

Executive

Minutes of the meeting held on Wednesday 7 March 2018 at the Town Hall, Royal Leamington Spa, at 6.00 pm.

Present: Councillor Mobbs (Leader); Councillors Butler, Coker, Grainger, Phillips, Rhead and Thompson.

Also present: Councillors; Barrott (Finance & Audit Scrutiny Chair); Boad (Liberal Democrat Observer); and Naimo (on behalf of Overview & Scrutiny).

An apology for absence was received from Councillor Whiting.

129. **Declarations of Interest**

Minute Number 135 – Review of Green Space Strategy & Approval of Revised Green Space Action Plan

Councillor Naimo declared an interest because she belonged to one of the groups involved in Green Space projects.

Minute Number 136 – One Stop Shop Business Case

Councillor Boad declared an interest because he was involved with The Chain Community Hub which was mentioned in the risks section of the report.

130. **Minutes**

The minutes of the meetings held on 7 February 2018 were not available and would be submitted to a future meeting.

Part 1

(Items on which a decision by Council was required)

131. **Election of Chairman and Vice-Chairman of the Council for 2018/19**

Recommended that

- (1) Councillor Cross be appointed as Chairman of the Council for 2018/19; and
- (2) Councillor Illingworth be appointed as Vice-Chairman of the Council for 2018/19.

(This is a recommendation to Council on 9 May 2018)

132. **Revisions to the Scheme of Delegation**

The Executive considered a report from Health and Community Protection which requested a revision to the Scheme of Delegation within the

Constitution in relation to the revocation or suspension of Personal Licences issued under The Licensing Act 2003.

The report advised that on 6 April 2017, the Policing and Crime Act 2017 inserted Section 132A into the Licensing Act 2003 to give Licensing Authorities the power to revoke or suspend a Personal Licence if they become aware that the holder of the licence had been, at any time before or after the grant of the licence, convicted of a relevant or foreign offence or been required to pay an immigration penalty.

A list of relevant offences had been provided by the Government and was attached as appendix 1 to the report. A foreign offence was detailed as any offence for which a person had been convicted in a court of law of **another country**. If an offence was committed which was not a relevant offence or foreign offence, the Licensing Authority had no powers.

Before the amendment to the Act was made, only a Magistrates Court had the power to revoke a Personal Licence at the time of sentencing for a relevant offence. However, it was the licence holder's responsibility to make the Magistrates Court aware that they held a Personal Licence.

As a result of the amendment, when the Licensing Authority became aware of a conviction, foreign offence or immigration penalty, officers must notify the personal licence holder that they intended to refer them to a Licensing Sub-Committee to consider whether to revoke or suspend their Personal Licence.

If the Licensing and Regulatory Sub-Committee decided not to revoke or suspend a Personal Licence, the Chief Officer of Police was given 14 days to make a representation. If a representation was received, a further Committee must convene to decide if having received the new information the personal licence should be revoked or suspended.

An alternative option was that Members could decide not to amend the Scheme of Delegation. However, as outlined section 6.2 of the report, the Licensing Authority would have no powers to revoke or suspend a Personal Licence. Therefore, persons who had committed relevant offences could continue to hold a Personal Licence with Warwick District Council.

A further alternative was that Members could decide that the decision to suspend or revoke a Personal Licence should be made by the Licensing and Regulatory Committee but this was not recommended for the reasons set out in section 3 of the report.

Having considered the report, the Executive

Recommended to Council that

- (1) the following is added to the Scheme of Delegation under Health and Community Protection:

Following conviction or a relevant offence, foreign offence or immigration penalty to notify the licence holder of the intention to suspend or revoke their Personal Licence under The Licensing Act 2003 and refer all cases to a Licensing and Regulatory Sub-Committee; and

- (2) the decision to suspend or revoke a Personal Licence when a licence holder has received a relevant offence, foreign offence or an immigration fine be delegated to the Licensing & Regulatory Sub-Committee.

Resolved that, subject to Council approval of the above, the decision of the Licensing & Regulatory Committee to delegate the work involved in recommendation 2.2 to its Sub-Committees as the appropriate bodies to consider such matters, is noted.

(The Portfolio Holders for this item was Councillor Thompson)

133. **Local Code of Corporate Governance**

The Executive considered a report from Finance which detailed a revised Code of Corporate Governance for Warwick District Council. The report was being presented to Members for approval, following which it would be adopted.

The report reminded Members that the Council was responsible for ensuring that its business was conducted in accordance with the law and proper standards and that public money was protected, accounted for, and used economically, efficiently and effectively.

In discharging this responsibility, Members and officers had a duty to set in place proper arrangements for the governance of the Council's affairs and stewardship of the public reserves at its disposals. The Council had a duty under the Local Government Act 1999 to ensure continuous improvement in the way it did things, having regard to a combination of economy, efficiency and effectiveness.

A Code of Corporate Governance ensured that the Council conducted its business properly and aided the process of continuous improvement.

In addition, the Council was demonstrating its commitment to effectual governance which in turn should lead to high quality public services. By promoting the principles of openness, accountability and integrity the Council should foster public trust.

The Local Code provided the public with greater awareness of the Council's arrangements and equipped citizens with the knowledge to question the Council's plans and actions, thereby becoming more involved in the running of their District.

The Local Code provided officers with an overview of the Council's governance arrangements and with the principles of good governance that each employee should be intent on maintaining.

Members were asked to note the latest guidance on good governance issued by CIPFA and SOLACE, the main features of which were described in the report. Approval was also requested for a review of the Authority's governance arrangements as set out at Appendix A to the report. Finally, a revised Local Code of Corporate Governance was set out for consideration and approval at Appendix B to the report.

The report was not concerned with recommending a particular option in preference to others so no alternative options were provided.

The Finance & Audit Scrutiny Committee noted the recommendations in the report but noted that there was always room for improvement especially in the areas of transparency and respect.

The Overview & Scrutiny Committee asked Councillor Naimo to speak on this at Executive. Due to a clash of schedules between F&A and O&S, and the importance of the report author's presence at the F&A meeting, the report author was unable to attend Overview and Scrutiny in time.

The Executive thanked the scrutiny committees for their comments and reminded Members that this would be submitted to Council for approval in April.

Having considered the report, the comments from the Scrutiny Committees and the information contained in the addendum, the Executive

Resolved that

- (1) the latest guidance on good governance issued by CIPFA and SOLACE in their publication *Delivering Good Governance in Local Government: Framework*, be noted; and
- (2) a review of the Authority's governance arrangements against the principles for good governance as set out in the *Delivering Good Governance in Local Government: Framework*, is considered and approved, as set out at Appendix A to the report.

Recommended to Council that the revised Local Code of Corporate Governance, as set out as Appendix B to these minutes, be approved and the Constitution be amended to reflect this.

(The Portfolio Holders for this item were Councillors Mobbs & Whiting)

Part 2

(Items upon which the approval of the Council is not required)

134. Newbold Comyn Golf Course – Proposed Next Steps

The Executive considered a report from the Deputy Chief Executive (AJ) which provided an update on the position following the negotiations to end the contractual arrangements between Mack Trading (Heaton Park) Ltd (hereafter referred to as Mack) and this Council. Further, the report proposed the next steps the Council could take in relation to Newbold Comyn golf course.

The report provided information about the size, location and current uses of Newbold Comyn Park and a map was provided at Appendix A to the report.

At its meeting of 4 January 2018, Executive agreed that officers should enter into negotiations with Mack to end the contractual relationships between Mack and Warwick District Council (WDC).

The report advised that a negotiated settlement had been reached to end the contractual arrangements between the Council and Mack. The headline points of the negotiated settlement were provided at Item 14 of the Executive agenda, but these were private and confidential and could not be included in the public report.

With the removal of Mack's leasehold interest, WDC had taken control of the land and officers were in the process of determining what urgent maintenance was necessary.

Members were reminded that over the last ten years there had been a marked reduction in the number of people participating in golf either on a pay-and-play basis or through a golf club. Indeed the decline in golf participation lay behind the problems Mack had experienced. As a consequence, officers felt it would be premature to embark on a tendering process to commission a new golf course operator when the return of the land allowed the Council the opportunity to consider in depth what it wished to do with the site in the future.

The report proposed that officers explore in detail the options available for the best use of the land at Newbold Comyn golf course based on the assumption that there was no predisposition towards providing a golf course in the future. In addition, the report made clear that the land would not be available for residential development. In order to fund this work, permission was sought to make available up to £50,000 from the Community Projects Reserve (CPR) to commission specialist consultancy advice.

It was important that whilst the options appraisal was undertaken, the course was maintained at a low level but with enough intensity that enabled return to a playable condition should it prove necessary. An exemption to the Code of Procurement Practice was therefore required to enable a service contract with Warwick Golf Centre Limited (WGC) to provide a low level maintenance regime for the golf course. Further details of the work that

would be required were provided at section 3.4 of the report along with reasoning for choosing WGC, the Council's current grounds maintenance contractor.

Details relating to the budgetary element of the proposal were provided at section 5 of the report and related to the shortfall in rent, funding to address emerging health and safety matters and ground maintenance. The report requested that Members agree that the current year rent and service charge shortfall be funded from the 2017/18 Contingency Budget, and that the 2018/19 rental be funded from the 2018/19 Contingency Budget, and beyond that will be included within the Medium Term Financial Strategy (MTFS).

An alternative option was the immediate reinstatement of the golf course but this had been discounted for the reasons set out in sections 3.3 and 3.4 of the report.

The Finance & Audit Scrutiny Committee supported the recommendations in the report.

The Executive agreed that it was very important to put forward options and welcomed the opportunity to consult with the wider public. Members expressed their frustration at the rumours circulating regarding the reasons for Mack Golf leaving and the fake news being broadcast about the potential for the area to be used for residential development. The detailed information relating to the negotiations with Mack was noted along with the considerable subsidy required to run a golf course. Members hoped that the consultation would provide opportunities to improve the currently underused 300 acres of parkland.

Having considered the report, the comments from the Scrutiny Committees and the information contained in the addendum, the Executive

Resolved that

- (1) a negotiated settlement has been reached to end the contractual arrangements between Warwick District Council (WDC) and Mack meaning that Mack no longer has a legal interest in the land at Newbold Comyn golf course;
- (2) the headline points of the negotiated settlement at Item 14 in the Private and Confidential part of this Executive Committee agenda, are noted;
- (3) due to the decline in the traditional golfing sector, officers will explore in detail the options available for the best use of the land at Newbold Comyn golf course based on the assumption that there is no predisposition towards providing a golf course in the future, that the land will not be available for

residential development and thereby makes available up to £50,000 from the Community Projects Reserve (CPR) to commission specialist consultancy advice, with access to this sum delegated to Deputy Chief Executive (AJ) (DCX(AJ)) in consultation with the Portfolio Holder for Culture;

- (4) subject to agreeing recommendation 2.3 and thereby allowing for the option to provide a golf course in the future, an exemption to the Code of Procurement Practice to enable a service contract with Warwick Golf Centre Limited (WGC) to provide a low level maintenance regime for the golf course has been agreed by the Head of Finance and Procurement Manager and £50,000 will be made available from the Contingency Budget to supplement the £50,000 previously agreed, so giving £100,000 for maintenance of the grounds and the health and safety requirements discussed in paragraph 3.4.7, of the report; and
- (5) the current year rent and service charge shortfall of c.£8,000 will be funded from the 2017/18 Contingency Budget, and that the 2018/19 rental will be funded from the 2018/19 Contingency Budget, and beyond that will be included within the Medium Term Financial Strategy (MTFS).

(The Portfolio Holder for this item was Councillor Coker)

135. Review of Green Space Strategy & Approval of Revised Green Space Action Plan

The Executive considered a report from Neighbourhood Services which updated Members on the progress made in delivering the Warwick District Green Space Strategy and its action plan since its adoption in December 2012. It highlighted the number of the green spaces that had been improved and detailed the green spaces that required investment as set out in the next Green Space Action Plans with estimated costings and timescales.

The Executive approved the Warwick District Green Space Strategy and the Green Space Action Plan in December 2012. The purpose of the strategy was to enable the Council to have a more strategic overview of the provision, management and enhancement of its green spaces up until 2029. The strategy set an ambitious vision for green space in Warwick District:

"By 2026 there will be a well-planned and managed network of integrated, accessible and diverse green spaces within Warwick district; creating a sustainable environment for the benefit of people, wildlife and our natural heritage."

The overall aim of the strategy was that all green spaces owned and managed by Warwick District Council would be welcoming, safer, cleaner and more sustainable and that they would all be of 'Good' quality by 2026. It was acknowledged that to raise the quality of green spaces across the district there must be a managed programme and a number of criteria had been used for prioritising green spaces, as detailed in section 3.4 of the report.

The report advised that to help determine priority sites, quality audits of green spaces were undertaken on a regular basis. In the last audit in 2016, 175 sites were assessed. This audit showed large variations in the quality of green spaces across the district and highlighted that neighbourhood parks and gardens had the lowest range of quality scores when compared to other types of green spaces. The current fully funded approved Green Space Action Plan identified 16 sites for improvements. A summary of the progress made on these sites was shown at section 3.8 of the report.

This report requested approval for the next green spaces that required improvement. These nine sites were identified in the Green Space Action Plan Phase 2, set out in paragraph 3.11 of the report and were funded through the Public Amenity Reserve.

Further green space sites had been identified through the parks audit and prioritisation process. Officers will work with the Portfolio Holder and relevant Ward Councillors to bring forward proposals for the next phase of the Action Plan. Many of these sites included Destination Parks as well as Neighbourhood Parks and their focus was more to do with upgrading play areas rather than wider improvements to the parks.

An alternative option was that the Council could decide not to continue with a Green Space Strategy. However, without the strategy the Council would lack the clarity, direction and prioritisation needed to deliver accessible high quality green spaces, and for these green spaces to be fit for the future. In addition, without a detailed action plan it would be difficult to implement many of the principles and recommendations set out in the Green Space Strategy. If the programme was not funded in future years we would have to decommission sites as the various elements became unsafe e.g. play equipment.

The Overview & Scrutiny Committee supported the recommendations in the report, and detailed additional information it would like in future reports.

The Executive responded welcomed the strategy as this underpinned the Council's commitment to enhance the District's green spaces.

Having considered the report, the comments from the Scrutiny Committees and the information contained in the addendum, the Executive

Resolved that

- (1) the progress made in delivering Warwick District Green Space Strategy and its associated Green Space Action Plan, is noted;
- (2) the next green spaces that require improving as identified in the Green Space Action Plan Phase 2, as set out in paragraph 3.11, and which are funded through the Public Amenity Reserve; and
- (3) officers will be working with the Portfolio Holder and Ward Councillors to bring forward proposals for the next phase of the Action Plan.

(The Portfolio Holder for this item was Councillor Grainger)
Forward Plan reference 914

136. **One Stop Shop Business Case**

The Executive considered a report from Neighbourhood Services which followed on from the Executive Report entitled "Recommendations from the One Stop Shop (OSS) Review" presented to Warwick District Council's (WDC) Executive Committee on 8 February 2017.

The report consolidated all the information gathered and suggested the removal of OSS resource in areas of the service that did not provide value for money and a way forward to bring the service in line with WDC's ICT & Digital Strategy 2015-19. The report had been produced in full consultation with Warwickshire County Council (WCC).

The report reminded Members that the February 2017 report had highlighted the low numbers and high cost of OSS related enquiries taken at Whitnash and Lillington Libraries using data from 2015/2016. These low enquiry numbers and high costs continued into the 2016/2017 year as detailed in Appendix A to the report.

Following a WCC Budget Setting meeting on 6 February 2018, it was agreed that if recommendation 2.2 of the report was agreed, Whitnash and Lillington Libraries would remain open for the current number of hours, staffed by WCC library staff.

Within the WDC staff resource there were two fixed term posts whose contracts were due to end on 29 June 2018. These were advertised as fixed posts in anticipation of the ongoing OSS Review and provided flexibility and greater security to the full time staff. With the recommended withdrawal of resource from Whitnash and Lillington, alongside the proposal to move more enquiries on-line via self-serve, this additional resource was not required. Therefore, the report requested agreement for a reduction in the OSS staff resource of two fixed term posts.

The third element of the report related to self-serve technology and offering this service to the public would bring it in line with WDC's ICT & Digital Strategy, enhancing and widening the service and reducing the cost per

enquiry. In a bid to understand the types of self-service technology used and available in other local authorities, site visits were made to other Councils, both within Warwickshire and nationally. A number of Councils were visited where the self-serve technology had been introduced into OSS's but had minimal use. That experience influenced the proposal within this report to phase in the introduction of the equipment across the three WDC sites.

A phased approach would allow the change to be embedded into the way the staff approached and supported customers to acquire the necessary digital skills. The phased approach would start at Riverside House, which was the busiest in terms of WDC enquiries.

An alternative option was to maintain the current service level, however, this was not considered viable as the current service needed to move away from the purely face to face enquiry option and move more in line with the Councils WDC's ICT & Digital Strategy 2015-19. In addition, the service could not avoid the high cost per enquiry at Whitnash and Lillington

The Portfolio Holder for Neighbourhood Services, Councillor Grainger, apologised for the delay in the report coming forward and whilst she understood some of the concerns raised she reminded Members that the modern move was towards providing a digital service.

Having considered the report, the comments from the Scrutiny Committees and the information contained in the addendum, the Executive

Resolved that

- (1) the evidence and information provided in this report highlighted in Paragraph 3.1 which supports recommendation 2.1(b) of the 2017 Executive Report in concluding that the current OSS service at Whitnash and Lillington does not provide value for money, is noted;
- (2) by the end of June 2018 the OSS staff resource is withdrawn from:-
 - Whitnash and Lillington Library sites &
 - Saturday afternoons at Shire Hall, Warwick;
- (3) a reduction in the OSS staff resource of 2 x Fixed Term Posts, is agreed; and
- (4) selfserve technology is piloted at Riverside OSS and, should this prove successful by both WDC & WCC, will be rolled out at Kenilworth and Warwick OSS's.

(The Portfolio Holders for this item was Councillor Grainger)
Forward Plan reference 894

137. **Commonwealth Games 2022**

The Executive considered a report from Cultural Services which updated Members on the current situation regarding the Commonwealth Games 2022.

In summer 2017, Warwick District Council approached Birmingham City Council (BCC) to offer the five international standard bowling greens at Victoria Park, Leamington Spa as a venue to be part of the BCC bid to host the 2022 Commonwealth Games. In December 2017, the Commonwealth Games Federation, after much deliberation, confirmed that Birmingham would be the host for the 2022 Games.

The report highlighted that this was a once in a lifetime opportunity for the District to reinforce its reputation as a great place to visit, for the Council to demonstrate its ability to deliver high quality sporting and cultural events, and to use this opportunity to engage local businesses and communities to benefit in a variety of ways from the Games and the associated activities in the next four years.

Initial work had commenced through the establishment of a Project Board, but approval was now sought on the proposed approach, high level objectives and the resources to allow officers to progress the project and meet the Council's obligations to the Birmingham Commonwealth Games Organising Committee. It was proposed that a Commonwealth Games Reserve be set up with an initial allocation of £100k in 2018/19 and allocations in future years would be considered as part of the Budget and Council Tax setting each February.

The report requested approval to fund a Commonwealth Games Project Manager on a fixed term post for four years. This would be subject to approval by the Employment Committee on 21 March 2018.

In addition, it was proposed that a cross party Members Working Group be formed to work alongside the Project Board and feedback to their respective groups on the progress of the project. This was following the model used for the Leisure Development Programme.

A number of alternative options were considered including choosing alternative strategic objectives, choosing not to set up the Reserve and require requests for funding to be made on an individual basis as they emerged. Not appointing a Project Manager, requiring existing officers to pick up the work in addition to their current workloads or the appointment of the Project Manager could be delayed until nearer to the date of the Games and focus on the specific event planning rather than the wider project objectives.

In addition, Members could chose not to have a Member Working Group with decisions being delegated to the two Portfolio Holders and officers, and for regular update reports to be presented to Groups. However, all of these options had been discounted for the reasons outlined in the report.

The Finance & Audit Scrutiny Committee supported the recommendations in the report and thanked the officers and Portfolio Holder for attending and answering Members questions.

The Portfolio Holder, Councillor Butler, was glad that Members were in consensus with one another and agreed with previous comments that this was an exciting opportunity for the District.

Having considered the report, the comments from the Scrutiny Committees and the information contained in the addendum, the Executive

Resolved that

- (1) the Project Initiation Document (PID) attached as Appendix A to the report, is approved;
- (2) the setting up of a Commonwealth Games Reserve with an initial allocation of £100k in 2018/19, is noted;
- (3) further allocations to this Reserve in future years will be considered as part of the Budget and Council Tax setting report each February;
- (4) the Chief Executive and Head of Cultural Services, in consultation with the Portfolio Holders for Business and Culture, are delegated to allocate funding from this reserve;
- (5) subject to approval by Employment Committee, the appropriate salary costs are drawn down from the Commonwealth Games Reserve in 2018/19, and the Service Transformation Reserve for the three following years, to fund a Commonwealth Games Project Manager on a fixed term post from 2018/19 for 4 years; and
- (6) the establishment of a cross party Members Working Group is approved, with nominations to be sought from each Group.

(The Portfolio Holders for this item were Councillors Butler and Coker)
Forward Plan reference 803

138. A Vision & Strategy for Leamington Town Centre

The Executive considered a report from Development Services which summarised the work of the Leamington Town Centre Forum, of which the Council was a member, formed in 2016 to prepare a vision & strategy for Leamington town centre. The report presented the conclusion of the work of the Forum, and proposed how the Council should respond to the challenges identified by the vision & strategy.

During 2015, officers held a number of wide ranging initial discussions with a number of stakeholder groups with an active interest and involvement in Leamington town centre. These groups included Leamington Town Council, Warwickshire County Council, BID Leamington and Leamington Chamber of Trade, the University of Warwick Students Union and the Leamington Society. These discussions were prompted by the (then) emerging policies of the new Local Plan and the aspiration of Leamington Town Council to prepare a Neighbourhood Plan.

It was clear from these discussions that despite the varying perspectives of the different stakeholder groups, there was a significant consensus around what any "vision" for Leamington town centre may comprise in general terms. Furthermore, there was an appetite from stakeholders to work with the Council to develop a more detailed vision and strategy. As a result, a "Leamington Town Centre Forum" was formed in 2016 which had the specific remit to develop a strategy for Leamington town centre, consider delivery and implementation issues arising from the strategy and consider who may take these forward and how this may be done.

The full list of Members of the Forum was detailed in section 3.3 of the report and membership was officer led. For Warwick District Council, the work on the Forum was led by Deputy Chief Executive (BH) supported by the Policy and Projects Manager from Development Services.

The Forum first met in the summer of 2016 and then several times over the following months to put together a draft vision and a strategy. It reviewed evidence relating to the town centre and looked at previous and emerging strategies. The Forum held a series of stakeholder workshops in the early part of 2017 to which key organisations and individuals who lived, worked, visited and invested in Leamington town centre were invited. The Forum prepared a draft vision and strategy and consulted on this with local people in the autumn of 2017 via a public exhibition and a website.

At the end of 2017, the Forum met to review the output of the public engagement and it produced a final "Vision and Strategy for Leamington Town Centre", a copy of which was attached at appendix 1 to the report. This report requested support of the document and invited Members to note a number of points outlined in at section 3.9 of the report.

One alternative option was that the Council could agree not to support the vision & strategy, however, this was not recommended. The Forum was established at the Council's suggestion, and officers had been heavily involved in driving the process forward. In this, the Council had received considerable support from partner organisations, and the preparation of the vision & strategy document was a genuinely collaborative piece of work. Furthermore, any references to, or commitments by Warwick District Council in the document reflected existing Council policies and commitments. Not to support the vision & strategy document at this stage would be against the spirit of partnership working that had underpinned the process that had been undertaken.

The second alternative option outlined was that the Council could request to the Forum that further amendments be made to the vision & strategy. This could be done, however was not recommended. The vision & strategy document had been agreed by all members of the forum through a lengthy process of discussion. It was not in the Council's gift to unilaterally change the document without the agreement of other Forum members. More importantly, a monitoring and review process had been agreed and this would be the most appropriate place for any discussions and updates to the vision & strategy to be agreed.

The Overview & Scrutiny Committee supported the recommendations in the report.

Having considered the report, the comments from the Overview & Scrutiny Committee and the information contained in the addendum, the Executive

Resolved that

- (1) the work of the Leamington Town Centre Forum in preparing and consulting on a vision and strategy for Leamington town centre, is noted;
- (2) the "Vision & Strategy for Leamington town centre" contained in appendix 1 to the report, is supported; and
- (3) officers will continue to work with partner organisations in the Forum to monitor and review the "Vision & Strategy" document as appropriate and to deliver the actions within it in accordance with wider workload and priorities.

(The Portfolio Holder for this item was Councillor Mobbs)
Forward Plan reference 913

139. Residential Design Guide – Supplementary Planning Document (SPD) & Parking Standards SPD

The Executive considered a report from Development Services which advised that the Warwick District Local Plan 2011 – 2029, adopted in September 2017, committed the Council to reviewing the Residential Design Guide under Policy DS1 paragraph 5.10. This stated that "The Council will review its Residential Design Guide to provide updated guidance consistent with the National Planning Policy Framework (NPPF), this policy (DS1) and the Garden Towns, Suburbs and Villages Prospectus." The review had taken place and a revised document, attached as Appendix 1 to the report, had been prepared for public consultation.

Paragraphs 5.57-5.59 of the Warwick District Local Plan 2011-2029 identified that the Council was seeking to review its Parking Standards SPD so that it was consistent with national planning policy and the most recent census data

regarding local car ownership. The consultation draft, attached as Appendix 2 to the report, was the culmination of that review.

The NPPF was published in 2012, after the adoption of the Residential Design Guide. The NPPF stated throughout that good design was a 'key aspect of sustainable development' and could contribute to 'making places better for people'.

The existing Residential Design Guide was adopted as a Supplementary Planning Document (SPD) in April 2008 to provide a design framework for all who were involved in the provision of residential accommodation within Warwick District, to promote high quality and innovative design for the housing of the 21st Century. This latest iteration sought to continue to uphold and improve upon this aim resulting in quality developments supporting the health and wellbeing of the District's residents. The Guide was aimed at anyone wishing to develop residential schemes within the District from small domestic extensions, to large strategic housing allocations through the Local Plan process.

The Council's 'Statement of Community Involvement' (SCI), adopted in January 2016, provided guidance on community involvement in stages of Supplementary Planning Document (SPD) production. The SCI stated that once guidance, such as the Residential Design Guide, had been prepared, comments would be invited from all interested parties and the wider community. This document had now reached this stage and consultation was required to progress the document.

The draft Parking SPD was intended to replace the Vehicle Parking Standards SPD adopted in 2007. The 2007 parking standards no longer aligned with national planning policy, which had moved away from defining maximum car parking standards.

The report requested that Members note the content of documents and recommended that the Residential Design Guide and the Parking Standards SPD be made subject to a public consultation. These were attached as Appendices 1 and 2 to the report. Following public consultation, the final versions would be brought before Members for approval.

An alternative option was that the Executive could decide not to pursue publication of design guidance, but this would have a detrimental affect overall on the quality of development and the health and wellbeing of residents, by depriving officers of the support required to ensure that developments were designed with care, taking local aspects into account.

The Executive could decide not to pursue publication of the Parking Standards SPD, but this would have a detrimental effect overall on the quality of development and the health and wellbeing of residents by depriving officers of the support required to ensure that developments were designed with care.

The Overview & Scrutiny Committee supported the recommendations in the report.

Having considered the report, the comments from the Overview & Scrutiny Committee and the information contained in the addendum, the Executive

Resolved that

- (1) the content of the documents is noted and both the Residential Design Guide (Appendix 1) and the Parking Standards SPD (Appendix 2) will be subject to a public consultation; and
- (2) following the public consultation, final versions of the SPDs will be brought before the Executive to formally approve, following which they will assist in the determination of planning applications.

(The Portfolio Holder for this item was Councillor Rhead)
Forward Plan reference 917

140. Local Development Scheme (LDS)

The Executive considered a report from Development Services which sought approval for a revised Local Development Scheme (LDS). The LDS set out the work of the Planning Policy team over the next three years, in terms of the production of planning documents and was a requirement of the Planning and Compulsory Purchase Act 2004.

The report advised that the adoption and publication of a Local Development Scheme was a statutory requirement of the Planning and Compulsory Purchase Act 2004, which laid out the coverage and duration of the document required.

Members were asked to allocate £71,000 from the Planning Reserve to cover the required planning policy consultation documents over the duration of the attached LDS. Through the course of producing the documents of the LDS, and in other policy contexts, the procuring of specialist technical advice was required. A number of areas had been identified for future focus and these were detailed in section 3.4 of the report.

There was also a statutory requirement for an Authority's Monitoring Report (AMR) to be published on at least an annual basis. The Town and Country Planning (Local Planning) (England) Regulations 2012 laid out the required content of the AMR and Members were asked to note this as detailed at Appendix 2 to the report.

In addition, it was recognised that the AMR should be brought forward as close to the end of the monitoring year as possible to better inform Members and the public, and Members were asked to note that future AMRs would be brought to Executive in the autumn of each year.

An alternative option was that the Council could choose not to adopt a Local Development Scheme. However, as the preparation and maintenance of a

LDS was a requirement of the Planning and Compulsory Purchase Act 2004, this option had not been considered.

In addition, the Council could choose not to delegate the authority to utilise the proposed amount from the Planning Reserve, however, this would result in further reports being brought forward whenever the commissioning of the work was required. Finally, the Council could choose not to adopt the Authority's Monitoring Report, however as the preparation and publication of this information was a requirement of Town and Country Planning (Local Planning) (England) Regulations 2012, this option had not been considered.

The Overview & Scrutiny Committee noted the recommendations but expressed concern that Gipsies and Travellers, sustainable buildings and health impacts were not being addressed in the next three years, although the Committee recognised the limitations due to staffing issues.

Having considered the report, the comments from the Overview & Scrutiny Committee and the information contained in the addendum, the Executive

Resolved that

- (1) the content of the LDS attached at Appendix 1 to this report is noted and the LDS and its proposals for delivery of planning documents are adopted over the forthcoming three years. An annual review of progress and updated Scheme will be brought before Executive in due course;
- (2) authority is delegated to the Head of Development Services, in conjunction with the Portfolio Holder, to draw down £71,000 from the Planning Reserve to cover the required planning policy consultation documents over the duration of the attached LDS; and
- (3) the Authority's Monitoring Report (AMR) attached as Appendix 2 to the report is noted and these will be brought annually to Executive in the autumn of each year.

(The Portfolio Holder for this item was Councillor Rhead)
Forward Plan reference 918

141. Rural and Urban Capital Improvement Scheme (RUCIS) Application

The Executive considered a report from Finance which provided details of three Rural/Urban Capital Improvement Scheme grant applications from Kenilworth Tennis Club, London & North Western Railway Society and Kenilworth Rugby Club.

The Council operated a scheme to award Capital Improvement Grants to organisations in rural and urban areas. The grants recommended were in

accordance with the Council's agreed scheme and would provide funding to help the projects progress. In addition, all projects contributed to the Council's Fit for the Future Strategy.

Kenilworth Tennis Club had applied for a grant of 50% of the total project costs to resurface two courts (number's two and three) that had now come to the end of their life span. This was for a maximum of £23,475 excluding VAT. The Club was committing £9,390 from its cash reserves to the project to pay the initial vat costs and these funds had been evidenced through its annual accounts and the provision of a recent bank statement.

In addition, Kenilworth Town Council had agreed a £200 contribution to the project.

Further information relating to the financial performance, evidence of need and details of the club's equalities policy was provided at Appendix 1 to the report.

London & North Western Railway Society had applied for a grant of 80% of the total project costs to provide disabled access/facilities, to purchase and install security equipment for its Study Centre and to purchase a large A0 scanner. The request was for a maximum of £7,885 including VAT subject to the receipt of written confirmation of a capital grant from Kenilworth Town Council of £1,491 and a copy of a signed lease showing a minimum of five years on the lease. The report advised that if the capital grant from Kenilworth Town Council was declined or a reduced amount offered, the budget shortfall would be covered by London & North Western Railway Society's cash reserves which had been evidenced through its annual accounts and the provision of a recent bank statement.

London & North Western Railway Society had committed £480 to the project from its cash reserves. Further information relating to the financial performance, evidence of need and details of the society's equalities policy was provided at Appendix 2 to the report.

Kenilworth Rugby Club had applied for a grant for 80% of the total project costs to improve and redevelop clubhouse facilities; replace furniture, dim-out curtains, damaged radiators, security door, hand drier and install a new hot water tank to better provide hot water for all showers. This was up to a maximum of £6,164 excluding VAT.

Kenilworth Rugby Club had committed £541 to the project costs from its cash reserves; these funds had been evidenced through its annual accounts and the provision of a recent bank statement. Kenilworth Town Council had agreed a £1,000 contribution to the project. Further information relating to the financial performance, evidence of need and details of the Club's equalities policy was provided at Appendix 3 to the report.

The report noted that the Club would have to move to a new location at some stage in the future as its current site was allocated as housing land in the Local Plan, however, the Club would optimistically be in situ for another

three years and it was therefore considered that the limited investment would give sufficient value for money return.

In addition, the report requested that the Executive agreed to allocate £14,100 from the Capital Investment Reserve to the RUCIS scheme out of the funding returned in 2016/17 to enable the above grants to be funded.

The annual budget for the scheme was normally £150,000. For 2016/17, the final budget was reduced by £60,000 based on anticipated applications. However, due to last minute applications at year end, approved in March 2017, it meant that there was a shortfall of £23,700 which had been subsequently funded from the 2017/18 budget, so reducing the current year allocation. The £60,000 reduction in the 2016/17 budget was allocated to the Capital Investment Reserve.

It was recommended that the shortfall be funded from an additional allocation from the Capital Investment Reserve of £14,101, coming out of the £60,000 returned in 2016/17. The total grants awarded for 2017/18 would be £140,821, which was below the annual budget allocation.

The Council only had a specific capital budget to provide grants of this nature and therefore there were no alternative sources of funding if the Council was to provide funding for Rural/Urban Capital Improvement Schemes. However, Members could choose not to approve the grant funding, or to vary the amount awarded.

The Finance & Audit Scrutiny Committee raised concerns about these applications putting the fund into deficit and proposed the following recommendations:

- (1) The Finance & Audit Scrutiny Committee is concerned that these bids are putting the RUCIS fund into deficit.

We understand that Kenilworth Town Council has reserves of more than £300k, and an annual surplus of about £60k. We are sure that Kenilworth Town Council would be willing to further support these causes based in Kenilworth. So we urge the Executive to talk to KTC about funding the £14k shortfall; and

- (2) The Finance & Audit Scrutiny Committee ask the Executive to consider seeking a higher contribution from the London & North Western Railway Society and asks the Executive to question the appropriateness of the grant to Kenilworth Rugby Club due to their future vacation from the site.

Members raised concerns that there was an inconsistency in the allocation being proposed by Kenilworth Town Council when it was considered to have reserves of £300k. In addition, it was noted that there were future plans for Kenilworth Rugby Club to vacate the site. This led some Members to feel that it was not appropriate to approve covering the shortfall that this proposal would create.

During the discussions on this item, Councillors Coker and Mobbs were advised by the Monitoring Officer to leave the room whilst the grants relating to premises located in Kenilworth were debated. This was because both Councillors were members of Kenilworth Town Council who had a pecuniary interest in those matters.

Prior to leaving the room Councillor Mobbs stated that the Town Council's reserves were in fact £192k and requested that this clarification be minuted.

(Councillor Coker and Councillor Mobbs left the meeting at 18.59)

It was therefore

Resolved that Councillor Grainger Chair the meeting for the initial part of the discussions.

Members of the Executive felt that the argument relating to the Rugby Club was subjective as they were not due to move for four years and it was felt that the proposed improvements were necessary to ensure the premise was well looked after.

Concerns were also raised that Kenilworth Tennis Club had previously applied for funding under a separate entity but it was recognised that officers were comfortable that the application matched the Council's RUCIS criteria.

Officers provided clarification as to why the original budget had been reduced and Members were reassured that officers were not being pressurised to reduce budgets unrealistically.

On being put to the vote the Executive declined the recommendations from Finance & Audit Scrutiny Committee because it was not felt that this was a shortfall and there were still sufficient funds to rectify the situation. In addition, Members did not feel it was appropriate to pressurise town councils into contributing greater amounts dependent on the balance of their reserves.

Having considered the report, the comments from the Finance & Audit Scrutiny Committee and the information contained in the addendum, the Executive

Resolved that

- (1) a Rural/Urban Capital Improvement Grant for Kenilworth Tennis Club of 50% of the total project costs to resurface two courts (number's two and three), as detailed within paragraphs 1.1, 3.2 and 8.1, up to a maximum of £23,475 excluding vat, is approved from the urban cost centre budget; and
- (2) a Rural/Urban Capital Improvement Grant for Kenilworth Rugby Club of 80% of the total project

costs to improve and redevelop clubhouse facilities, as detailed within paragraphs 1.1, 3.2 and 8.3, up to a maximum of £6,164 excluding vat, is approved from the urban cost centre budget

(Councillors Coker and Mobbs returned at 19.13 and Councillor Mobbs resumed the Chair)

The Deputy Leader, reminded Members that these applications had been evaluated objectively by officers and both clubs provided valuable facilities to the area.

Having considered the report, the comments from the Scrutiny Committee and the information contained in the addendum, the Executive

Resolved that

- (3) a Rural/Urban Capital Improvement Grant is approved from the urban cost centre budget for London & North Western Railway Society of 80% of the total project costs to provide disabled access/facilities and to purchase and install security equipment for their Study Centre and purchase a large A0 scanner, as detailed within paragraphs 1.1, 3.2 and 8.2 of the report, up to a maximum of £7,885 including vat, subject to receipt of the following:
 - Written confirmation from Kenilworth Town Council to approve a capital grant of £1,491 (if the application is declined or a reduced amount is offered the budget shortfall will be covered by London & North Western Railway Society's cash reserves which have been evidenced through their annual accounts and the provision of a recent bank statement)
 - § A copy of a signed lease showing that there are a minimum 5 years remaining on the lease; and
- (4) £14,100 is allocated from the Capital Investment Reserve to the RUCIS scheme out of the funding returned in 2016/17 to enable the above grants to be funded.

(The Portfolio Holder for this item was Councillor Whiting)

142. **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.	Para Nos.	Reason
143	3	Information relating to the financial or business affairs of any particular person (including the authority holding that information)

The full minute of item 143 will be detailed within the confidential minutes.

143. Newbold Comyn Golf Course – Negotiated Settlement with Mack Trading (Heaton Park) Limited

The Executive considered a report from the Deputy Chief Executive (AJ) which provided the headlines of the negotiated settlement between Mack Trading (Heaton Park) Limited and Warwick District Council.

This report was considered in conjunction with Minute Number 134 – Newbold Comyn Golf Course – Proposed Next Steps.

The Finance & Audit Scrutiny Committee noted the appendix.

Resolved that the report be noted.

(Portfolio Holder for this item was Councillor Coker)

144. Confidential Minutes

The confidential minutes of the meeting held on 7 February 2018 were not available and would be submitted to a future meeting.

(The meeting ended at 7.34pm)