

**Lead Officer:** Gary Fisher

## **Review of the WDC Conservation Advisory Forum (CAF)**

### **Summary**

The purpose of this report is to provide Planning Committee with an update on the operation of the Conservation Advisory Forum and make recommendations for revisions to the way in which the Forum operates.

### **Recommendation(s)**

Planning Committee is recommended to authorise the following amendments to the operation of CAF and its Constitution:

1. The reduction in the quorum required by 1 person, so that quorum is achieved with the presence of the Chair and/or Vice Chair **AND 4** other representatives.
2. The addition of the Kenilworth Archaeology and History Society to have a permanent representative on the Forum.
3. The removal of groups from the Forum who either no longer exist, or have not attended a meeting over the last 12 months **AND** have not responded to enquiries asking whether they wish to continue being represented on the Forum.
4. The delegation of authority to the Principal Conservation Officer or nominee in consultation with the Chair, or in their absence, the Vice Chair of the Forum to invite representatives from appropriate organisations to join the Forum and to remove persistent non-attending organisations from the Forum.
5. The flexibility to operate the Forum via on line meetings with occasional in person meetings to be determined on a case by case basis by the Principal Conservation Officer or nominee in consultation with the Chair, or in their absence, the Vice Chair of the Forum.
6. The delegation of authority to the Development Manager, or nominee to determine the frequency with which reviews of the operation of the Forum are to be undertaken.

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## **1 Reasons for the Recommendation**

### Background

- 1.1 The Council's Conservation Advisory Forum (CAF) is a longstanding working party established by the Planning Committee comprising a Chair and Vice Chair (WDC Councillors) along with representatives from a number of community and professional organisations with specialist conservation and heritage knowledge.
- 1.2 The Forum meets every 4 weeks to review a selection of current planning application proposals where there is a conservation/heritage element, providing expert heritage and conservation advice to the Council, as Local Planning Authority on those planning applications.

- 1.3 The manner in which the Forum operates is set out in its Constitution which covers a range of matters including, but not limited to:-
- The quorum required for a meeting of the Forum to take place. This is currently the Chair and/or Vice Chair and 5 other representatives.
  - The organisations co-opted into the Forum – these are set out in the Constitution and there is currently no discretion afforded to Officers or members of the Forum to add or remove organisations. This means that Planning Committee authorisation is required where that is necessary.
  - The format and location of meetings, stating that meetings are usually to take place in person at Riverside House. Again, there is no discretion afforded to Officers or members of the Forum to deviate from that approach.
  - The undertaking of an Annual Review of the operation of the Forum by the Development Manager.
- 1.4 The CAF constitution, as proposed to be revised is attached at Appendix 1.
- 1.5 Over the last 12 months, the Forum has considered and provided advice on 14 planning proposals and addressed the Council’s Planning Committee in person in respect of 2 of those schemes.
- 1.6 The advice provided by the Forum is a material planning consideration in the determination of the planning applications for the proposals on which they have commented.
- 1.7 The Forum’s membership is drawn from a wide range of community organisations including the Leamington Society, the Warwick Society, the Warwickshire Gardens Trust and the 20<sup>th</sup> Century Society.
- 1.8 Since the pandemic, CAF meetings have taken place predominantly online with the Quorum required for a meeting to take place as summarised above.
- 1.9 Over recent months, it has proved challenging to consistently achieve the quorum required which has meant that out of the 13 scheduled meetings over the last 12 months, 6 have been cancelled as a result of the absence of quorum.
- 1.10 In return for the expertise provided by CAF, the WDC Conservation Team administer and facilitate each meeting including the Officer time spent attending the meetings along with preparing an agenda, assembling a presentation of schemes, and writing up and distributing the minutes. It is estimated that the preparation for and attendance at each meeting accounts for 6-8 hours of Officer time per meeting.
- 1.11 It is important that the time spent by Officers in supporting the Forum should be viewed within the context of the wider responsibilities of the 2 person Conservation Team. In addition to the CAF responsibilities, the team has a full workload including responding to planning applications on heritage matters; dealing with applications for Listed Building Consent; undertaking Conservation Area reviews, reviewing and updating the Local List of Historic Buildings and providing advice and guidance to a range of customers in protecting the historic environment.
- 1.12 Following discussions with the Chair and Vice Chair of the Forum and the Council’s Principal Conservation Officer, notwithstanding the relatively limited number of proposals considered, the contribution that CAF makes to the consideration of those planning applications in the provision of specialist independent heritage expertise is acknowledged and valued.

- 1.13 However that benefit is to be balanced with the resources required to facilitate the Forum from WDC Officers; Councillors and the volunteers who make up the group. To operate effectively, it is considered that the Forum should meet on the planned regular 4 weekly basis which has recently been hampered through repeated low attendance and absence of quorum. The resulting cancellation of multiple meetings has resulted in recurring wasted resource and at the level that it has been occurring, is considered to be unsustainable.
- 1.14 As summarised above, it should also be noted that there is limited flexibility within the current CAF constitution to enable appropriate Officers and members of the Group to make operational decisions concerning, for example the membership of the group and the manner in which the group meets without seeking authority from Planning Committee. That position is now considered to be operationally inefficient and counter intuitive.
- 1.15 Therefore, in order to seek to address the issue of repeated low attendance and the absence of quorum, along with the smoother administration of the Group, the following measures are proposed:-
- The reduction in the quorum required by 1 person, to be the Chair and/or Vice Chair **AND 4** other representatives.
  - The addition of the Kenilworth Archaeology and History Society to have a permanent representative on the Forum.
  - The removal of groups from the Forum who have not attended a meeting over the last 12 months **AND** have not responded to enquiries asking whether they wish to continue being represented on the Forum.
  - The delegation of authority to the Principal Conservation Officer or nominee in consultation with the Chair, or in their absence, the Vice Chair of the Forum to invite representatives from appropriate organisations to join the Forum and to remove persistent non-attending organisations from the Forum.
  - The flexibility to operate the Forum via on line meetings with occasional in person meetings to be determined on a case by case basis by the Principal Conservation Officer or nominee in consultation with the Chair, or in their absence, the Vice Chair of the Forum.
  - The delegation of authority to the Development Manager, or nominee to determine the frequency with which reviews of the operation of the Forum are to be undertaken.

Planning Committee are therefore asked to endorse those proposals and authorise Officers to update the CAF Constitution accordingly as set out at Appendix 1.

## **2 Alternative Options**

- 2.1 The Committee could decide not to authorise the changes proposed, however it is considered that such a position would be detrimental to the recovery of the effective operation of CAF.
- 2.2 Alternatively, another option is to consider disbanding CAF. At this stage, such a proposal is considered to be premature and would impact upon the different ways in which heritage advice is provided within the District.
- 2.3 However, should the measures proposed herein be agreed by Planning Committee and at the time of the next review, subsequently be demonstrated not to have been

successful, that option would be reconsidered.

### **3 Legal Implications**

3.1 There are no specific legal implications of the proposal.

### **4 Financial**

4.1 There are no specific financial implications of the proposals.

### **5 Business Strategy**

5.1 The proposals are intended to enable CAF to continue to operate with support from Officers to ensure their continued input into the planning process in the interests of the protection of heritage within the District.

### **6 Environmental/Climate Change Implications**

6.1 There are no specific implications anticipated from this proposal.

### **7 Analysis of the effects on Equality**

7.1 It is anticipated that the proposal to host the majority of meetings online will increase accessibility to the meetings for the members of the group without the need to travel which will also assist with ensuring quorum.

### **8 Data Protection**

8.1 The service will continue to fulfil its data protection obligations with any issues being addressed quickly and appropriately.

### **9 Health and Wellbeing**

9.1 Increased effectiveness within the planning application process, which CAF contributes to will assist with ensuring the right development occurring in the right place and at the right time supporting the health and well-being of residents, workers and visitors within the District.

### **10 Risk Assessment**

10.1 The proposals are directing at increasing the effectiveness of the operation of CAF, thereby reducing the risk of the group functioning less effectively which could impact on its continued operation with WDC support.

10.2 There is a risk that, without the implementation of the proposed measures, the operation of CAF may become increasingly ineffective in terms of the Officer, Councillor and Volunteer resources that are required for it to function with consequent impacts upon the quality and extent of the advice provided by the group to the detriment of the heritage of the District.

### **Background papers:**

Please provide a list of any papers which you have referred to in compiling this report and are not published documents. This is a legal requirement.

You must also supply these when submitting the report.

### **Supporting documents:**

This is not a legal requirement but may assist others in identifying documents you have referred to in producing the report.

## **Appendix 1**

### **Warwick District Council**

#### **Conservation Advisory Forum Constitution**

##### **Purpose & Role**

The purpose of the Conservation Advisory Forum is to assist in protecting and enhancing the District's special historic and architectural character

The role of the Conservation Advisory Forum is therefore:

1. To provide expert, constructive, impartial advice on historic buildings and their use, historic landscapes, and Conservation Areas to:
  - a. potential applicants and the Council at the pre-application stage (before submission) of an application that may affect the historic environment;
  - b. applicants and the Council (including the right to speak at Planning Committee on any item) by commenting on planning, listed building, conservation, advertisement, and tree applications that may affect the historic environment;
  - c. the Council and other bodies, such as Town and Parish Councils, on the designation of the historic environment, and formulation of policy and guidance relevant to the historic environment;
  - d. the Planning Inspectorate when determining appeals for planning and listed building applications that may affect the historic environment; and,
  - e. the Council and other statutory bodies when undertaking works under their statutory powers that may affect the historic environment.
2. To draw the Council's attention to possible unauthorised works to the historic environment; and,
3. To provide a forum for the sharing of knowledge and experience of best practice in relation to the historic environment between members of the Forum, officers of the Council and developers.

The Forum is an informal consultative body organised by Warwick District Council.

## Membership & Roles

The Forum will consist of the following members:

1. Two elected Members of Warwick District Council who have an interest in the historic environment and planning matters.

Their role is to Chair and Vice Chair the Forum, give legitimacy to the Forum, inform its views through sharing their knowledge, and help develop their experience of the historic environment and planning matters.

The Chair of the Forum shall also act as the Council's Heritage Champion in promoting the historic environment both within the Council and the wider community. The Vice Chair shall be a Member with a desire to have a future involvement in Planning matters.

Elected Members may feedback the views of the Forum to District Council Ward Members as appropriate to individual cases.

2. One representative from each of the following organisations who will be invited to represent the views of that organisation on the historic environment at the Forum:

- a. Leamington Society
- b. Warwick Society
- c. Kenilworth Society
- d. Whitnash Society
- e. Victorian Society
- f. Georgian Group
- g. Twentieth Century Society
- h. Warwickshire Gardens Trust  
~~Central Leamington Area Residents Association~~
- i. Royal Town Planning Institute
- j. Royal Institute of British Architects
- k. Royal Institute of Chartered Surveyors  
~~Royal Leamington Spa Chamber of Trade~~  
~~Warwick Chamber of Trade~~  
~~Kenilworth Chamber of Trade~~
- l. Campaign to Protect Rural England
- m. Representative of the Rural Community Forums
- n. The Kenilworth Archaeology and History Society**

Elected Members and representatives will be allowed to nominate a substitute to carry out their duties in the event of them being unable to attend a Forum meeting. A meeting will only be considered quorate if at least one elected Member and ~~five~~ **four** representatives are in attendance.

***The Principal Conservation Officer or nominee in consultation with the Chair, or in their absence, the Vice Chair of the Forum may use their discretion to invite representatives from appropriate organisations to join the Forum and may remove persistent non-attending organisations from the Forum.***

## Operation of the Forum

The Forum will normally meet every four weeks ***usually online with occasional in person meetings, the location and format of each meeting to be determined on a case by case basis by the Principal Conservation Officer or nominee in consultation with the Chair, or in their absence, the Vice Chair of the Forum. The meetings will*** normally starting within the usual business hours of Warwick District Council.

The Forum is not a public meeting and members of the public will not be allowed to attend.

The Forum will be facilitated by officers from Development Services who will:

- a. prepare and distribute an agenda for each meeting;
- b. arrange for any invited participants to attend the Forum to present items, in accordance with criteria a, c and e of the agreed purpose and role of the Forum above;
- c. present items to the Forum for their consideration;
- d. record the consensus view (or opposing views where there is no consensus) of the Forum and feed this back to the Council or other relevant organisation as appropriate; and,
- e. publish the agenda and record of the meeting on the Council's website.

The more detailed operation of the Forum shall be agreed by the Chair and Vice Chair, in consultation with the Forum and the Development Manager.

## Annual Review of the Forum

The Development Manager will measure the effectiveness of the Forum in delivering its purpose, and undertake ***a regular*** ~~an annual~~ review of its membership and operation with the ***appropriate frequency of that review to be determined by the Development Manager on an ongoing basis.***

***A*** ~~An Annual~~ Report demonstrating the Forum's performance over the previous ~~year~~ ***period*** and the output of the above review will be reported to the Forum, before being reported to the Planning Committee. Any amendments to the Constitution must receive approval by the Planning Committee, or its successors.

Updated: September 2024.