation under the following categories:

- Dispersed Accommodation (DA).
- Overflow Dispersal Accommodation (OAD).
- Initial Accommodation (IA).
- Contingency Accommodation – Hotels and Other.

Officers were in the process of checking if WDC qualified for this funding as it was understood that Contingency Accommodation in the form of a hotel was commissioned by SERCO prior to this date.

In addition, further funding had been made available for 2022/2023 to provide £3,500 for each new dispersal bed space occupied, in both new and existing dispersal areas, between 28 March 2022 and 31 March 2023. This funding could be used to implement and/or bolster services in both new and existing areas. The Home Office stated that this would alleviate some pressures on local authorities and would ensure every local authority played its part in this important work.

SERCO was the Government appointed agency delivering the full dispersal of asylum seekers. It was now actively seeking accommodation in all areas of the country, and it had a defined model to do so which was attractive to landlords and property owners. There was an expectation that local authorities would work to support local level plans to support full dispersal. Initial numbers allocated should have been delivered by

December 2023. It was recognised that the market would be more challenging in some areas if the current Home Office/ SERCO model was used. Over time a place-based approach was proposed but the more immediate aim was to find accommodation urgently to reduce reliance on hotel accommodation.

Key dates for the move to a full dispersal system were as follows:

- Ministerial instruction received on the 13 of April with LA funding agreed for 2022/23 financial year.
- May: Regional workshops & online informal consultation.
- May/June: 121 meetings with all new areas. SERCO progressing with procurement with procurement for the first property in Leamington started.
- August/September: The Home Office asked all Strategic Migration Partnerships to work with local authorities and the accommodation provider (SERCO) to agree localised plans on how the regional percentage would be divided. The request was for the agreement to be signed off at Leader level and for these plans to be returned to the Home Office by the 7 September. Regional allocations proposals produced by WMSMP showed potential allocations by Local Authority. The Chief Executive Officer used his emergency powers under delegation CE (4), in consultation with the Group Leaders to provide a decision endorsing the approach of WMSMP.
- September/October: Home Office asked the accommodation providers to prepare a separate plan.
- October: Home Office shared the accommodation provider version and version analysis. In all regions there had been variance between the provider and SMP/LA plans. Home Office now requested Local Authority leader agreement but also stated that such agreement was not necessary. The implication was that work would progress whatever the local determination. The Home Office then asked all SMP's to reach back out to LA's and obtain agreement by the end of the month. The Home Office had reiterated that should the Council not be able to align the plans then the backstop position could be implemented either by local authority or regionally. It was still not clear what the backstop position was. Warwick District Council (WDC) was amongst those authorities who had advised that the matter needed to go before Cabinet for a decision to be reached. The Home Office had anticipated finalising regional/national plans by the end of October – with backstop implemented if required.
- December 2022: Asylum Dispersal scheme proposals to be considered at the WDC Cabinet meeting.
- December 2023: The date timeline for SERCO to procure the initial bedspaces in Warwick District. Further detail was provided in below and specifically, in the confidential appendices.

Over and above the challenges being presented through these new asylum dispersal arrangements, there remained other active pathways for migrants as follows:

New arrangements were in place for refugees from Afghanistan. They would be made two reasonable offers of accommodation by the Home Office. If these were refused, they would be expected to find their own

accommodation or seek assistance from a housing authority.

The Government had sought an increased commitment from local authorities to provide accommodation for refugees from Afghanistan.

Arrangements for refugees from Ukraine were by way of sponsorship. Sponsors were asked to commit to provide accommodation and support for 6 months. Refugees from Ukraine who had arrived with a visa as part of the Homes for Ukraine Scheme had permission to stay for three years and had full recourse to public funds. At the end of six months, they would stay with the sponsor, find their own accommodation or seek housing from a Local Authority. A national exit housing strategy for these households was not in place.

In addition to these groups, Councils were being asked to continue to support refugees from Syria and, where required, from Hong Kong.

Whilst there were nationally prescribed arrangements in place for these groups there was an impact/pressure on.

There was a county wide arrangement in place to help support migrants.

Currently, asylum seekers in Warwickshire were being accommodated in hotels in Rugby, Warwick & Stratford. In addition, a hotel was being used to accommodate unaccompanied children.

The impacts/pressures of asylum/migration on Local Authorities and partners were numerous and included impacts on all local services including Voluntary and Community services, primary and secondary health care, family support services, education, and the housing market. Although SERCO, the accommodation provider was responsible for management of the property and support for the asylum seeker, this ended once their immigration status was confirmed and Leave to Remain was granted. Once this took place, the asylum seeker was referred to the local authority homeless team and a 28-day notice was served. In practice, it transpired that some would migrate elsewhere in the country to reunite with already settled friends and/or family however, many remained in the host area.

It should have been noted that although government in April 2018 increased the timeline for statutory homeless interventions to commence from 28 days to 56, the Home Office was standing firm with just 28 days' notice. Once leave to remain was granted, the asylum seeker received full entitlement to public services and became able to work or claim benefits. This in turn released the bedspace for a new asylum seeker to occupy. Inevitably this meant that over time the Council would be faced with finding accommodation for an increasing number of former asylum seekers. The successful claimant would receive a letter confirming the exact date that asylum support would end. It could take time to move on from asylum support, however the Home Office would be unable to extend support beyond 28 days.

In addition, the Council used private sector accommodation to discharge its homeless functions. SERCO would be in competition with the Council for properties at the lower end of the rental market. This could over time,

as SERCO developed its portfolio, impact on the ability of the Council and homeless applicants to secure low rent value property in the private sector.

There were the following alternative options available.

Firstly, the Cabinet could decide not to offer a view on the model.

Pros: The public might conclude that the Council was not working with the government in respect of the proposed dispersal plans.

Cons: The risk of doing this was that the Home Office could determine that WDC was ambivalent about numbers and therefore increase the bedspaces commissioned locally. Alternatively, they could apply the backstop position, though there was no information to suggest what any backstop might look like.

Secondly, the Cabinet could decide to express a preference for the WMSMP model.

Pros: This would be supportive of the regional approach. The number of bedspaces to be procured in WDC would be fewer which in turn, would reduce the number subsequently turning to the Council for help with housing once leave to remain was granted.

The public may conclude that the Council was playing its part in helping vulnerable people.

Cons: The accommodation provider had already indicated that the WMSMP model was unachievable.

It was likely to lead to increased homelessness over time and therefore increase officer workload and costs to the authority.

The public might conclude that the Council should not offer support and that Cities/other places were better placed with infrastructure to accommodate people claiming asylum.

Finally, the Cabinet could decide to endorse the Accommodation Providers proposed model.

Pros: Would garner favour with the Home Office.

The public might conclude that the Council was playing its part in helping vulnerable people.

Cons: Would lead to increased homelessness over time and therefore increase officer workload and costs to the authority.

The public might conclude that the Council should not offer support and that Cities/other places were better placed with infrastructure to accommodate people claiming asylum.

The Overview & Scrutiny Committee thanked officers for their work and noted the report.

Councillor Matecki proposed the report as laid out.

Resolved that

- (1) a preference for the WMSMP model rather than the proposed dispersal arrangements preferred by the government and its accommodation agent, be confirmed; and
- (2) the previous decision taken by the Chief Executive using his emergency powers in consultation with Group Leaders to support the dispersal plans of the West Midlands Strategic Migration Partnership, be noted.

(The Portfolio Holder for this item was Councillor Matecki)
Forward Plan Reference 1,338

74. **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
75, 76 & 77	3	Information relating to the financial or business affairs of any particular person (including the authority holding that information)

Part 1

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

75. **Acquisition of land and buildings, Local Plan H45 Site (Juniper Way, Whitnash)**

The recommendations in the report were approved.

(The Portfolio Holder for this item was Councillor Matecki)
Forward Plan Reference 1,335

76. **Country Park Phase 2 Enabling Development**

The item was withdrawn following the publication of the agenda.

Part 2

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

77. **Confidential Appendices to Item 13 – Asylum Seeker Dispersal Scheme**

The Cabinet noted the confidential appendices.

(The meeting ended at 7:20pm)

CHAIRMAN
9 February 2023