

# EXECUTIVE

Minutes of the meeting held on Wednesday 14 November 2012 at the Town Hall, Royal Leamington Spa at 6.00 pm.

**PRESENT:** Councillors Caborn, Coker, Cross, Mrs Grainger, Hammon, Mobbs, Shilton and Vincett.

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

In the absence of the Leader of the Council, the Deputy Leader, Councillor Caborn, chaired the meeting.

## 81. **DECLARATIONS OF INTEREST**

### Minute Number 91 – Item 10 – Visitor Services Review

Councillor Mrs Grainger declared a personal interest because she was a Warwick Town Councillor.

Councillor Gifford declared a personal interest because he was a Royal Leamington Spa Town Councillor.

## 82. **MINUTES**

The minutes of the meeting held on 10 October 2012 were taken as read and signed by the Chairman as a correct record.

### **PART 1**

(Items on which a decision by Council is required)

## 83. **BUDGET REVIEW TO 30<sup>TH</sup> SEPTEMBER 2012**

The Executive considered a report from Finance that explained both the 2012-13 budgetary position and also the financial forecasts for the medium term. Also included were a number of changes to the budgets which required approval.

Members received quarterly budget reports and this was the second of those reports in the financial year 2012/13. The existing General Fund service expenditure position was a projected underspend of £465,000 compared to the latest 2012-13 budgets. Section 7 of the report discussed the main reasons for the surplus in more depth.

Appendix B to the report, along with section 7.8, detailed the changes to the Contingency Budget, Appendix A showed the favourable changes in excess of

£350k and Section 7 enabled members to understand why the amendments were necessary.

Appendix C updated Members on the Capital Programme Budgets and relevant changes to the programme as well as further changes which had been identified by managers. Appendix D detailed the Council's reserves as of October 2012.

The appendices detailed as E1 to E3 outlined the alterations in Fees and Charges that separate departments of the Council charged for services. These included amendments to the existing Neighbourhood Services and Licensing fees and an opportunity to generate additional income through Street Naming and Numbering.

One of the key elements of Fit For the Future was ensuring that the Council achieved the required savings to enable it to set a balanced budget whilst maintaining service provision. This report updated Members on the financial projections for future years, savings required and some of the key issues needed to be considered in preparing the 2013-14 budget and beyond.

An alternative option was not to report to Executive regularly but considering the current financial climate, officers felt it was imperative to ensure members were kept fully informed of budgets being reviewed, monitored and reported on.

Alternatively, the Council could revert to its previous practice of deferring making such changes until December when the new-year budgets were considered. However, this would mean that the budgets were not up-to-date and were irrelevant for managers to monitor. The final alternative option was not slipping capital to the correct year, in which it was intended to be spent, making monitoring of projects difficult. Members would not have relevant, up-to-date information from which they could make decisions about capital projects and funding.

The Finance and Audit Scrutiny Committee supported the recommendations, whilst asking a number of questions in relation to specific elements of the report. Some dissatisfaction was expressed over the running down of the Equipment Renewals Reserve. Members noted that the procurement process for St Mary's Lands was currently underway.

The Head of Finance agreed to investigate whether or not Warwick Boxing Club had been given the £10,000 allocated to them, to ascertain whether the supplier of the chairs which had recently been withdrawn from use in the Town Hall had been informed that the chairs were not fit for purpose and to investigate what had happened to the large table from room 18.

The Portfolio Holder for Finance, Councillor Mobbs addressed the committee and advised he was confident that using the lean systems theories and working with officers to keep pressures heightened would ensure continuity with savings.

Councillor Mobbs thanked the Finance and Audit Scrutiny Committee for its comments and assured Members that the Equipment Renewal Reserve would be closely monitored, whilst looking five years ahead.

Councillor Boad enquired as to the plans in place to help the Council achieve a 0% increase in Council Tax bills next year.

In response, Councillor Mobbs felt it would be advisable to wait for the Budgetary report in December so that further forensic work could be carried out, which he hoped would help deal with any 'nasties' that may occur over the next 12 months.

Councillor Mobbs requested that the Executive's gratitude be passed to all departments for their support in maintaining tight budgets and congratulated the officers involved in generating new income opportunities for the Council.

Having read the report the Executive agreed the recommendations as written.

**RECOMMENDED** that

- (1) the budget position for the current year for the General Fund, currently £465,000 surplus, be noted;
- (2) the Contingency allocations already approved under the Head of Finance's delegated authority, be noted, the purchase of replacement chairs for the Town Hall be approved from this budget and the balance remaining in this account be noted;
- (3) the Budget Changes in Appendix A, the most significant of which are discussed in this report, be agreed;
- (4) the latest position on the Capital Programme be noted, and the Budget Changes (Capital) in Appendix C and the change in the HRA budget, shown in paragraph 7.6, be approved;
- (5) the latest progress towards meeting the Fit for the Future Targets, be noted;
- (6) the amendments to the Fees and Charges for 2013-14 as shown in this report, be approved; and
- (7) the charging proposals for Street Name and Numbering, which could generate additional income for the Council from 2013-14, be approved.

(The Portfolio Holder for this item was Councillor Mobbs)  
(Forward Plan reference 401)

84. **COUNCIL TAX SUPPORT**

The Executive considered a report from Finance which provided members with details regarding the outcome of the Council Tax Support consultation which ended

on 19 October 2012 and provided an update on a recent Government announcement on an additional Council Tax Support Grant for 2013/14.

Following an August Executive report, four options for changes to the Council Tax Support scheme from 1 April 2013 were consulted upon. The public consultation over the Council's proposed Council Tax Support scheme closed with 706 responses received and a summary of these was included in paragraph 3.1 of the report.

Details of the four options were included in Section 7 of the report and officers recommended that Option 4 be accepted as the Council's support scheme for 1<sup>st</sup> April 2013 to 31<sup>st</sup> March 2014.

Officers felt there was logic in this preferred option, which was to maintain the existing scheme for 2013/14 because it offered a number of advantages including reducing confusion for claimants and benefitting the County Council and Warwickshire Police Authority.

There were three alternative options available as detailed in Section 7 of the report, however, Option 1 would not make the required savings and Options 2 and 3 would have financial impact on the working age claimants. Option 4 would involve making no changes and adopting the current scheme in its entirety.

The Head of Finance explained that, in light of a one off financial incentive from central government which would significantly benefit the District, the organisation had reappraised its preferred option and was now backing Option 4 rather than Option 1. The Finance and Audit Scrutiny Committee supported the recommendations in the report but suggested that when the Council went out to consultation again, it should explain the reasons for the change of approach so as not to lose credibility.

The Portfolio Holder for Finance, Councillor Mobbs, agreed with the Scrutiny Committee's comments and assured Members that consultation would cover all the concerns raised.

Having read the report the Executive,

**RECOMMENDED** that members accept Option 4 as the Council's support scheme for 1<sup>st</sup> April 2013 to 31<sup>st</sup> March 2014 and continue with a council tax support scheme based on the current council tax benefit scheme.

(The Portfolio Holder for this item was Councillor Mobbs)  
(Forward Plan reference 440)

85. **THE COMMUNITY RIGHT TO BID**

The Executive considered a report from Development Services that advised Members of the implementation of the section of the Localism Act 2011 relating to Assets of Community Value and sought authority for setting up the list of assets

and related processes. This part of the Localism Act was known as the "Community Right to Bid".

The relevant statutory provisions came into force on 21 September 2012 meaning that the Council was required to consider all nominations that it received for assets to be placed on the List of Assets of Community Value.

The Localism Act and the Community Right to Bid required the District Council to maintain a list of assets of community value. There was no prescribed form, but the list had to be available for public inspection without charge and the Council had to maintain a list of unsuccessful nominations.

Nominations for inclusion on the list had to be made by a voluntary or community body with a local connection and Warwick District's nomination form was attached at Appendix 1 to the report.

The report also requested that authority be delegated to the Head of Neighbourhood Services to conduct listing reviews and compensation reviews in respect of assets of community value and consider and decide any review of listing, or compensation.

The Overview and Scrutiny Committee supported the recommendations but felt that recommendations 2.2 and 2.3 should be amended to include the appropriate Portfolio Holder and Shadow Portfolio Holders in the delegation. It therefore made a formal recommendation to the Executive to amend recommendations 2.2 and 2.3.

The provision and maintenance of a List of Assets of Community Value was a statutory requirement and therefore there were no alternative options.

The Portfolio Holder for Development Services, Councillor Hammon, endorsed the report and gave assurances to the Overview and Scrutiny Committee that the Portfolio Holder would be liaised with, as per paragraph 3.7 of the report.

The Deputy Chief Executive, Andrew Jones, addressed Members and advised that ordinary delegations of this type were made to officers and included Portfolio Holders for added security.

Councillor Mobbs agreed with this approach and highlighted that it was not regular practice to stipulate inclusion of the Shadow Portfolio Holders. He felt that paragraph 3.7 covered the necessary details and proposed that the recommendations be agreed as per the report.

The Deputy Leader, Councillor Caborn, thanked the Overview and Scrutiny Committee for its recommendation but advised that it would not be accepted because paragraph 3.7 detailed the relevant parties to be liaised with and sticking to current form and practice was the best option, to avoid complicating the delegation further.

Having read the report the Executive,

**RECOMMENDED** that

- (1) the section of the Localism Act related to the Community Right to Bid, which came into force on the 21<sup>st</sup> September 2012, be noted;
- (2) authority be delegated to the Head of Development Services to:-
  - maintain the List of Assets of Community Value and list of unsuccessful nominations;
  - consider and decide the technical correctness of nominations for inclusion of assets on the list; &
  - consider & decide, in consultation with the Development Services Portfolio Holder, the merits of nominations for inclusion of assets on the list;
- (3) authority be delegated to The Head of Neighbourhood Services to:-
  - conduct listing reviews and compensation reviews in respect of assets of community value; &
  - consider & decide any review of listing, or compensation;
- (4) the scheme of delegation be amended accordingly; and
- (5) Government has given this Council "New Burdens" monies and the transfer of this to reserves, be approved.

(The Portfolio Holder for this item was Councillor Hammon)  
(Forward Plan reference 459)

## **PART 2**

(Items on which a decision by Council is not required)

### 86. **PUMP ROOM GARDENS CONSERVATION PROJECT**

The Executive considered a report from Neighbourhood Services that updated Members on the work of the Pump Room Conservation Group with whom officers had been working for the last 18 months. The report asked them to agree the way forward as proposed in the conservation statement.

The Pump Room Gardens Conservation Group, a group of local volunteers, was formed to raise awareness and understanding about the Pump Room Gardens. The group received Heritage Lottery Funding in December 2010 in order to produce a learning pack for primary schools, a public exhibition, an oral history project focussed on local people's memories of life in the Gardens and the development of a Conservation Statement for the long term management of the park.

The Conservation Group had produced a statement which identified works which would improve the quality and enjoyment of the park and this was attached as an appendix to the report. Officers had met with the group and it had been agreed

that a Working Group needed to be established to agree prioritisation of work, how this would be funded and when it could be delivered.

The statement highlighted the restoration of the bandstand, restoration of York Bridge and also identified further improvements to the wildlife corridor including a wild flower meadow, bat boxes and coppicing of trees adjacent to the river.

In April 2012 the Executive approved the Locality Improvement Plan which included an indicative sum of money for improvements to the Pump Room Gardens. Officers were confident that this proposal was a good example of the two organisations working together to make improvements and maintain standards in the area.

An alternative option was to ignore the Conservation Statement produced by the Pump Room Gardens Conservation Group. However, this was rejected because most of the recommendations were in line with the Council's existing thinking and policies. In order to deliver some of the improvements identified, a partnership approach would enable additional funding to be drawn down to help fund the improvements which would not be available if the Council was to fund these projects alone.

The Portfolio Holder for Neighbourhood Services, Councillor Shilton, welcomed the report and felt it was a promising follow up to the highly successful Linden Arches project. He commended the members of the Pump Room Gardens Conservation Group on their excellent proposal which would benefit visitors to the area.

The Portfolio Holder for Cultural Services, Councillor Cross, fully supported the report and agreed that the Executive's thanks should be passed to the Conservation Group for its hard work to date.

Having read the report the Executive agreed the recommendations as written.

**RESOLVED** that

- (1) the Pump Room Gardens Conservation Statement set out in Appendix 1 to the report, be endorsed, and be used as a framework to produce a conservation management plan by officers and the Pump Rooms Conservation Group;
- (2) officers will continue to work with the Pump Room Gardens Conservation Group to update the Pump Room Gardens grounds maintenance plan which would then be implemented as part of the new Grounds Maintenance contract; and
- (3) officers will continue to work with the Pump Room Gardens Conservation Group to prioritise long-term improvements to the Pump Room Gardens as identified in the Conservation Statement and to identify where

and how, by working together, the funding to deliver those improvements can be sought.

(The Portfolio Holders for this item were Councillors Cross and Shilton)  
(Forward Plan reference 450)

87. **CITY DEAL**

The Executive considered a report from the Chief Executive that outlined the possibility of a second wave of City Deals to which Coventry City Council expected to be invited and advised how a bid may involve a wider area and what such a bid may cover.

The report also requested permission to delegate authority to the Chief Executive, in consultation with the Executive and other Group Leaders, to negotiate and agree an initial proposal for submission by the end of the calendar year.

In 2011 the Government announced that it would promote a series of City Deals with the largest cities in the country as part of a strategy of both promoting economic growth and of devolving powers and resources locally.

Eight City Deals had been agreed and signed and a summary of each of the City Deals could be seen at [www.dpm.cabinetoffice.gov.uk](http://www.dpm.cabinetoffice.gov.uk). The summaries showed a diversity of approaches but all involved some form of devolution from Central Government in terms of powers and funding, as well as some form of clear contribution from local government and partners to economic growth.

A second wave of City Deals was announced on 29 October 2012 and 20 cities had been invited to apply through a 'managed competitive process' and would be assessed against 5 criteria. These criteria were detailed in paragraph 3.3 of the report.

Coventry and Warwickshire was one of the invitees and the City Council recognised that its economic geography was intertwined with that of Warwickshire and indeed further afield (Hinckley and Bosworth). Coventry City Council had approached all the surrounding local authorities to seek not only support but direct involvement and early discussions had been held at a senior level with the Chief Executives of the seven local authorities and the MD and Chairman of the Local Enterprise Partnership.

Discussions suggested that a proposal could be put forward and would include finance for infrastructure, additional affordable housing and would promote employment and economic growth.

The initial proposal would cover the whole of Warwick District and in particular the Council could request that 10 key projects, as detailed in paragraph 3.7 of the report, be progressed in addition to the generic issues identified.

Due to the tight timescales involved, the report requested that authority be delegated to the Chief Executive in consultation with the Executive and the other Group Leaders to negotiate and agree an initial expression of interest for a City Deal proposal.



An alternative option was that the Council could decide not to be involved or support a City Deal proposal. Although officers advised that this would be perfectly legitimate they felt it would at this stage squander a rare opportunity for additional investment and devolution.

The Finance and Audit Scrutiny Committee did not accept the recommendations in the report. While Members recognised that the City Deal could prove to benefit Warwick District, there were concerns over the size of this Council's commitment to the project through the loss of a significant proportion of the Deputy Chief Executive (BH)'s time. Members were particularly concerned that the Local Plan was one of the biggest risks that the Council faced but that it could be neglected in the Deputy Chief Executive's absence.

Members wished to emphasise to the Executive the significant increase in risk which the absence of the Deputy Chief Executive placed on the Local Plan programme, bearing in mind its critical timetable, and wanted assurance that arrangements had been put in place so that the Local Plan would not be put in jeopardy and that there would be no slippage in the Deputy Chief Executive's other work. The Committee also questioned whether a business case for the Deputy Chief Executive's involvement in City Deal had been made and whether Senior Managers had carried out a risk assessment.

Officers agreed to provide all Councillors with information on the arrangements that had been put in place to enable the Deputy Chief Executive to devote a significant proportion of his time to City Deal.

Clarification was also requested from Executive as to what the approval process would be for the final submission due to be submitted by 15th January 2013.

The Overview and Scrutiny Committee accepted the recommendation in the report, but suggested a slight amendment to its wording as follows:

"That the Executive note the background information on City Deals set out at Appendix A to this report and delegate authority to the Chief Executive in consultation with the Executive and the other Group Leaders to negotiate and agree *an initial expression of interest* on behalf of the authority for a City Deal proposal for Coventry, Warwickshire and Hinckley/Bosworth area."

The Committee suggested that the Executive might consider the Sheffield City Regional City Deal. The Committee also wished to emphasise that this was more than simply a planning issue. Whilst the Overview and Scrutiny Committee were happy for this to move forward, as it was being led by Coventry, the Executive should ensure that it was not at this Council's expense.

The Deputy Leader, Councillor Caborn, addressed Members and advised that the Deputy Chief Executive (DCE), Bill Hunt was the right person to lead on this project to help avoid the risks highlighted by the Scrutiny Committees. He felt that the Council needed to ensure they had a 'heavyweight' at the table to ensure the District was not overlooked or left behind other authorities. In addition, he

reminded Members that this was also a career development opportunity for the DCE in question.

With regard to the concerns raised regarding the Local Plan project, he assured Members that the timescales would not alter and arrangements had been put in place to ensure that any responsibilities were handed over seamlessly. The Deputy Chief Executive (AJ) advised that a revised list of responsibilities had been circulated and apologised if this document had not reached all Members as yet.

Councillor Caborn reminded Members that Warwick District was home to a number of large businesses and this would put the Council at the forefront of the project.

All Members were encouraged that the City Deal could be of benefit to the District and had confidence that neither senior officers nor Group Leaders would sign up to anything that wouldn't be beneficial to the future prospects of the District.

Having read the report, and having accepted the proposed recommendation rewording from the Overview and Scrutiny Committee, the Executive,

**RESOLVED** that

- (1) the background information on City Deals set out at Appendix A to this report, be noted; and
- (2) authority be delegated to the Chief Executive, in consultation with the Executive and the other Group Leaders, to negotiate an initial expression of interest on behalf of the authority for a City Deal proposal for the Coventry, Warwickshire and Hinckley/Bosworth area.

(The Portfolio Holders for this item were Councillors Caborn, Coker, Cross, Doody, Mrs Grainger, Hammon, Mobbs, Shilton and Vincett)

**88. RESPONSE TO NOTICE OF MOTION – STUDENT ACCOMMODATION**

The Executive considered a report from Finance in response to a motion raised by Councillor Boad and Gifford at the August Executive relating to the student property landlords and the refuse collection at those properties.

The Executive recognised that the provision of student accommodation in the District had progressively transformed into significant commercial businesses which currently made no apparent financial contribution to the local Council services that they consumed by their activities. Furthermore this was deemed unfair on Council Tax payers who were in effect subsidising the profits made by landlords of student accommodation.

The motion sought an investigation into whether there was potential to reclassify student accommodation as commercial premises liable for business rates and consequently levy an appropriate commercial refuse collection charge upon such property.

At present, students were exempt from paying Council Tax and so the Council received no revenue from this source. As with any Council Tax exemptions or discounts, these reduced the Council's Council Tax Base.

The report advised that the legislation was clear in defining such properties as student accommodation as dwellings and therefore they attracted a Council Tax banding/s as with any other domestic property. As a consequence of the domestic dwelling classification the Council were statutorily obliged to collect refuse without charge.

There was no alternative option available because there was no legal basis to do what had been suggested.

The Portfolio Holder for Finance, Councillor Mobbs, introduced the report and explained that he had met with officers and assured Members that all relevant bodies had been consulted to ensure a robust response could be given. He thanked his fellow Members for raising the queries and was encouraged that, although the answer to their request was 'no', the information contained in paragraph 7.7 of the report was positive. This section advised that purpose built student accommodation would benefit the Council through the New Homes Bonus allocation.

Having read the report the Executive,

**RESOLVED** that the findings of the report in relation to the motion, be noted, that there is no legal basis upon which student accommodation can be reclassified as commercial and as a consequence no fee may be charged for refuse collection.

(The Portfolio Holder for this item was Councillor Mobbs)  
(Forward Plan reference 452)

89. **SUB REGIONAL DUTY TO CO-OPERATE PLANNING STATEMENT**

The Executive considered a report from Development Services that sought agreement for a Duty to Cooperate Planning Statement covering the Local Authorities in the Coventry, Solihull and Warwickshire Sub-Region.

Section 110 of the Localism Act amended the Planning and Compulsory Purchase Act 2004 and required neighbouring local authorities, or groups of authorities, to work together on planning issues in the interests of all their local residents through the Duty to Cooperate.

The Duty enacted by the Localism Act was strongly backed up by the National Planning Policy Framework (NPPF) which made it clear that Local Plans should be based on cooperation with neighbouring authorities, public, voluntary and private sector organisations. It went on to say that joint working on areas of common

interest should be undertaken diligently and for the mutual benefit of neighbouring authorities.

The report detailed a "Statement of Common Ground and Cooperation" and this was attached as Appendix 1.

There were two alternative options. One of these was to develop a joint Core Strategy / Local Plan however this had been discounted because each Local Authority was already in the process of preparing development plans differently.

The second option was to fulfil the Duty to Cooperate without a sub-regional statement through a series of bilateral agreements. This option was discounted because some issues such as housing numbers and employment investment sites needed to be explored jointly due to their impact across the sub region.

Having read the report the Executive agreed the recommendations as printed.

**RESOLVED** that the Coventry, Solihull and Warwickshire "Statement of Common Ground and Cooperation" detailed in Appendix 1 to the report be approved as the basis for working across the sub region on planning matters of common interest.

(The Portfolio Holder for this item was Councillor Caborn)  
(Forward Plan reference 448)

90. **2012/13 PORTFOLIO HOLDER STATEMENTS & FIT FOR THE FUTURE PROGRESS REPORT**

The Executive considered a report from Community and Customer Services that updated Members on progress of the Fit for the Future (FFF) Change Programme. It highlighted progress to date and any major changes since the last report in April 2012. It also included a half year update on Service Area Plans (SAPs) which were the vehicle for delivering the FFF programme and detailed in the Portfolio Holder Statements.

The individual Portfolio Holder Statements (PHSs) were attached as appendices A to H of the report.

The report contained a high volume of information including headline progress, benefits and lessons learned. Members were also asked to note the progress on key projects, feasibility studies and the position of the Medium Term Financial Strategy.

An alternative option would be to not continue with the FFF programme in this format but as this had been agreed by the Council as its preferred approach to achieving the benefits, it was not an option that had been considered.

Whilst the Finance and Audit Scrutiny Committee supported the recommendations in the report, it felt that the various projects (Appendix I – Locality Improvement

Plans, and Appendix J – Fit for the future Key Projects and Studies) should be clearly prioritised and asked who was responsible for monitoring and prioritising them.

Members were informed that the Action Plan to support Cultural Change (referred to in paragraph 3.3.3) was due to be produced early in 2013, with Members stressing the importance of this being adhered to.

Members pointed out a number of contradictions in the report, citing statistics relating to planning applications as an example, and were concerned over the estimated cost of £250,000 for the Kenilworth Meer feasibility study. The Head of Finance agreed to get more details about the latter. The Committee was keen to see that the location of CCTV cameras in St Nicholas's park be carefully considered, following reports of antisocial behaviour.

The Overview and Scrutiny Committee made no comments on the report to Executive but as part of its own work programme, it did receive presentations from the Portfolio Holders for Cultural Services and Community Safety. The Committee had the opportunity to question the Portfolio Holders and Service Area Managers on the Portfolio Holder Statements. Afterwards, the Committee thanked the Portfolio Holders Councillors Coker and Cross and the Service Area Managers Roger Jewsbury and Rose Winship for answering its questions.

In response to the queries raised by the Finance and Audit Scrutiny Committee, Councillor Shilton advised that additional CCTV cameras were planned for St Nicholas Park and would be installed as soon as Severn Trent Water had finished its treatment works.

Members had concerns that some of the projects included in the PHSs were not a priority and had the potential to undo the savings achieved to date. In response, Councillor Mobbs reminded them that officers were being transparent and open about future projects but suggested that additional wording be added to recommendation 2.2 to reassure Members that regular reviews of priorities were being undertaken.

The additional wording was "and will continue to review and prioritise these projected items of expenditure".

Having read the report, and having agreed the additional wording to recommendation 2.2, the Executive

**RESOLVED** that

- (1) the Service Area Plans half year update, that form the basis of the Portfolio Holder Statements at Appendices A-H, the headline progress, benefits and lessons learned against agreed milestones as described in Sections 3 and 5 of the report, be noted;

- (2) the progress on the FFF key projects and feasibility studies and Locality Improvement Plans detailed in appendices I-J of the report, be noted and will continue to review and prioritise these projected items of expenditure; and
- (3) the position of the Medium Term Financial Strategy as described in Section 5 of the report, and which is examined in greater depth in the Budget Review report, be noted.

(The Portfolio Holder for this item was Councillor Caborn)  
(Forward Plan reference 337)

## 91. **VISITOR SERVICES REVIEW**

The Executive considered a report from Development Services, following on from the March and September Executive reports which established the principle of hub and spoke for visitor services within the District and the establishment of a Destination Management Organisation (DMO).

The report contained a series of recommendations of how the current set up for visitor services could be amended, which would lead to a rebalancing of the tourism budget to support the emerging DMO and wider tourism promotion and business engagement.

The Tourism Strategic Principles and Action Plan adopted by Warwick District Council's Executive in November 2011 and March 2012, took up the principle of creating a centre of excellence for visitor services (the hub) and satellite operations for core tourist information (the spokes) approach towards tourist information. The Council had already stated that the preferred option was for Warwick TIC to be the 'hub' because of the town's prominence as a major tourist location. The District Council would be working in conjunction with Warwick Town Council (WTC) to help and support each other and local tourism businesses.

The report suggested that agreeing a three year Service Level Agreement would provide certainty to WTC with regard to funding, secure the hub role for the District & industry group, and would ensure that Warwick TIC was at the heart of the emerging DMO.

The funding details, including the current grant funding and the estimated level of costs were detailed in Appendix 2 to the report.

There were a number of alternative options detailed in section 6 of the report including the total closure of the Leamington Visitor Information Centre, alternative locations or mergers with other services or that the Council could take over the running of Warwick's Tourist Information Centre.

These options were discounted because they could lead to a lack of continuity of support, risks to the medium term financial plan and a lack of funding.

The Finance and Audit Scrutiny Committee discussed whether the industry would become able to manage visitor services in the long term, sought reassurances that the industry approved of the Council's approach and supported the recommendations in the report.

The Finance and Audit Scrutiny Committee was keen to look at trends coming out of the data collected as and when that data became available. The Economic Development and Regeneration Manager agreed to provide Members with the Destination Management Organisation prospectus and other relevant information.

The Overview and Scrutiny Committee accepted the recommendations in the report and thanked Joe Baconnet for answering its questions. Members raised a query regarding the opening hours of the TIC and were assured that the proposed hours had proved to work effectively at the Council's One Stop Shops.

The Portfolio Holder for Development Services, Councillor Hammon thanked the Scrutiny Committees for their comments and stated that he was certain that working with Warwick Town Council would be beneficial for all parties. In addition, he felt that it was important to keep the private tourism industry involved to keep the momentum going.

Having read the report the Executive agreed the recommendations as printed.

**RESOLVED** that

- (1) the Memorandum of Understanding (draft attached at Appendix 1 to the report), be agreed with Warwick Town Council (WTC) to deliver the 'hub' function for visitor services within the District;
- (2) authority be delegated to the Economic Development & Regeneration Manager, in conjunction with the Portfolio Holder for Development Services, to negotiate a three year SLA for service delivery to commence April 2013;
- (3) subject to the finalisation of the Service Level Agreement, authority be delegated to the Economic Development & Regeneration Manager, in conjunction with the Portfolio Holders for Finance and Development Services, to increase the level of funding that Warwick Town Council receives to a maximum of £50,000 per annum;
- (4) the reduction of the staff budget for Leamington Visitor Information Centre be agreed to a maximum of £35,000 per annum from April 2013 whilst the development of a One Stop Shop in Leamington is completed; and

- (5) a further review of Visitor Services in Leamington will be undertaken in conjunction with the development of the One Stop Shop business case and Executive Report.

(The Portfolio Holder for this item was Councillor Hammon)  
(Forward Plan reference 458)

## 92. **SUSTAINABILITY DELIVERY PLAN**

The Executive considered a report from Environmental Services that recommended the adoption of a Sustainability Delivery Plan to align with the Fit for the Future programme. The report also requested approval to use monies from the Contingency Budget to fund a temporary post to undertake the preliminary work.

The Plan was focused on making a significant reduction in CO2 emissions and improving energy efficiency within the District.

Council officers commissioned a study by consultants, Encraft, to investigate how the Council could respond to the various targets and challenges within Government policies and initiatives. The study looked at current and future energy use, both within the Council's own operation, its stock and within the community. The outcome of this study was a 'Low Carbon Action Plan' and the report recommended that this became the Council's draft Sustainability Delivery Plan.

There were a number of alternative options available, including continuing with the current approach, but this would not generate potential income or deliver the targets that the Council had set itself. Officers also considered that some members of the community took it upon themselves to source and install renewable energy measures. These did not always return the best environmental benefit.

The final alternative option was to leave delivery of these ideas to the market place. However, the Encraft study had demonstrated that such measures would not enable the Council to achieve the scale of CO2 reduction required through Government policy. At present there was no penalty for the local authority for failing to achieve CO2 reduction measures.

The Head of Environmental Services agreed to ascertain whether the plan had been drawn up in accordance with the Finance and Audit Scrutiny Committee's expectations and to email a response to the Committee.

The Finance and Audit Scrutiny Committee was keen for whoever was appointed to manage the Sustainability Delivery Plan to do so in such a way that it would be incorporated into the local plan. However, Members were dismayed by the suggestion that the proposed temporary post might not be filled before April 2013 and therefore made the following recommendations to the Executive.

"Finance and Audit Scrutiny Committee recommended that the Executive take steps to ensure that the proposed temporary post be filled as soon as possible and that, if necessary, a special meeting of the Employment Committee be convened to



expedite this. The Committee also recommend that, once the Sustainability Delivery Plan is approved, training be arranged for Councillors in order that they can better understand this complex issue.”

In response, the Deputy Chief Executive (AJ) advised that the Chief Executive had the authority to recruit and the post would be offered to any individuals in the ‘at risk’ group first. Councillor Coker explained that the job description was being worked on but finalisation may need to wait until a decision had been received from the HAY panel.

Having read the report the Executive agreed the recommendations in the report.

**RESOLVED** that

- (1) adopt a draft Sustainability Delivery Plan based on the Low Carbon Action Plan as set out at Appendix One to the report, be adopted; and
- (2) up to £36,300 be used from the Contingency Budget to fund a temporary post, for a period of 12 months.

(The Portfolio Holder for this item was Councillor Coker)  
(Forward Plan reference 427)

93. **WEBSITE CMS REPLACEMENT**

The Executive considered a report from Community and Customer Services that requesting funding to enable the Council to procure a new website Content Management System (CMS).

A CMS was a system that enabled staff to create, edit and publish website content in a managed and collaborative environment. The existing technology would not be supported by Microsoft after April 2014 and the age of the technology was leading to security vulnerabilities.

The Warwick District Council (WDC) website had over 100,000 visits every month and it was important to keep improving the website to meet customer expectations and to continue reducing the demand to other channels. In addition, officers felt that a new system would enable the Council to develop an adaptive mobile website, so reaching the rapidly growing mobile audience, an audience previously seen as digitally excluded.

The report advised that officers expected to receive figures in the range of £80,000 - £170,000 for a CMS replacement, when out to tender. This included software licences, implementation, development and training but officers believed that with careful, compliant procurement, the replacement should not exceed £150,000. The Procurement Manager had already been consulted and was involved in the process. The current annual support costs were £6,000.

A full business case was attached as Appendix A to the report.

An alternative option was the use of open source technology which was free and available to amend as necessary. However, as the Council's ICT Strategy stated, the costs in terms of skills and maintenance were estimated to be the same as for any proprietary product. Another alternative was to continue to use the current system, but by running unsupported software this could leave the website vulnerable to attack from external parties.

The final alternative option was to use the same system as neighbouring authorities, Rugby, North Warwickshire and Northants. Their supplier Jadu had spoken to WDC about joining this partnership, but agreed that the District Council's needs differed and that the Warwick District website was at a more progressed stage of development. Officers were concerned that the Council would lose many of the improvements and developments of the past four years by adopting the solution currently used by the other authorities. Given the value of the work and noting that WDC were not part of the initial procurement of this partnership, the option of joining this consortium arrangement was not open to Warwick District at the present time.

The Finance and Audit Scrutiny Committee recognised that Local Authorities did not always have a good track record when it came to procuring computer software and therefore asked a number of questions in respect of the approach taken so far to identifying an appropriate Content Management System and sought assurances that the procurement process would continue to be followed. There was some discussion over whether there was a need to tighten up the measurability of value for money, but the Committee accepted the report and supported the recommendations within it. Councillor Mrs Knight felt that Members had been encouraged by the reassurances and hard work from the Website Manager, Michael Branson.

The Overview and Scrutiny Committee accepted recommendations 2.2 and 2.3 (pointing out that 2.3 was incorrectly numbered as a second 2.2). In addition they made a formal recommendation to the Executive that the wording of 2.1 should be amended to read "the Executive approves the development of the business case comparing Option A (Appendix A) to Option B, the new option as set out in the email sent to Councillors on 9 November 2012".

The Portfolio Holder for Corporate and Community Services, Councillor Mrs Grainger, endorsed the report and praised the Website Manager for his work on this project. She felt that he and his fellow officers would ensure the Council ended up with the best service possible. Councillor Mrs Grainger welcomed the Scrutiny Committees' comments and accepted the changes to the recommendations from the Overview and Scrutiny Committee.

Having read the report the Executive agreed that recommendation 2.1 should be amended as per the proposal from Overview and Scrutiny.

**RESOLVED** that

- (1) the development of the business case comparing Option A, attached as an appendix to the report, to Option B, the new option as set out in the email sent to Councillors on 9 November 2012, be approved;
- (2) funding of up to a maximum of £150,000 to enable procurement of a new CMS for the WDC website, be approved; and
- (3) the funding of this will be included as part of the 2013-14 Capital Programme for Council approval in February 2013.

(The Portfolio Holder for this item was Councillor Mrs Grainger)  
(Forward Plan reference 427)

94. **TRANSFER OF EGYPTIAN MUMMY CASE LID**

The Executive considered a report from Cultural Services that advised that the University of Birmingham had claimed ownership of an Egyptian mummy case lid acquired in 1960 for the collections of Leamington Spa Art Gallery & Museum (LSAG&M).

The existing documentation did not conclusively establish the University of Birmingham's ownership of the mummy case lid, but it did seem to be part of a collection of Egyptian antiquities acquired by the university in 1904. The mummy case lid had been on loan to museums in Birmingham since 1991, because LSAG&M did not have the resources for its proper care or display.

In May 2011 the Curator of Collections at the University of Birmingham wrote to LSAG&M asking if the Council would '*be prepared to return the object to the University of Birmingham under a deed of gift?*' He provided evidence that the mummy case lid really belonged to the University of Birmingham and the recommendations in the report followed a review, of the provenance and likely ownership of the mummy case lid, together with its relationship to the Council's current Collections Development Policy.

The mummy case lid was donated to LSAG&M in January 1960, when the service was managed by the Library, Art Gallery and Museum Committee of Royal Leamington Spa Borough Council. Its donor was Councillor T A Dorey, a member of the committee and lecturer in classics at Birmingham University. The lid was said to date to around 550 BC.

The Committee was informed by Dr Dorey that: 'from what I have been told, it was found abandoned on Tamworth Railway Station. The stationmaster took charge of it for a while before passing it on to Professor Thompson who, upon his retirement, gave it to Professor Dudley.' (Morning News, 4 January 1960; see also Courier, 8 January 1960). Dr Dorey 'begged' the lid from Professor Dudley when it needed a 'good home' after the classics department moved to new offices.

A little later, it was reported in the local press that 'the Vice-Chancellor of Birmingham University had confirmed the gift of the mummy to Leamington' (Courier, 10 June, 1960). The mummy case lid did not appear in LSAG&M's accessions register for 1960 but in 1991 was given the accession number M3541.1991.

There were no direct financial implications resulting from the proposed presentation of the mummy case lid as a gift to Birmingham University. Although the object had a significant potential market value, sale would be contrary to the Council's Collections Development Policy. Moreover, as the object was acquired by donation, and its ownership was contested by the University of Birmingham, which had paid for its recent conservation, any attempt at disposal by sale would be highly contentious.

An alternative option was that the mummy case lid could remain on loan to the University of Birmingham, leaving the matter of its long term future unresolved; or it could be returned to LSAG&M, which would be detrimental to its long term care and use for the public benefit.

The Portfolio Holder for Cultural Services, Councillor Cross, fully supported the report and was hopeful that the mummy case lid would have a good home with the University of Birmingham, especially with the new case that had been created for it. Councillor Cross praised the officers for their detailed research in compiling this full history of such a rare artefact.

Members were pleased with the report and were hopeful that arrangements could be made in the future for it to be lent back to the Gallery, should it so wish.

Having read the report the Executive agreed the recommendations in the report.

**RESOLVED** that the presentation of the Egyptian mummy coffin lid as a gift to the University of Birmingham, be approved.

(The Portfolio Holder for this item was Councillor Cross)  
(Forward Plan reference 457)

95. **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 paragraphs of Schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006, as set out below.

| Minute No. | Para Nos. | Reason |
|------------|-----------|--------|
|------------|-----------|--------|

|         |   |   |
|---------|---|---|
| 96 & 97 | 3 | Information relating to the financial or business affairs of any particular person (including the authority holding that information) |
|---------|---|---|

The full minutes of Minutes 96 and 97 would be contained within a confidential minute which would be considered for publication following the implementation of the relevant decisions. However, a summary of the decisions was as follows:

96. **NEW STREET CAR PARK – SALE OF PARKING SPACES AND ACCESS RIGHTS**

The recommendation as set out in the report was agreed.

(The Portfolio Holders for this item were Councillors Doody and Mobbs)  
(Forward Plan Reference 460)

97. **MINUTES**

The confidential minutes of the meeting held on 10 October 2012 were agreed and signed by the Chairman as a correct record.

(The meeting ended at 8.15 pm)