

WARWICK DISTRICT COUNCIL

Draft minutes of the meeting of Warwick District Council held at Town Hall, Parade, Royal Leamington Spa, on Wednesday 26 September 2023, at 7.00pm.

PRESENT: Councillor Syson (Chairman); Councillors Aizlewood, Armstrong, Barton, Billiald, Boad, Chilvers, Collins, Cron, Davison, Day, K Dickson, R Dickson, Falp, B Gifford, C Gifford, Gorman, Hales, J Harrison, Kang, Kennedy, King, Kohler, Luckhurst, Margrave, Matecki, Milton, Payne, Redford, Roberts, Rosu, Russell, Sinnott, Sullivan, Tangri, Williams, Wightman and Yellapragada.

34. **Apologies for Absence**

Apologies for absence were received from Councillors Browne, Dray, D Harrison, Hunt, Noonan and Phillips.

35. **Declarations of Interest**

There were no declarations of interest made.

36. **Minutes**

The minutes of the meeting of the Council held on the 26 July 2023 were proposed, duly seconded, taken as read and signed by the Chairman as a correct record.

37. **Communications & Announcements**

The Chairman welcomed Deputy Chief Executive Darren Knight, who had joined the Council on 25 September 2023.

The Chairman informed Council that former District Council Employee Pat Wiggins and former Leamington Town Councillor Janet Alty had both passed away. The Chairman led the Council in a minute's silence as a mark of respect for Pat Wiggins and Janet Alty.

The Chairman reminded Council that this would be the last formal meeting of Council before meetings move to Shire Hall to enable building works to take place at the Town Hall.

The Chairman informed Council that she had:

- (1) accepted a request from Group Leaders for Council to consider an urgent Notice of Motion regarding the recent announcement by the Government in respect of their Climate Change Policy; and
- (2) agreed to take the Confidential Report from the Cabinet on 20 September 2023 as an urgent item so that if approved, the purchase of the properties could be completed rather than waiting until November for Council to consider the report.

Finally, the Chairman informed the Council that there was no business under item 5 - Petitions.

38. Notices of Motion

The Council received a Notice of Motion proposed by Councillor Kohler and Seconded by Councillor Williams that read as follows:

“This Council notes:

- The recent announcements by the Prime Minister, moving back the dates for the banning of sales of new petrol and diesel cars from 2030 to 2035, loosening the phase out of gas boilers and reducing the obligations on landlords to insulate their properties
- Delaying the ban on combustion engine car sales will mean that more petrol and diesel cars will be on our roads for longer, resulting in more harmful emissions for longer
- Loosening the phaseout of new gas boilers will mean that more gas boilers are in use for longer, resulting in more harmful emissions for longer
- Reducing the obligations on landlords to insulate their properties will also lead to higher emissions for longer and cost renters more in higher bills for longer
- Car and boiler manufacturers that have been working to the previous dates now have uncertainty over the investments there were making, creating doubt over their future strategy
- Even if the overall Net Zero target of 2050 is subsequently met, more greenhouse gases will have been emitted into our atmosphere, exacerbating the effects of Climate Change.

This Council therefore resolves that:

1. The Leader of the Council should write to the PM expressing our concern at this change in policy, our frustration that it will increase the impact of Climate Change and our anger that it will undermine our country’s climate change strategy, and to urge the government to reverse its announcement
2. The Council should seek to join forces with other like minded Councils to explore the best way to challenge the Government’s change in policy, for example, via a Judicial Review.”

Councillors Kohler, Williams, Kennedy, Falp, Day, Hales, R Dickson, Davison, Barton, J Harrison, King, Boad, B Gifford, Matecki and Day addressed the Council on this item.

During the debate the proposer and seconder accepted an amendment to the Motion so that the final paragraph read as follows:

The Council should seek to join forces with other like-minded Councils to explore the best way to challenge the Government’s change in policy, for example, by the Local Government Association.

On being put to the vote, it was

Resolved that

- (1) the Leader of the Council writes to the PM expressing the Council’s concern at this change in policy, its frustration that this will increase the impact of Climate Change and the Council’s anger that it will undermine the country’s climate change strategy, and to urge the government to reverse its announcement; and

- (2) Council seeks to join forces with other like-minded Councils to explore the best way to challenge the Government's change in policy, for example, by the Local Government Association

39. **Leader and Portfolio Holders' Statements**

The Portfolio Holder for Arts & Economy, Councillor Billiald, informed Council that:

1. in respect of the Creative Quarter, the Old Nursery was now open with the first students arriving to undertake their courses, the former United Reform Church would be officially opening in October and the Stoneleigh Arms planning application had been submitted;
2. the Council's tenant Motionhouse had hosted a visit by the Chief Executive of the Arts Council for England, with Council representatives also in attendance. This led to positive discussions with Council officers regarding possible future projects and funding;
3. it had been a busy summer of events, the District had hosted two new events in its open spaces, Ibiza Orchestra and the Sausage and Cider festival. This was complimented by the usual mixture of successful events which concluded with EcoFest in the Pump Rooms featuring performances by Motion House; and
4. the new Arts Team Manager, Paul Roberts, had now started.

The Portfolio Holder for Climate Change, Councillor Kennedy, informed the Council that:

1. approval had been given for the upgrade of lighting in St Peters Multi-Storey Car Park. The new LED active lighting would reduce costs to the Council with a pay back in less than three years and would further reduce CO2 emissions; and
2. an Electric Vehicle (EV) charging point feasibility study had been commissioned to look at all South Warwickshire off street car parks and 10 village hall carparks. This study would look at the infrastructure in each location to understand the potential for installing EV charging points with a view to go to the market for a provider of these.

The Portfolio Holder for Place, Councillor King, informed the Council that:

1. the new £56million larger Kenilworth School for 2200 pupils had now opened. The Council had enabled this to take place through a combination of partnership working, providing forward funding and £9.6million Homes England funding to the Council to enable the Council to purchase the Leyes Lane and Rouncil Lane sites.
2. in the Local Authority Building Control (LABC) awards, two schemes supported by the shared Building Control team had been regional winners and therefore shortlisted for national awards. The shared Building Control team had also been nominated, by its users, for LABC team of the year;
3. awaiting the Inspector's report on the Awaiting Net-Zero DPD, which was anticipated to arrive in October. A Supplementary Planning Document (SPD) had been drafted, to support the DPD, with consultation on this due to take place soon; and
4. officers were progressing the procurement of a planning system to handle case management work.

The Portfolio Holder for Resources, Councillor Chilvers, addressed the Council and:

1. informed Council that all Councillors should now have the timetable for setting fees and charges and the overall budget and that as part of this timetable, testing of the Business Rate Volatility Reserve would commence in October;
2. reminded Members that to deliver a balanced budget for 2023/24, the Council had had to draw on its reserves and that it was anticipated as part of the Medium Term Financial Strategy that reserves would need to be used again to support a balanced budget for 2024/25;
3. informed Council that officers were working on prudent estimates of the level of central government funding that might be provided to the Council;
4. explained that as part of budget processes, budget managers had been asked to look for invest to save ideas that could be built into the budget;
5. informed Council that a review of capital projects was due to be undertaken by Cabinet in November; and
6. Cabinet was looking to set up an energy generation fund to invest in solar panels and other schemes to provide a revenue return over a number of years.

The Leader of the Council , Councillor Davison addressed the Council and:

1. explained that in future, the Cabinet would share Portfolio Holder statements with all Councillors, via email, when they were lengthy complex but the presumption was to try keep statements focussed; and
2. thanked the Programme Manager and their team for all their work on Abbey Fields Pool in arranging a briefing for all Councillors and general public in September.

40. **Questions to the Leader of the Council & Portfolio Holders**

Councillor Boad asked the Deputy Leader if the Labour Group agreed with the views of the Warwick & Leamington MP on the sale of Riverside House.

In response, Councillor King explained that he had had private conversations with the Warwick & Leamington MP and the public response, to the letter from the MP, provided by the Council, was factually correct.

Councillor Kohler asked the Portfolio Holder for Neighbourhood & Assets for an update on the investigation works at Southern and Ashton Courts in Lillington.

In response, Councillor Wightman explained that the investigation work was ongoing but the report on solutions was due. There had been a review of all high-rise blocks owned by the Council with cladding and in these two buildings initial findings suggested a styrene type substance within the cladding. This did not cause any concern in respect of fire safety assessments but had been linked to a fire in another area. Therefore the Council, as an interim measure, had upgraded the fire alarms so there was an alarm in each property and had a 24-hour watch at the properties as well. Testing of the cladding was taking place to look at the removal and replacement process so that it did not impact on the structural integrity of the building.

In response to a supplementary question, Councillor Wightman explained that residents would be kept informed when further details were known following the assessment report.

Councillor Redford asked the Portfolio Holder for Climate Change to clarify his earlier statement regarding the installation of EV charging points at 10 village halls, so that assessments would be made first to ensure capacity within the local electricity grid to enable the charging points to work.

In response, Councillor Kennedy explained that the work was to survey 10 village hall car parks in South Warwickshire to see if it was appropriate to supply them with charging points. This would include looking at grid and location capacity to see if the site was viable.

Councillor Day asked the Leader if he supported the concept of a working Council to ensure that all Councillors could participate in Council matters, especially when some Councillors were working full time. For example, the Climate Change Action Plan Working Group was taking place at 2pm.

In response, the Leader explained that there had been logistical challenges for finding an appropriate date and time for the Climate Change Working Group and a number of dates and times had been suggested to all members of the Group. This led to a decision on picking the best fit from those dates. There was not a single date when all participants could be available.

In responding to a supplementary question, he added that he wanted to ensure all Members could participate and asked officers to share the protocol on arranging such meetings with Councillors. He also reminded Council that he wanted to work with Group Leaders to look at a more structured approach to enable Councillor engagement in projects and areas of work.

Councillor Day asked the Deputy Leader to inform Council which way he would have voted at the previous Council meeting in respect of the recorded vote taken by Council on the Pump Rooms.

In response, Councillor King explained he would have supported the proposal from Cabinet.

Councillor Day asked the Deputy Leader if the MP for Warwick and Leamington had been very quiet on the Pump Rooms project and if he had received the views of the MP.

In response, Councillor King explained that he could not answer on behalf of the MP but if he was watching, the MP might contact Councillor Day directly. In response to a supplementary question, Councillor King explained the MP had not provided his views to him.

Councillor Day asked the Deputy Leader if he shared the view of the Warwick & Leamington MP on the Riverside House site disposal proposals.

In response, Councillor King explained he understood why there was criticism based on when the decisions were made about the site. He believed the MP felt the right process was not followed, including consultation with the public.

In response to a supplementary question, Councillor King explained that he supported the letter to the Warwick & Leamington MP and it was good for the community to see challenge to the Council from either the public or MPs.

Councillor Milton asked the Portfolio Holder for Place that now the Cabinet had approved funding to assist with the proposal to relocate the Wardens , what work

would be undertaken to mitigate the impact on quality of life for residents in that area.

In response, Councillor King explained that the use of the land had been allocated within the Local Plan and so the development was acceptable as long as it accorded with Local Plan Policy. The Club intended to run a public exhibition and engagement with the local community before they would submit a planning application. The Community would also be able to respond as part of the formal planning application consultation. In respect of transport, the Club would be submitting a transport statement and travel plan with the application, which would include sustainable travel.

Transport modelling of the site usage had previously been undertaken by WDC and would be included with the application. Car parking allocation, with any planning application, would need to be in line with the Council's SPD on parking standards. WCC highways would also be consulted on the application and in anticipation of this, the Club was liaising with WCC on highways.

In addition to this, he explained he had met with the Club's Chairman and sought a commitment on equalities commitment within its membership and encouraged the Club to look at supporting membership from people with low incomes.

Councillor Matecki asked the Portfolio Holder for Neighbourhood if it was appropriate for one for the Green Group Members to announce that extra resources were to be added by the Council to tackle fly-tipping. If this was the case, how many extra staff this would be and what resources were being cut to pay for it.

In response, Councillor Roberts outlined the revisions to the Service Area, which had seen reallocation of resources within the team with revised job descriptions. This followed a period of time reflecting on the ability to recruit to a post and the change in demands for the team. He also highlighted that part of the funding for the roles came from Warwick University.

In response to a supplementary question, Councillor Roberts recalled informing Council previously about this and a Waste Enforcement review was due to come to the Overview & Scrutiny Committee in November.

Councillor Matecki asked the Portfolio Holder for Climate Change if he was aware that Warwickshire County Council had been granted £3.3million for the introduction of around 2,200 Electric Vehicle charging points across the County. WCC would be asking the community to nominate locations such as village halls and off-street car parks. Councillor Matecki proceeded to ask if the Portfolio Holder was talking to WCC to avoid duplications.

In response, Councillor Kennedy explained officers were in contact with WCC about this.

Councillor R Dickson asked the Portfolio Holder for Neighbourhood for an update on the planned improvement to the green space play area off Glendale Avenue in Kenilworth.

Councillor Roberts explained that a project document was to be circulated that week to Ward Councillors for sign off, with invites to tender in October and installation in the early new year, depending on the timeline of the winning bidder. And in response to a supplementary question, Councillor Roberts explained he would be working with officers to ensure delivery on the agreed timeline.

Councillor R Dickson asked the Councillor for Resources how much money had been paid to Keir for Abbey Fields development since May 2023.

In response, Councillor Chilvers said he would ask officers to provide response in due course.

In response to a supplementary question, Councillor Chilvers thanked Councillor R Dickson for explaining that £540,000 had been paid to Keir since May 2023 and that the Cabinet was keen to look at the overall costs of the project.

Councillor Barton asked the Portfolio Holder for Communities and Leisure for an update on the action being taken, following complaints from Whitnash Residents, about Berry Polimers processing of plastic for recycling?

In response, Councillor Sinnott recognised the impact this had had on residents in the area and a detailed update had been provided to the Town Clerk of Whitnash last Thursday. There had been unannounced inspections of the site which did not identify any concerns for the District Council in respect of its responsibilities. However, the Environment Agency were primary agency for enforcement, because they had issued the licence, and therefore issues needed to be reported to them for investigation

Councillor Barton asked if the Royal Spa Centre had been checked for RAAC. In response, the Chief Executive explained that officers were undertaking a review across all properties owned by the Council. Initial indications from information held was that the Royal Spa Centre was safe, but there would still be tests as well to verify this.

Councillor Hales asked the Portfolio Holder for Resources that as procurement was central function, if he would encourage Members to attend training in October, and if he would set up a Members Procurement Board.

In response, Councillor Chilvers agreed it was an important function. He encouraged all Councillors to attend the training and welcomed the proposal of setting up a Procurement Board or Champions.

Councillor Hales asked the Portfolio Holder for Arts and Economy if she could pass the thanks of the Council back to the Events Team for the wide range of events delivered over the summer.

In response, Councillor Billiald agreed to pass the thanks of the Council back to the Events Team.

Councillor Hales asked the Portfolio Holder for Place if he would write to the former Deputy Chief Executive to thank him for all his work in helping deliver the new Kenilworth School.

In response, Councillor King agreed to write to the former Deputy Chief Executive to thank him for all his work in helping deliver the new Kenilworth School.

Councillor Yellapragada asked the Portfolio Holder for Place about what measures were in place for when the Council would approve new housing development to ensure infrastructure was in place for new residents; and for future developments, if the Council could require infrastructure to be in place before housing development was completed.

In response, Councillor King explained that officers were aware of issues around new any large development and while there was a framework in place for negotiations at an early stage there was room for improvement in this engagement. There was a lack of freedom to direct developers to do what the Council wanted rather than what they wanted, and the Council needed help from central government to provide more power. The Council was aware that a lot of new developments were car-reliant, but it had have limited influence to bring the benefits for residents. That said, there was the potential for work with WCC on highways and transport, including speed limits and service provision.

Councillor Armstong asked the portfolio Holder for Climate Change if he could provide an updated timetable on the NetZero DPD and associated SSPD.

Councillor Kenndey highlighted the response from Councillor King in his earlier statement that the report was awaited from the Planning Inspector and consultation on the SPD was due soon.

41. **Cabinet Report**

It was proposed by Councillor Day and seconded by Councillor Davison that the public report from the Cabinet meetings of 8 March 2023, 9 August 2023 and 20 September 2023 be approved.

The items to be considered were:

8 March 2023, the Housing Revenue Account Business Plan Review 2023
9 August 2023, the fees in relation to the Introduction of an Additional Licensing Scheme for HMO; the Resident Engagement Strategy residents in respect of Council Housing tenants and where appropriate, leaseholders; and
20 September the request to seek exemption from the Policy & Budgetary Framework Procedure Rules to enable the Corporate Strategy to be delivered early.

The Chairman expressed concern on behalf of Council regarding the 8 March excerpt not coming for approval earlier. The Chairman explained this was because the report at the time was not sufficiently clear if it was a Cabinet or Council decision. Initially it was passed as a Cabinet decision but after the last meeting and on review, it was a matter for Council to consider, hence why it was brought to Members at the earliest opportunity for consideration.

Resolved that the report of the Cabinet meetings held on 8 March 2023, 9 August 2023 and 20 September 2023, be approved.

42. **Appointments to Committee & Outside Bodies**

It was proposed by Councillor Davison, seconded by Councillor J Harrison, and

Resolved that

(1) the following appointments be made:

Overview & Scrutiny Committee

Members	Substitutes
Collins	Dray
Sullivan	Hunt
Browne	Kang
	Rosu

Audit & Standards Committee

Members	Substitutes
Kang	Collins
Browne	Dray
Rosu	Sullivan
	Hunt

Planning Committee

Members	Substitutes
Sullivan	Hunt
Kang	Dray
Collins	Browne
	Rosu

Licensing & Regulatory Committee

Members	Substitutes
Rosu	Harrison
Sinnott	Browne
King	Sullivan
	Kang
	Hunt
	Wightman

- (2) the appointment of Councillor Sinnott, by the Leader as the Warwick District Council Representative on the Police and Crime Panel, be noted.

43. Press and Public

The Chairman proposed, it was seconded by Councillor J Harrison and

Resolved that under Section 100A of the Local Government Act 1972 that the public and press be excluded from the meeting for the following item by reason of the likely disclosure of exempt information within paragraph 3 of Schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006.

44. Confidential Cabinet Report

The Chairman of the Council explained that she had accepted this item as an urgent item in order for the purchases to be completed if the recommendations were approved.

The Confidential report of the Cabinet of 20 September 2023 was proposed by Councillor Wightman and Seconded by Councillor Kennedy.

The item being considered was the finance for the associated costs for the purchase of 51 S106 Dwellings at the Asps, Banbury Road, Warwick and 20 S106 Dwellings at Thicktorn, Kenilworth.

Resolved that the confidential Cabinet report of 20 September 2023, be approved.

(The meeting resumed in public session.)

45. **Common Seal**

It was proposed by the Chairman, seconded by Councillor Davison, and

Resolved that the Common Seal of Warwick District Council be affixed to such documents as it may be required for implementing decisions of the Council arrived at this day.

(The meeting ended at 9.07pm)

CHAIRMAN
15 November 2023