

EXECUTIVE

Minutes of the meeting held on Wednesday 3 September 2008 at the Town Hall, Royal Leamington Spa at 6.00 pm.

PRESENT: Councillor Michael Doody (Chairman); Councillors Mrs Bunker, Hammon, Kinson, Kirton, Shilton and White.

ALSO PRESENT: Councillor Crowther (Labour Group Observer); Councillor De-Lara-Bond (Liberal Democrat Group Observer); Councillor Gifford (Chair of Overview and Scrutiny Committee); and Councillor Mrs Knight (Chair of Audit and Resources Scrutiny Committee).

Apologies for absence were received from Councillor Caborn.

383. DECLARATIONS OF INTEREST

Minute Number 386 – Free Swimming Programme

Councillors Hammon, Kirton and Shilton declared personal interests because they could take advantage of the free swimming opportunities offered by the funding given to Warwick District Council.

384. MINUTES

The minutes of 23 July 2008 having been circulated were taken as read and signed by the Chairman as a correct record.

385. PETITION

The Executive considered a petition, referred by Council on 20 August 2008, sponsored by Councillor Mrs Scarrott that asked the Council to work collectively in the interests of people in the District with housing needs to look for ways of easing their plight and increase the housing stock.

RESOLVED that the petition be noted and await a further report in due course.

386. FREE SWIMMING PROGRAMME

The Executive considered a report from Cultural Services which outlined details of central government's initiative to provide free swimming for over 60's and under 16's which also included a capital programme element to fund modernisation of pool facilities.

The Government was keen to encourage local authorities to participate in the initiative, making swimming a more popular activity and a major contributor to achieving the target of getting 2 million more people active by 2012. The initiative would also help authorities achieve national indicators (including NI 8; NI 55; NI 56; NI 110 and NI 137).

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The report also outlined financial implications of taking up the three elements of the offer and the key dates by which decisions needed to be made. In addition to the financial considerations, there were also operational and practical issues that would need to be addressed should Warwick District Council decide to be part of the scheme.

National participation in swimming activities had experienced a steady decline during the last decade as other sports had grown and the demands on peoples leisure time had diversified. The pattern had been reflected locally in Warwick District as swimming had declined in the same period.

Whilst the authority was rated as the thirty third most active in England and the second most active in the West Midlands in 2007/08 (Sport England Active People Survey), there was a stated objective of increasing the figures in future years, with particular reference made in the Corporate Strategy to increase levels of participation in young people and older people. Participation in a high profile national campaign to get young and old people swimming regularly could only support the local objectives and demonstrate to local residents how important Warwick District consider an active lifestyle to be.

The Overview and Scrutiny Committee supported the recommendations in the report, but felt the Executive should be aware of the dangers of government funding not being adequate and that there were hidden costs which were not contained in the report e.g. cleaning, life guards etc, which also needed to be considered.

The Audit and Resources Scrutiny Committee were disappointed that the government had not provided the resource to allow free swimming for under 16s, as had been done for the over 60s, but supported the recommendations in the report (after a vote in which 8 Members voted for the motion, 4 voted against and 1 abstained).

The Executive agreed with the comments of both the Overview and Scrutiny Committee and the Audit and Resources Scrutiny Committee. They agreed the recommendations in principle; however, investigation into the financial situation was needed and funding for the two years.

RESOLVED that

- (1) Warwick District Council apply for funding to allow it to offer free swimming and swimming lessons to those aged 60 or over;
- (2) Warwick District Council apply for funding to allow it to offer free swimming to those aged under 16 years excluding free swimming lessons, making clear that the Council would only be able to accept that if there were additional funds to ensure there was no significant detrimental effect on the revenue budget;

EXECUTIVE MINUTES (Continued)

- (3) subject to meeting the eligibility criteria, Warwick District Council to make an application for capital funding to allow the modernisation of the swimming pool changing areas at Newbold Comyn and Abbey Fields swimming pools; and
- (4) the Head of Culture and Chief Finance Officer be given delegated authority to accept funding offers in consultation with the Culture and Corporate and Strategic Leadership Portfolio Holders, subject to there being no significant ongoing impact on the Council's revenue budget.

(The Portfolio Holders for this item were Councillors Michael Doody and White)

387. BUSINESS CASE FOR CAR PARK IMPROVEMENT PROGRAMME

The Executive considered a report from Neighbourhood Services which set out a business case for a programme of works in the order of £2.19million to structurally improve Linen Street car park in Warwick, Covent Garden and St Peters car parks in Royal Leamington Spa. In addition visual and other improvements were recommended for Covent Garden Car Park so it could achieve the 'secure by design' standard. It also set out the proposed funding of the works and the implications for Council Tax.

One of the key priorities identified in the Corporate Strategy was for the authority to support the development of thriving Town Centres. In order to achieve that priority, the Council needed to provide sufficient numbers of off-street parking spaces at a quality which met the needs of customers.

An investment of £1,420,000 was required to maintain the general fabric of the car parks and as a result, the number of off-street spaces at the current level. An investment of £670,000 was also required to bring Covent Garden multi-storey car park up to a standard which was in line with car parks in competing centres outside the District and any new car parks which may be built within the District. It was known as the 'secure by design' standard.

The Audit & Resources Scrutiny Committee expressed dissatisfaction that car parks had been allowed to deteriorate for so long, but supported the recommendations in the report, subject to clarification that the Bedford Street Car Park capital receipt was up to date and, if not, a further report being submitted to the Executive.

The Executive fully agreed with the comments of the Audit and Resources Scrutiny Committee.

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RESOLVED that

- (1) the full set of improvements estimated at £2.19 million as set out in Option 1 of the report, subject to a further report confirming the tendered sums and the securing of the Bedford Street car park capital receipt, be approved;
- (2) tenders be sought and the process agreed in consultation with the Procurement Manager;
- (3) the investment be made as follows: -
 - £622k from the revenue repair and maintenance budgets from 08/09 – 12/13)
 - £510k in the capital budget originally financed from increased parking and S106 monies
 - £910k capital receipt from Bedford Street
 - £148k from prudential borrowing or capital receipts, to be decided when agreeing later years budgets; and
- (4) £63,000 of the 2010/11 revenue budget be brought forward into 2009/10 in order to fund the works, be approved;

(The Portfolio Holders for this item were Councillors Michael Doody and Kinson)

388. 2008/2009 FIRST QUARTER PERFORMANCE RESULTS

The Executive considered a report from Organisational Development and Performance Improvement which presented the first quarter performance results for 2008/09 along with the mitigations and corrective actions for those indicators that were off target.

The regular and systematic reporting of performance results against target, trended over time and compared with other authorities was a fundamental element of the Council's integrated performance management framework. The performance management framework in turn remained a key tool for ensuring the Council stayed focussed on what mattered to ensure it delivered its services efficiently and effectively.

A report relating to each Portfolio had been prepared and arranged to enable the Overview and Scrutiny Committee to hold portfolio holders to account for the performance of services within their portfolio area. The information in section 8 of the report contained full exception, mitigation and correction actions.

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When examining performance results for any given area, the following points were to be considered with relation to the results achieved and used to evaluate the appropriateness of any corrective action proposed:

- Result against target
- Result compared to previous results - trend over time.

RESOLVED that

- (1) performance in relation to each of the seven portfolios for the period April 2008 to June 2008 be noted; and
- (2) mitigation and corrective actions where results had fallen beyond 10% of target be noted and approved.

(The Portfolio Holders for this item were Councillors Mrs Bunker, Caborn, Michael Doody, Mrs Grainger, Hammon, Kirton, Kinson, Shilton and White)

389. RACING CLUB WARWICK

The Executive considered a report from the Chief Executive and Cultural Services which sought authority to grant aid Racing Club Warwick £83,500 to commence the first stage of the proposed improvements to the ground and to the community facilities at St Mary's Lands Warwick. The improvements to the ground represented the final element in the overall scheme to improve the area.

The St Mary's Lands scheme had been a £4 million scheme that involved:

- Sale of Bread and Meat Close and the former stables for housing including affordable housing;
- Relocation of the former Warwick Rugby Club;
- Construction of new stables for the racecourse;
- Construction of Flood Alleviation schemes on the Saltisford and Gog Brooks;
- Construction of new car parks;
- Improvements to the open space based on a new management plan;
- Improvements to the ground facilities and pitch of Racing Club Warwick and the community facilities based there.

All but the final point had been implemented. The proposed overall improvements to the football club's facilities and grounds involved, re-aligning the main pitch; new stand, bar and changing facilities; and refurbish and re use the existing bar and function room for community purposes.

The freehold of the land involved was owned by the Council Racing Club Warwick, which held a long lease.

EXECUTIVE MINUTES (Continued)

The Council had agreed a contribution to the project as part of its capital programme, some of which had been drawn down to undertake small improvements. Planning permission for the overall scheme had been obtained but the main obstacle was the other funding required and to get the agreement of the other partners involved.

The club was now at the point at which some substantial works could commence. The works were explained at Appendix 1 to the report. The works involved the Army Cadets and the Air Training Corps to come on site and provision for the Queen Square Scouts to be relocated. The works would be paid for by those bodies.

The funds which remained in the capital allocation would be used as match funding to address the remaining elements of the improvements.

RESOLVED that Racing Club Warwick be granted £83,500 to commence the first stage of the proposed improvements to the ground and to the community facilities at St Mary's Lands Warwick from the agreed remaining allocation for the St Mary's Lands Scheme of £207,000 in the capital programme.

(The Portfolio Holder for this item was Councillor White)

390. BIOMASS BOILER REPLACEMENT SCHEME

The Executive considered a report from Housing and Property Services on the Biomass Boiler Replacement Scheme.

In 2005 it was recognised that the heating plant serving all five of the Very Sheltered Housing complexes were nearing the end of their useful working life, becoming increasingly difficult and expensive to maintain, with the added penalty of inherently poor energy-efficiency compared to modern alternatives.

That had led to a rolling programme of boiler replacement that had seen Acorn Court (06/07) and Chandos Court (07/08) re-fitted with gas burning plant.

Warwick District Council was fortunate to benefit from fixed-price gas contracts that had just over two years left to run, (in the year since they were signed, the wholesale cost of gas had risen by 104%) but unless an alternative to natural gas could be found to provide heating, large increased costs would seem inevitable when the contracts expired. As those costs were the basis of the service charge, they must eventually be met by the tenants.

Since October 2007, Warwick District Council had successfully operated a pilot biomass heating scheme at Oakley Woods Crematorium that offered a very effective and practical means of addressing both problems.

EXECUTIVE MINUTES (Continued)

RESOLVED that

- (1) the installation of a biomass boiler to serve the hot water and space-heating requirements of Tannery Court sheltered housing complex, for the net budget cost of £120,000, be approved; and
- (2) delegated authority be given to the Energy Manager, and Strategic Director (Housing & Development), to procure the work in accordance with the Code of Contract Practice.

(The Portfolio Holder for this item was Councillor Mrs Grainger)
(Forward Plan ref 112)

391. **CUSTOMER RELATIONSHIP MANAGEMENT AND TELEPHONY SYSTEMS FUNDING**

The Executive considered a report from Revenues and Customer Services which informed them of the Chief Executive's decision to use his emergency powers to commit up to £27,900 from the Council's Contingency Budget to finance essential upgrades to the communication network used by the Warwickshire Direct Partnership (WDP). Without the Chief Executive's decision WDP could not have entered into an early contract with Northgate Information Systems and so missed out on a £10,000 discount and caused significant operational difficulties within February/March of 2009.

The decision was also approved by the Portfolio Holder, Councillor Caborn.

On 25 March 2008, the Executive agreed that Warwick District Council should enter into a contract on behalf of WDP (the Partnership) with Northgate in respect of the Customer Relationship Management (CRM) and Telephony systems. The new contract would provide a saving of over £5,000 in the first year (2009/10) and increase to approximately 1% in each of the following four years of the contract.

For the new contract to come into force, the Partnership was required to replace or upgrade certain items and make provision for the potential of a further upgrade within the next financial year (McFarlane telephony). If the finance had not been in place to cover the costs, the new contract could not have been entered into.

The costs were not included in the report which went to the March Executive. At section 7 of the report, a comprehensive explanation was set out from the WDP Programme Office Manager of why officers were not aware of the costs at that time.

RESOLVED that the commitment of up to £27,900 from the council's Contingency Budget for essential capital upgrades to the communication network used by WDP, be noted.

(The Portfolio Holder for this item was Councillor Caborn)

EXECUTIVE MINUTES (Continued)

392. SCRUTINY OF FLOODING

The Executive considered a report from Councillor Boad which reported on details of the work undertaken by a joint Warwick District Council and Warwickshire County Council Scrutiny Committee set up to review the services provided to householders (including vulnerable people), businesses and the impact to transportation routes following the severe weather of June and July of 2007 which led to the flooding of homes and businesses in Warwick District.

Consideration of what could be done to lessen the impact of similar severe weather in the future and if services provided by key utilities e.g. electricity sub stations, water treatment would need additional measures to protect them in future.

The Working Party formulated their recommendations following a series of meetings with partner agencies who had a duty to respond during emergencies and had responded to the floods in June and July of 2007 and therefore the recommendations were based on sound reasoning.

The Overview & Scrutiny Committee supported the recommendations at their meeting in July, asked for them to be passed to the Executive with their endorsement and requested an update report in February 2009 as part of their work programme.

RESOLVED that

- (1) the final report as set out at Appendix 1 to the report, along with recommendations contained within, be approved;
- (2) self protection be promoted in that residents are encouraged to prepare for an emergency. The Environment Agency to lead on this with the support of Warwickshire County Council and Warwick District Council by using all means to raise awareness;
- (3) both the Emergency Planning Unit and Members' Services for Warwickshire County Council and Warwick District Council to work together to ensure that emergency guidance and the contact information is provided annually to Councillors;

EXECUTIVE MINUTES (Continued)

- (4) Warwickshire County Council and Warwick District Council request the Primary Care Trust and other agencies that support vulnerable people to provide further information to the Humanitarian Assistance subgroup of the Local Resilience Forum on how neighbours could help vulnerable people in an emergency without putting themselves at risk and the information be coordinated where possible by the Emergency Planning Unit;
- (5) the Emergency Planning Unit review the communication proposals outlined in (Appendix 1, paragraph 4.6 to the report) to see whether they could be implemented and report back to the Local Resilience Forum in 6 months time;
- (6) Councillors and residents to be given information in leaflet or card form so they can contact the right provider (Environment Agency - brooks, rivers; British Waterways – canals; and Severn Trent – sewage). The panel to decide who should be given this task and have them report this information to Communicating with Public subgroup of the Local Resilience Forum in 6 months time;
- (7) communicate with the Public subgroup of the Local Resilience Forum to consider the feasibility of having named individuals, with the remit to update the Council on river levels;
- (8) with the Environment Agency's assistance and training, existing groups such as Neighbourhood Watch be encouraged to set up a flood awareness group in conjunction with the Emergency Planning Units community emergency planning initiatives;
- (9) as part of the emergency planning process that District, Town and Parish Councils consider where would be the best places to store flood warning signs, sandbags, emergency boxes with supplies, etc. to ensure that they can be easily accessed in an emergency situation. It is an opportunity for an enhanced role for all Councillors to take part in helping their community. This to be reviewed by Emergency Planning Unit in 6 months time and for them to report back to Warwick Area Committee;

EXECUTIVE MINUTES (Continued)

- (10) the Environment Agency to conduct a feasibility study to hold a roadshow in Leamington or other appropriate sites in Warwick District to raise public awareness. To arrange and invite the Emergency Planning Unit, Severn Trent, Primary Care Trust and any other emergency providers they consider would be useful for the public to meet to obtain information;
- (11) the Planning Department to liaise with Severn Trent and British Waterways to clarify and develop new protocols and report back to Warwick District Council in 6 months time;
- (12) Warwickshire County Council Highways to provide guidance and warning signs to Parish Councils to enable them to erect them to slow down traffic and suggest that Warwick Area Committee consider reviewing the effectiveness of providing warning signs to Parish Councils in 12 months time or after a flooding event;
- (13) a copy of the report to be given to Warwick District Council Overview & Scrutiny Committee and Executive, Warwick Area Committee, WCC Environment Overview and Scrutiny Committee, WCC Community Protection Overview and Scrutiny Committee, Local Resilience Forum and all those that participated in the review to comment on the findings and recommendations of the panel;
- (14) the Local Resilience Forum to continue to monitor the outcomes of the Pitt Review and report this to the Community Protection Overview and Scrutiny Committee; and
- (15) an update report be submitted to the Overview & Scrutiny Committee in February 2009 as part of their Work Programme.

(The Portfolio Holder for this item was Councillor Kinson)

393. OVERVIEW & SCRUTINY COMMITTEE AND AUDIT & RESOURCES SCRUTINY COMMITTEE – SCRUTINY WORK CURRENTLY BEING UNDERAKEN

The Executive considered a report from Members' Services which informed the Executive on the scrutiny work being undertaken by the Overview and Scrutiny Committee and Audit and Resources Scrutiny Committee.

EXECUTIVE MINUTES (Continued)

The report was produced to create a dialogue between the Executive and the Overview and Scrutiny Committee and the Audit and Resources Scrutiny Committee.

The item on the Executive was previously the Scrutiny Committees' minutes from the previous cycle. However, producing a report was considered a more effective way of keeping the Executive informed of the Overview and Scrutiny Committees' and Audit and Resources Scrutiny Committee's activities.

At the meeting of the Overview and Scrutiny Committee on 15 July 2008, the Committee considered the following items:

- (1) Year End Performance Results – this report presented the full year end results for all indicators as produced by the Councils Performance Management System. A number of missed targets were highlighted and the Portfolio Holder for Cultural Services, Councillor White was asked to attend the next meeting on 2 September 2008. Since the meeting on 15 July, it has been identified that some of the target are actually within the Environment Portfolio, therefore Councillor Kinson would also be attending the meeting on 2 September 2008.
- (2) Rent Arrears Performance – this report highlighted the factors that contributed to the failure to meet targets during 2007/08 and gave details of the steps being taken to ensure performance was improved during 2008/09. Councillor Mrs Grainger, Portfolio Holder for Housing also attended the meeting and a follow up report was requested for February 2009.
- (3) Scrutiny of Flooding – the Committee received a presentation and final report which would be submitted to the Executive in September 2008. A follow up report was requested for February 2009.
- (4) Scoping Documents – the scoping documents for CCTV and Engaging Young People were submitted and approved by the Committee. Task and Finish Groups were also appointed. The scoping document for the Golf Working Party was not approved, as the Committee felt that the members of the Working Party should also have an input. Therefore, it was deferred to the next meeting.
- (5) Comments from the Executive – the Committee noted the response the Executive made on their comments.
- (6) Review of Work Programme – the Committee added the items mentioned above to their work programme and also appointed Councillor Crowther as the Councils' representative on the county-wide scrutiny group looking at the Public Service Board.

CCTV Task and Finish Group – The members appointed to the group were Councillor Boad, Ms Dean, Edwards, Illingworth, Mrs McFarland and Pittarello. The first meeting of the group was held on Tuesday 5 August 2008 at the Town Hall and Councillor Illingworth was appointed as Chairman. The group discussed the scoping document and made some minor amendments. They

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also received some statistical information from the Neighbourhood Services Manager. It was agreed that the group would meet on a monthly basis with the intention of presenting a draft report to the Overview and Scrutiny Committee in February 2009 and a final report to the Executive in March 2009.

The following items were considered at the meeting of the Audit & Resources Scrutiny Committee on 15 July 2008:

- (1) Benefit Fraud Investigation Annual Performance Report 2007/08 – the report highlighted problems encountered by the Department for Work and Pensions which had impacted upon performance. Members sought reassurances concerning the anticipation and prevention of shortfall in the future and requested details of costs and savings relating to the department and, if available, comparative data with other local authorities.
- (2) EDRMS Project – the Committee were unhappy with how the project was progressing. They requested a detailed report for the next meeting analysing developments to date and the proposed way forward, and asked that the Head of ICT Services attend the next meeting to respond to Members' questions. They also resolved that spending on the project cease until a workable solution had been identified and that the working party be provided with information previously requested.
- (3) Comments from the Executive – the Committee noted the Executive's response to their comments.
- (4) Review of the Work Programme – the Committee noted that a scoping document for the Waste Contract had been produced by a small group of Members, to be circulated to the rest of the Committee for comments. It also requested information on EDRMS and Snowdrop before September, with a final report by the end of October, and Members expressed concern over how these two issues had progressed.
- (5) The Committee also considered 11 items on the Executive Agenda for 23 July.

Engaging Young People Task & Finish Group – the members of the group consisted of Councillors Mrs Blacklock, Britland, Gifford, Mrs Knight and Mrs Sawdon. The original intention had been for the group to have their first meeting early in August, but this had been delayed due to the majority of the group being unavailable or on holiday until later in the month.

RESOLVED that the report be noted and any further comments the Executive make, be passed back to the Overview and Scrutiny Committee or Audit and Resources Scrutiny Committee.

(The Portfolio Holders for this item were Councillors Mrs Bunker, Caborn, Doody, Mrs Grainger, Hammon, Kinson, Kirton, Shilton and White)

EXECUTIVE MINUTES (Continued)

394. GENERAL REPORT

(A) 2ND WARWICK SEA SCOUTS HEADQUARTERS

The Executive considered a report from Cultural Services which asked Members to grant landlords permission for the relocation of the 2nd Warwick Sea Scouts headquarters to Myton Fields, Warwick, to enable them to start planning and fundraising. The current headquarters were in need of replacement and the present location had, over time, caused a degree of conflict between users of the facility and local residents.

The feasibility study commissioned by the Council in December 2007 (independent of the HLF Parks for People project) identified the site as the preferred site to provide the thriving youth organisation with a modern and purpose built headquarters in a location suitable for its purpose.

2nd Warwick Sea Scouts had approached the Council explaining that the current headquarters was nearing the end of its serviceability and was in need of replacement. The present location was accessed over narrow residential streets, with problematic parking, and was within the floodplain. That precluded any significant expansion, required to meet not only future but also current needs. The organisation currently had approximately 200 young people as members with a significant waiting list (approximately 150) which could not be accommodated in the present headquarters.

The proposed new facility could become a building that would be used by not only the Sea Scouts but other local groups requiring occasional meeting rooms including the Junior Angling Committee based at Myton Pools and the Boat Centre operating out of St Nicholas Park boat house.

Officers had considered the impact on Myton Fields of the new location, and were happy with the proposal providing the use by the sea scouts, as outlined in previous discussions and that vehicular access to the headquarters would be limited to one or two cars and that the majority of routine parking would be off site. It was understood that preliminary yet positive discussions had been held between the Sea Scouts and Warwick School about parking.

Whilst no formal consultation had yet taken place with residents in Myton Road about the new location, indications from the Sea Scout leaders who had had informal discussions with some residents closest to the site suggested that the site would not present a significant problem to residents providing that vehicle access be limited (as proposed) and that the design of the building be sympathetic to the location. The formal consultation would take place during the planning process, however should strong opposition to the development arise, then it would be wise to review the decision.

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RESOLVED that landlord's permission for the relocation to "location 2" in Myton Fields as the "preferred option 1" of the attached Feasibility study which was set out at Appendix A to the report, be granted. The permission be subject to various conditions including access, scale, reinstatement of existing site, usage, neighbour objections, agreements on ground rent or similar and planning permission being granted at the appropriate time.

(The Portfolio Holder for this item was Councillor White)

(B) PILOT JOINED-UP BUSINESS RATES SERVICE WITH STRATFORD DISTRICT COUNCIL

The Executive considered a report from Revenues and Customer Services on the participation of the Council's Business Rates team in a joined-up working pilot with Stratford District Council's (SDC) Business Rates team. The pilot would last for 12 months during which time an evaluation would be made as to whether the teams should join together as a shared service.

In 2006, the five Benefits and Revenues services within Warwickshire commissioned work from the Institute of Revenues Rating and Valuation (IRRV) to establish whether there was a business case for the sharing of any services. The IRRV reported to the Warwickshire Association of Chief Executives (WACE) in June 2007 with a number of proposals, one of which was to undertake further feasibility work into establishing a joint Warwick-Stratford Business Rates team.

Given the limited number of staff involved in the Business Rates operation, officers agreed that the most effective way to approach the feasibility was through a physical relocation of Stratford's staff to Riverside House.

The risks in the project were minimal. The relocating staff would remain employees of SDC through the pilot; access to SDC's computer network would be via a remote protocol known as Citrix; there was no effect on budgets.

The real benefit for Warwick District Council was that it provided the opportunity to bring some resilience to the Business Rates team. Currently the team was made up of two Revenues officers and with Stratford more than doubling the resource, there was the opportunity to call on cover in times of staff absence.

RESOLVED that

- (1) the Council undertake a 12 month pilot joined-up Business Rates service with Stratford District Council to be based at Riverside House, be approved;

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- (2) a Memorandum of Agreement, to be approved by the Legal Services team, be signed before the joined-up work commences; and
- (3) a further report in nine months to determine whether the Council should enter into a shared service arrangement for the delivery of the Business Rates service.

(The Portfolio Holder for this item was Councillor Caborn)

395. 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.

| Item No. | Para. Nos. | Reason |
|---------------------|------------|---|
| 397 & 398 | 1 | Information relating to an individual |
| 396, 399, 400 & 401 | 3 | Information relating to the financial or business affairs of any particular person (including the authority holding that information) |

396. CRACKLEY WOOD, KENILWORTH

The Executive considered a report from Economic Development and Regeneration.

Located to the north of Kenilworth, Crackley Wood is ancient semi-natural woodland, once part of the Forest of Arden. It was managed traditionally as a high forest with a coppice understorey, providing tall trees of oak, birch and sweet chestnut with a lower shrub layer of hazel and holly.

Crackley Wood spans the disused railway line now used as a Greenway. The area south of the railway line amounts to approximately 13,900m², or 34.3 acres.

Warwick District Council (WDC) currently owned approximately 33.226 acres of Crackley Wood south of the old railway line, with the remaining 1.074 acres of land, hatched on Plan 2 attached, in private ownership. Land in WDC ownership was designated as a Local Nature Reserve.

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The Council was informed that the land was about to come onto the market but that if it made an offer immediately it would be able to secure the purchase.

Following negotiations between the Council's Estates Manager and the Trustees of the Estate of the current owner, and approval from the Chief Executive, Ward Councillors and Portfolio Holder, the Council had agreed to purchase the land hatched on Plan 2, attached to the report, subject to Heads of Terms.

The District Valuer had confirmed that the sum proposed was a reasonable one in his view.

RESOLVED that the Chief Executive's exercise of emergency powers with agreement from Ward Councillors and Portfolio Holder, to acquire an additional piece of Crackley Wood, Kenilworth funded from the Council's Contingency budget, be noted.

(The Portfolio Holder for this item was Councillor Michael Doody)

397. REDUNDANCY – COMMUNITY SERVICES MANAGER

The Executive considered a report from Organisation Development and Performance Improvement.

The Employment Committee agreed at its meeting of 15 January 2008 to retain the Community Services Manager post until either the end of June 2008 or the end of December 2008. The post had been retained until the latter date to facilitate the introduction of the integrated waste contract. It had not been possible to redeploy the postholder and therefore the Executive was requested to approve the funding for the postholder's retirement on the grounds of redundancy.

Building on Excellence was approved as an organisational change strategy by the Executive at its meeting on 18 September 2007. As a result, a number of posts were deleted from the council's establishment and a number of new positions created.

The outcomes of the redeployment process were reported to the Employment Committee on 15 January 2008 and it was agreed at that meeting to retain the Community Services Manager post until either June 2008 or the end of December 2008.

The option for a secondment to the Warwickshire Waste Partnership did not materialise for the postholder and a suitable redeployment opportunity within the Council had not been found.

RESOLVED that the funding of the early retirement on the grounds of redundancy for the Community Services Manager with effect from 31 December 2008, be approved.

EXECUTIVE MINUTES (Continued)

(The Portfolio Holders for this item were Councillors Caborn and Michael Doody)

398. REDUNDANCY – BEREAVEMENT AND SPECIAL PROJECTS MANAGER

The Executive considered a report from Organisation Development and Performance Improvement.

The Building on Excellence restructure approved by the Executive in September 2007 re-designated the Parks and Open Spaces Strategic Manager as the Bereavement and Special Projects Manager and the change in duties were due to take effect from April 2008.

The move had not proved to be successful and no alternative redeployment opportunities were available. The Employment Committee would consider the request for early retirement for the Bereavement and Special Projects Manager at its meeting on 16 September 2008. The granting of the request was dependant on approval from both the Executive for the funding and the Employment Committee for the principle decision.

The Parks and Open Spaces Strategic Manager post was re-designated as Bereavement and Special Projects Manager after full consultation with the postholder. However it had become apparent during the trial period of the change that the post was not commensurate with the postholder's current status and professional qualifications. It would therefore be recommended to the Employment Committee on 16 September 2008 that the post holder be granted early retirement on the grounds of redundancy.

RESOLVED that the funding of the early retirement on the grounds of redundancy for the Bereavement and Special Projects Manager with effect from 31 December 2008, dependant on the Employment Committee agreeing to the early retirement request, be approved.

(The Portfolio Holders for this item were Councillors Caborn and Michael Doody)

399. LAND CHARGES

The Executive considered a report from the Chief Executive which sought to confirm the appointment of a person to arbitrate on the matter between the District Council and the County Council.

This was further to the Executive's decision in June 2008 to agree to appoint an arbitrator to resolve the dispute between the District and County Councils.

It was proposed that the former Monitoring Officer of Solihull Metropolitan Borough Council be appointed to act as arbitrator between the District and County Council. The officer had recently retired as Monitoring Officer from Solihull Metropolitan Borough Council and was not known to either of the legal officers who had acted for Warwick District Council or the County Council. He was due to deal with the case in September 2008.

EXECUTIVE MINUTES (Continued)

RESOLVED that the former Monitoring Officer of Solihull Metropolitan Borough Council named in paragraph 3 of the report be accepted as the arbitrator to the case.

(The Portfolio Holder for this item was Councillor Kirton)

400. KENILWORTH PUBLIC SERVICE CENTRE

The Executive considered a report from the Chief Executive which proposed that in the light of the economic downturn leading to the effective withdrawal of the previous preferred developer for the Wilton House site, that other parties who had expressed an interest at the tendering stage be offered the opportunity to put forward a revised tender for consideration. At the same time that a revised scheme for the Kenilworth Public Service Centre be drafted and an overall feasibility study be prepared which should include giving officers authority to make bids for funding from other sources.

The Audit & Resources Scrutiny Committee supported the recommendations in the report as did the Executive.

RESOLVED that

- (1) the parties who had registered an interest at the previous tendering stage for the disposal of the Wilton House site, be re-invited to submit revised tenders;
- (2) a feasibility report/business case and project plan for the Kenilworth Public Service Centre be prepared based on the latest option drawings for consideration by the end of the year; and
- (3) officers be authorised to submit bids for funding from other sources in support of the scheme subject to there being no additional cost involved.

(The Portfolio Holder for this item was Councillor Hammon)

401. SPENCER YARD

The item was withdrawn from the agenda to enable a better presentation of the financial implications to be considered as well as allowing for a decision to be made when more is known about the negotiations currently being undertaken on cost reduction.

(The meeting ended at 8.00pm)