

Pre-Scrutiny questions and answers on reports being considered by Cabinet on 4 November 2021

(This forms part of the considerations at Group meetings before a decision is made on which Cabinet reports will be called-in for scrutiny by the Overview & Scrutiny and the Finance & Audit Scrutiny Committees)

4. Adoption of revised Enforcement Policy and Business Charter

Questions asked by Councillor R Dickson

1. Was consideration given to adopting the Good Business Charter as proposed by the Good Business Foundation and adopted in York? This could secure, amongst other things, a commitment from local businesses to achievement of net zero target for carbon emissions and ethical supply policies (see Item 11 CCAP).

Response from Head of Health & Community Protection:

The Good Business Charter is something that I will also leave with my Business Improvement Colleagues to respond to but for clarity the Business Charter that is proposed is between the Council regulators and business. It explains what they can expect from the Council regulators in terms of support and assistance to help support their business growth as part of the statutory duty placed on regulators. The charter demonstrates the Council's commitment to the Better Business for All programme and is the foil to the Enforcement Policy.

2. Has the proposed Charter been discussed with Kenilworth Chamber of Trade?

Response from Strategic Economic Development Officer:

Yes, I contacted the Chambers when we first discussed the new charter and shared the details of the Charter with the Kenilworth Chamber.

Questions asked by Councillor Milton

I've had a look through the revised Enforcement Policy document. The key change from what I can see from a WDC perspective is the inclusion of parking enforcement in the policy. However, I couldn't see any details about what this meant in terms of the substance of the policy I.e. what changes residents will see, is the council getting new powers etc.

Would you be able to provide a bit of extra explanation or point me to the part of the report I may have missed.

Response from Head of Health & Community Protection:

Thank you for your question. The Residents should not see anything different at all and as I understand there are no new powers for parking enforcement. However, I will let my colleagues confirm that with you

The policy demonstrates in a transparent manner how enforcement action is considered and determined. The service of parking penalty notices is covered under financial penalties which is also relevant to all over Fixed penalty or civil penalty notices that the council issues. I trust that assists.

5. Fees and Charges 2022/23

Questions asked by Councillor R Dickson

It's noted that most burial fees are increasing by 15%. However is there any discretion not to increase the fee for a child's grave from £700 to £800? This seems excessive and only likely to cause more distress at a tragic time.

Response from Strategic Finance Manager (in liaison with the Bereavement Services Manager):

It may reassure Members to be informed, that this increase will have no impact on bereaved parents.

Funerals for all children from birth up to the age of 18 years, are paid for from The Children's Funeral Fund, which is set up by central Government and it is not means tested. The Council claims the money directly from the fund, invoices are not sent to bereaved parents.

In the case of babies who are born at 24 weeks, they do not qualify for the CFF payment, however the funerals are generally arranged and paid for by the hospital, where the family choose to make the arrangements themselves for babies who were born before 24 weeks there is help available from the Children's Funeral Charity or they may choose to have a burial in an unpurchased grave.

If members are truly against increasing this fee, there would be scope to freeze or reduce it.

As discretionary fees and charges, there is technically the discretion. There wouldn't be a massive impact on the budget because thankfully there are very few children's funerals, however we make the same charge for ½ size grave for cremated remains where we have significant numbers. However, members need to note that any discretion away from the 15% will have implications, i.e. – the need to generate additional savings/income elsewhere, inconsistency, special case could be made for reducing most charges, some services may not be cost recovery.

The 15% overall fees target increase was originally from the Budget Proposals agreed by members in Dec 2020, with this then communicated to the services through the fees and charges review process for the 22/23 update (as proposed in the Item 5 report).

6. Review of Warwick District Council Members' Allowances

This item was withdrawn from the Cabinet agenda.

7. Additional Grant to Community Village Shop, Norton Lindsay

Questions asked by Councillor R Dickson

Is WDC being asked to provide 100% funding? How much is the Parish Council contributing and how much is being raised from other sources?

Response from the Chief Executive:

The overall project cost is now £78,294. The overall WDC contribution if agreed would be £75,294 (£38,500 already awarded in 2017, additional request of £36,794 which you're funding from the RUCIS budget) with 'Pub is the Hub' awarded a grant of £3,000.

However, the report notes; "and as the local community has given a lot already to local initiatives and so is unable to make much additional contribution." Prior to this project you'll recall there was the new Village Hall project which the local community and Parish Council contributed a lot of money towards plus the community purchase of the New Inn pub. These contributions amount to hundreds of thousands of pounds so in the grand scale of things it was felt that as the increase is a result of cost pressures it was felt appropriate but as an exception.

8. Amendments to the Royal Leamington Spa Neighbourhood Plan

No questions were asked on this report.

9. Riverside House Development Brief

Questions asked by Councillor Milton

I have a few questions on the papers for Cabinet relating to Riverside House in advance of the scrutiny cycle this week.

1. The report gives an overview of the responses to the consultation. Would you be able to provide the total number of people who responded to the exercise please?
2. There is reference to a new bridge across the river - will this be dual use i.e. for people on foot or on bikes?
3. S2.14 deals with the option of renovation rather than rebuild but dismisses the option. Could you outline what's been done to explore the feasibility of a rebuild option including both the relative financial and carbon costs/benefits.
4. The intention to create a carbon-zero development is clear from the document but I can't see any guarantees that this will be the end result. I'd there something we could do to strengthen this at all?

Response from Project Manager – Projects and Economic Development:

1. 49 people completed the online public consultation survey.
2. The aim of a new bridge across the river would certainly be for it to be dual purpose ie for those on foot; and for cyclists. It is viewed as a real benefit for the connectivity between the town and green spaces along the river walk.
3. The building was created as office space within the planning policy of its time. Our focus is now primarily on housing for this location, and it is important that the development is of a high quality and fits within the surrounding area, along with setting standards in climate change

credentials and sustainability. Therefore, in terms of both suitability and cost this option has not been viewed as a feasible one.

4. As you say, the intention is to create a carbon-zero development. We have developed the brief to give potential developers guidance on what would meet our criteria for development on the site, and we do need them to have the ability to interpret the brief in their own way, in terms of bringing innovation for the development. As the landowner, the Council will need to decide on the most suitable proposal for the site, and this will be the proposal that meets as many of the points set out in the brief as possible. At this point, there is nothing further that we need to do to strengthen it further.

I would also add that there will be further report setting out the way forward on bringing the site for development, and many of the issues you raise will be picked up then.

10. Rural/Urban Capital Improvement Scheme (RUCIS) Application

No questions were asked on this report

11. Climate Change Action Programme

Questions asked by Councillor R Dickson

This is a very welcome report. How will Ambition 1 sections 3.1 and 3.2 apply to the contracts for development and subsequent operation of the new Kenilworth Leisure Facilities in Abbey Fields Swimming Pools and at Castle Farm?

The Programme Director for Climate Change is unavailable today to give a response but will be attending Overview & Scrutiny 2 November meeting. In his absence, we have received the following responses:

Response from Head of Cultural Services:
In respect of Recommendation 3.2

Dialogue was held with Everyone Active 18 months or so ago about future purchase of green energy in leisure centres. Everyone Active have confirmed that at that point we are the first local authority to raise the question, and therefore they had not at that point made any commitments to change their corporate purchasing policy to purchase of green electricity. They did confirm that should WDC require them to purchase green electricity then they could do so for our contract, but that this could bring with it a cost to the Council. This can be included in the forthcoming discussions about contract sums post COVID. Any longer term discussion regarding use of green energy can be fed into contract renegotiation discussions at the appropriate point.

Response from the Programme Manager, Cultural Services:

(Message from Committee Services:

The Programme Manager sent two attachments with his email response Councillor Dickson. Appendix A and Appendix B. Appendix A can be found on the website for the papers relating to a meeting of Executive on 13 July 2020 – Item 7 - "Kenilworth facilities summer 2020". Appendix B, the second attachment sent in his email response, went to Executive as part of the agenda for its meeting on 21 August 2019 as part of Item 7.)

Appendix A is from the report to Executive on 13th July 2020. This demonstrates the review of all sustainability options undertaken in co-operation with the Members' Working Group.

My wording (without seeing the Ambition 3.1 wording) is as follows –

The design of the new leisure facilities at Castle Farm Recreation Centre and Abbey Fields Swimming Pool has been delivered with a central focus on sustainability. As is shown in the attached Appendix, which was presented to Cabinet on 13th July 2020, all potential sustainability features were considered in co-operation with the Members' Working Group and the selection to be included was approved by Cabinet through this report.

The project has now identified a preferred contractor to complete the works and it is hoped that a contract can be signed by the end of this year. The company identified is Kier, who have a strongly positive national reputation for constructing sustainable leisure centres. As part of their submission for the contract they re-affirmed their company's commitment to sustainable construction methods and sustainable buildings and are keen to talk to the Design Team about optimising the sustainable credentials of the two buildings.

12. Significant Business Risk register

Questions asked by Councillor Syson

Emerging Risks 1.4.1 Item 12/page 3

"HEART – this is a partnership of all the Boroughs and Districts and the County Council for the provision of disabled adaptations. It is fair to say that there are issues which are coming to a head in the near future and depending on how they are resolved this may generate a risk for the Council."

Are you able to elaborate more on this? Is this a risk of being unable to fulfil a service to residents or a financial or reputational risk?

Response from the Chief Executive:

I anticipate that this matter will be the subject of a separate report in the New Year depending on how things evolve. Whilst discussions are still underway then the performance of the partnership could potentially affect the Council in a number of ways – but it might also be resolved hence deeming it an emerging risk. Lisa is closer to hand on this matter as she

is directly involved so I'll leave her to advise of more detail if she is able to at this stage.

Response from Head of Housing Services:

Nothing further to add. We are closely monitoring and will be reporting first to Overview & Scrutiny Committee which is requiring regular reports and subsequently to Cabinet.

13. Health and Well-being – South Warwickshire Place Arrangements

No questions were asked on this report.

15. Lillington Health Hub / Valley Road Car Park

No questions were asked on this report.