

# WARWICK DISTRICT COUNCIL

Minutes of the meeting held at the Pump Rooms, Royal Leamington Spa on Wednesday 20 October 2021, at 6.00pm.

**PRESENT:** Councillor Murphy (Chairman); Councillors Ashford, Bartlett, Boad, Cooke, Cullinan, Davison, Day, J Dearing, K Dickson, R Dickson, Evans, Falp, B Gifford, C Gifford, Grey, Hales, Illingworth, Jacques, Kennedy, Kohler, Leigh-Hunt, Luckhurst, Mangat, Margrave, Matecki, Milton, Morris, Noone, Nicholls, Quinney, Redford, Rhead, Roberts, Russell, Syson, Tangri, Tracey and Wright.

## 28. **Apologies for Absence**

Apologies for absence were received from Councillors A Dearing, Grainger and Norris.

## 29. **Declarations of Interest**

Minute 32 Notice of Motion (a)

During the item Councillors Falp, Cooke, Roberts, Matecki and B Gifford made Council aware they were WCC Councillors.

## 30. **Minutes**

The minutes of the meeting of the Council held on the 28 July 2021 were proposed, duly seconded taken as read and signed by the Chairman as a correct record.

## 31. **Councillor Tony Heath**

The Chairman informed Council that since it met in July, the Vice-Chairman of the Council, Councillor Tony Heath had passed away on the 23 September 2021. Councillor Heath had Served on the Council from May 1983 to May 1991 and then again from May 2007 to September 2021, a total of 22 years and 5 months.

Councillors Margrave, Boad, Davison, Nicholls, Day and Falp all paid tribute to Councillor Heath. The Chairman then led the Council in a minute's silence as a mark of respect.

## 32. **Communications and Announcements**

The Chairman expressed his shock and sadness over the killing of Sir David Amess MP. He highlighted to the Council the recent publicity regarding the abuse directed towards elected representatives at all levels of government. As a result, he explained that he had working with Councillor Hales and the Head of People & Communications to promote the support available for any Councillor who received such abuse, details of which would be shared with all Councillors.

The Chairman explained he was aware that some Councillors had concerns over their personal address being available on the Council's website. He reminded Councillors it was their choice if we have they had their home address published on their personal page on the website. In respect of Disclosable Pecuniary Interest, Councillors had a legal duty to disclose any Land they had an interest in within the District, which included their home, even if it was rented accommodation. The

Council was required to publish this information online and did so on a designated tab within each Councillor's page. Councillors could request for the information not to be disclosed on the basis that it *"could lead to you, or a person connected with you, being subject to violence or intimidation, and the Monitoring officer agrees"*.

The Chairman welcomed Phil Grafton, the Head of Law & Governance and Monitoring Officer, to the meeting.

The Chairman informed Council that there was no business for Item 5 Petitions.

### 33. **Notices of Motions**

(a) It was proposed by Councillor Boad and seconded by Councillor Kohler, that:

*"Given this Council's Climate Emergency Declaration and its associated drive to improve air quality we call upon the District Council to join with the Royal Leamington Spa Town Council in calling on Warwickshire County Council to investigate and implement revisions to the routing of the University bus services (frequency every 8-10 minutes) as a matter of urgency.*

*The primary objective being the rerouting of the services off the Parade, which will reduce both air pollution and traffic congestion through the town centre, and passenger congestion around the bus stops, particularly at the top of the Parade.*

*Additionally, we ask Warwickshire County Council to engage with the bus companies operating through the District to establish when they are proposing to change their fleets to clean, electric or hydrogen, power.*

*In the meantime, we urge them to introduce a clear identification system for the engine Euro Emission Rating on the side of their buses to give assurance to the public that the current vehicles in use are to the highest Euro 6 specification."*

It was proposed by Councillor Davison that the Motion should be amended to read as follows:

*"Given this Council's Climate Emergency Declaration and its associated drive to improve air quality we call upon the District Council to join with the Royal Leamington Spa Town Council and Warwickshire County Council to include consideration of a Low Emission Zone for Leamington as part of the transformation framework unanimously approved at the last Council meeting.*

*In the meantime, we ask that the passenger congestion around the bus stops, particularly at the top of the Parade, is addressed as a matter of urgency. This could be achieved by revisions to the routing of the University bus services (frequency every 8-10 minutes).*

*Additionally, we ask Warwickshire County Council to engage with the bus companies operating through the District to establish when they are proposing to change their fleets to clean, electric or hydrogen, power. In the meantime, we urge them to introduce a clear identification system for the engine Euro Emission Rating on the side of their buses to give assurance to the public that the current vehicles in use are to the highest Euro 6 specification."*

The amendment was accepted by Councillor Boad and Councillor Kohler and therefore became the substantive motion for debate by Council.

Councillors Boad, Kohler, Davison, Nicholls, Wright, Grey, Noone and Leigh-Hunt all spoke on this item all spoke on this item.

**Resolved** that the motion as amended, be approved.

- (b) It was proposed by Councillor R Dickson and second by Councillor Russell, that:

*"This Council notes that:*

- (a) when the demolition and construction work starts at Abbey Fields Swimming Pools and Castle Farm Leisure Centre the facilities will close for at least 18 months. This work will also put the tennis courts and basketball court in Abbey Fields out of use.*
- (b) existing users of the Pools and Leisure Centre who are members of Everyone Active will be able to use the facilities in Newbold Comyn, Leamington Spa and St Nicholas Park, Warwick.*
- (c) in 2022 Warwick District will celebrate hosting elements of the 2022 Commonwealth Games which is an opportunity to encourage as many residents as possible to exercise.*
- (d) in a recent survey of more than 80 Kenilworth-based Everyone Active users only 25% said that, during the demolition and construction period, they would travel to the leisure centres operated by Everyone Active at Newbold Comyn or St Nicholas Park.*
- (e) any loss of members by Everyone Active during the demolition and construction work will result in lost income to the District Council and so will be a potential cost to local taxpayers.*

*This Council therefore asks Cabinet to work with Everyone Active to put in place creative and imaginative solutions to ensure that, during the demolition and construction work at Abbey Fields and Castle Farm, as many existing members of Everyone Active are both retained and encouraged to take exercise."*

Councillors R Dickson, Russell, Bartlett, Kennedy, Quinney, Wright, Falp all spoke on this item.

**Resolved** that the Motion as set out be approved for Consideration by the Cabinet in December along with a report from officers.

#### 34. **Leader's & Portfolio Holders' Statements**

The full statements made by the Portfolio Holders for Community Protection, Place & Economy and Climate Change were set out at Appendix 1 to the minutes.

The Portfolio Holder for Homes, Health & Wellbeing, Councillor Matecki, informed Council that:

- (1) there was a need to make some minor amendments to the Housing Allocations Policy which would be brought through the Programme Advisory Board for their view;
- (2) the number of families from Afghanistan coming to Warwick District would be 25, which would be matched by Stratford-on-Avon District Council. This could see around 300 people being moved into South Warwickshire, and he thanked Warwickshire County Council for their support in enabling this to happen;
- (3) the Council had received the first sets of keys for the houses on the triangle, and these would be energy efficient homes available at social rent; and
- (4) he and the Council were open minded about the right approach to the design build of Council buildings. He appreciated that there was a view all should meet the Passivhaus standard but he reminded Council there was a need to remain open minded when taking decisions and therefore considering the appropriate options for each site. That said, the Council would be developing a Passivhaus scheme to see how this compared in terms of cost and performance with other developments.

The Portfolio Holder for Culture, Tourism & Leisure, Councillor Bartlett:

- (1) thanked the Pump Rooms Team for delivering the meeting and for their work in fixing the PA at the Town Hall;
- (2) congratulated the team at the Spa Centre on their recovery programme and getting shows on again;
- (3) informed Council that the keys to the new Whitnash Civic Centre would be handed over to Whitnash Town Council within the next week;
- (4) reminded Council that Planning permission had been approved for the redevelopment of Abbey Fields Swimming Pool and Castle Farm Leisure Centre and that these two projects represented £19million of investment into Kenilworth and the wider District;
- (5) informed Council that all the District Council owned Leisure Centres had remained open despite the challenges of Covid-19 and staffing, and at present there were 3415 children booked for swimming lessons, which was 440 more than at the before Covid-19;
- (6) reminded Council that there was ongoing consultation on tennis facilities provision by the Council and that a report on the outcome of the Consultation would be coming to Cabinet in December; and
- (7) informed that the Commonwealth Games were 281 days away, and the both the physical and promotional work for the District were well underway.

The Portfolio Holder for Transformation & Resources, Councillor Hales, informed Council that:

- (1) after two years of hard work, the new Financial Management System for the Council would become operational over next new two weeks, which would bring significant benefits to the Council including enhanced financial reporting of accounts, and he thanked the project board and Councillor Syson for their hard work on this project;
- (2) the formal sign off of accounts was on schedule to go to Finance & Audit Scrutiny Committee for approval in November;
- (3) the AR Grant scheme for not-for-profit and charitable sector was due to be launched on 1 November;

- (4) the consultation on the proposed merger between this Council and Stratford-on-Avon District Council would close on Sunday 24 October 2021, and encouraged everyone to participate in this;
- (5) the Transformation PAB had discussed the Race Equality Task & Finish Group report and how this could be progressed;
- (6) the Leamington Light Switch on 7 November and he thanked to Councillors Cooke and Mangat for their work on making this more inclusive event to celebrate diversity of the community that is Warwick District

The Leader, Councillor Day:

- (1) thanked all officers for making sure the Council could all attend and participate in full;
- (2) informed Council that on 1 October he had met with Campion School Governors, Warwickshire County Council, and AC Lloyd, along with Councillor Mangat as Ward Councillor to focus on practical solutions for the delivery of site and associated traffic issues. It should be remembered that the Council had a Local Plan that had to be delivered, where they had to have a five-year land supply, and if they dropped below this then the Council faced the risk of having to approve developments not included within the Local Plan, which the Council worked so hard to deliver. At present, the Council had a 5.1-year housing supply, which was the equivalent of just 32 houses more than was required for a five-year housing supply;
- (3) advised that in respect of Chesterton Gardens, the costs to the Council of the appeal were much less than anticipated but it should have been noted that if the Council had contested these would have been around £250,000;
- (4) had visited some of the rural areas of the District with Councillor Hales and Councillor Illingworth to see some of the significant Planning Enforcement challenges faced by the Council. The Cabinet recognised this was an important area of work for the Council, and proposals would be brought forward to address these; and
- (5) the final Government Grant settlement was due in December and while it was anticipated this would not be good news, the Council should have been proud of the tough decisions it took last December, which had resulted in more room for movement in this year's budget, but also in taking the tough decisions which meant that Leisure Centres were able to stay open, unlike in other Council areas where they remained shut or where services had been stopped.

### 35. **Questions to the Leader of the Council & Portfolio Holders**

Councillor Kohler asked the Portfolio Holder for Climate Change what guarantees could be provided to ensure that postponement of the green bin collections service was a one off and not a sign of things to come as the contract with Suez wound down, and what assurances could Council give that Suez would not redeploy drivers allocated to services to other Council areas where they had longer contracts.

In response, Councillor Rhead explained he had emailed a reply to all Councillors along with a press release and all Councillors should be able to have dialogue with residents on this. Nothing was guaranteed but he had asked officers to be robust in dealings with Suez as this could have been planned for, and a robust response was required because the concern was shared that this could be the sign of things to come as the contract wound down. In respect of diversion resources, he had no information on that point.

Councillor Kohler asked the Portfolio Holder for Place & Economy a question in respect of planning policy for sustainable development on historic and listed

buildings. This was responded to in writing and was set out at Appendix 2 to the minutes. In response to a supplementary question, Councillor Cooke explained that the Local Plan in place provided policy for such matters and he expected these would be covered more in the emerging Local Plan.

Councillor Kennedy asked the Portfolio Holder for Climate Change a question, in the absence of the Portfolio Holder for Planning. This was submitted in writing before the meeting and the written response was set out at Appendix 2 to these minutes. In response to a supplementary question, Councillor Rhead explained that declaring a climate emergency was relevant to consideration in determining applications and he shared frustration in delivering the DPD, but there was due process to be followed.

Councillor Luckhurst asked the Portfolio Holder for Homes, Health and Wellbeing, when the final homeless and rough sleeping strategy along with the outline plan for managing rough sleeping during this winter would be published.

In response, Councillor Matecki explained that the Rough Sleeping Strategy had been published and he would send a link to all Councillors. In respect of managing rough sleeping, the Council issued a winter plan each year that detailed the services available during this period. The Council had an approved Severe Weather Protocol (SWEPP) which went over and above the Government guidance. The Council employed a rough sleeping co-ordinator who arranged weekly meetings to discuss concerns about rough sleepers, street outreach workers, funded by Department of Levelling Up Housing and Communities, and health workers, funded by Warwickshire County Council.

Councillor Milton asked the Portfolio Holder for Climate Change that with the challenges of the new cashless car park ticket machines, if there had been a rise in complaints, an increase in parking enforcement notices, or a reduction in income and what plans there were to help with the transition.

In response, Councillor Rhead explained that five core issues had been identified which needed to be recognised, these were people knowing how to pay by card, how slow payments were, void payments, customers displaying their receipt not their ticket and the ticket machine freezing.

For each of these there was a detailed response which Councillor Rhead agreed to share with all Councillors, but he summarised as follows. In respect of people knowing how to use the machines, more detailed signage had been added next to the machine. In respect of reducing transaction times, where appropriate a wired internet connection had been added to the ticket machine rather than wireless. In some locations the Council, with their contractor, were trialling a new app to help reduce void payments along with the reliability of the machines. In respect of customers displaying the receipt rather than the ticket, there had been some complaints but not a significant increase, and this was a matter where the customer needed to take responsibility.

At present it was difficult to ascertain if machine issues had impacted income.

Councillor Boad asked the Portfolio Holder for Place and Economy to confirm that the application for the old Leper Hospital had not yet been approved as per his statement, but was due for consideration by the Planning Committee on 21 October.

In response, Councillor Cooke apologised and asked that the record of his statement be amended to reflect this.

Councillor Cullinan asked the Portfolio Holder for Homes, Health and Wellbeing if waste collection and noise issues could be checked, as a matter of routine, as part of the HMO licensing process and that if problems were identified a short term licence could be issued.

In response, Councillor Matecki explained that all HMO licences were issued in-line with the agreed Policy of the Council but Councillor Cullinan could bring this point forward to the Homes, Health & Wellbeing PAB for discussion.

Councillor Cullinan asked the Portfolio Holder for Homes, Health and Wellbeing if there were any indications that residents were struggling to pay Council tax and rent and if the government hardship funds would be available to support residents in coming months and years.

In response, Councillor Matecki explained that at present the Council had not been informed of what if any of the national hardship fund they would receive, but Warwickshire County Council did have a local hardship scheme which was available to residents.

In response to a supplementary question from Councillor Cullinan, Councillor Matecki explained that he was not aware of an increase in the number of people struggling to pay their Council house rent and that bailiffs were not used to remove tenants who were in financial difficulties. He explained that the team of officers worked to support tenants because this had a far more positive effect for all parties, including Council resources and housing stock. For this reason a new system had been introduced to help identify potential issues earlier so support could be offered at an earlier stage. In addition, he explained that during his time as Portfolio Holder, bailiffs had not been instructed for any housing debt matter.

Councillor Hales added to this in response in respect of Council Tax, and explained that bailiffs were a last resort and that officers worked with individuals to support them and provide individual schemes to help them.

Councillor Quinney asked the Portfolio Holder for Place & Economy as to what weight could be given to the emerging sustainable buildings DPD, because planning inspectors had been known to give significant weight to documents at a far earlier stage of development.

Councillor Cooke as Portfolio Holder deferred his answer to Councillor Rhead who had led on the development of the DPD.

Councillor Rhead explained that the answer to this matter was included within the detailed response to Councillor Kennedy that he had shared with all Councillors, and would be appended to the minutes of this meeting.

Councillor K Dickson asked a question of the Portfolio Holder for Climate Change regarding electric vehicle charging points in Kenilworth, and this, along with the response was set out at Appendix 2 to these minutes.

### 36. **Cabinet Reports**

Councillor Day proposed and Councillor Hales seconded the recommendations within the minutes of the Cabinet meeting held on 12 August and 23 September 2021.

**Resolved** that the recommendations of the Cabinet of 12 August and 23 September 2021, be adopted.

### 37. **Membership of Cabinet, Programme Advisory Boards (PABs) and Members/Trades Unions Joint Consultation & Safety Panel**

Councillor Day proposed the amendments as set out on the agenda along with the addition of Councillor Cullinan to be appointed to the Community Safety PAB and Councillor Grey to be added to the Resources PAB. This was seconded by Councillor Hales and

**Resolved** that

- (1) the notification from the Leader, that since the last Council meeting Councillor Noone has left the Cabinet and that the Resources Portfolio work will be undertaken by Councillor Hales, be noted;
- (2) the additional appointments to the PABs as follows, be approved:
  - Transformation - Councillor A Dearing.
  - Climate Change - Councillor Skinner.
  - Homes, Health & Wellbeing – Councillor Leigh-Hunt.
  - Culture, Tourism & Leisure – Councillors A Dearing and Russell.
  - Place & Economy – Councillor Skinner.
  - Planning – Councillor B Gifford.
  - Community Protection - Councillors Cullinan, Illingworth and C Gifford.
  - Resources – Councillor Grey.
- (3) Councillor Quinney be appointed in place of the Labour Vacancy and Councillor Kennedy be appointed in place of the Green Vacancy to the Members/Trades Unions Joint Consultation & Safety Panel; and
- (4) Councillor A Dearing be appointed as a substitute to the Members/Trades Unions & Joint Consultation Panel for the Green Group.

### 38. **Urgent Item**

With the permission of the Chairman, Councillor Boad informed Council that it was unlikely the PA system at the Town Hall would be fixed in time for Planning Committee on 21 October. Therefore to avoid any further delay in determining the applications on the Planning Committee agenda for the 21 October Councillor Boad proposed that:



*"Council delegates authority to the Manager Development Services to issue the decisions for the applications on the agenda for Planning Committee on 21 October 2021, subject to them receiving the views of the Planning Committee, in the form of a vote, via a remote meeting on MSTeams."*

He explained that this way all Members of the Committee (or their substitutes) and public speakers could participate and the meeting could be broadcast the meeting via YouTube.

The proposal was seconded by Councillor Morris and

**Resolved** that authority be delegated to the Manager Development Services to issue the decisions for the applications on the agenda for Planning Committee on 21 October 2021, subject to them receiving the views of the Planning Committee, in the form of a vote, via a remote meeting on MSTeams.

The Chairman of the Council had agreed to take this as an urgent item because the meeting of Planning Committee was due to take place the following evening.

### 39. **Public & Press**

The Chairman proposed, Councillor Hales seconded and it was

**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 paragraph 3 of Schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006.

### 40. **Confidential Cabinet Report**

Councillor Day proposed and Councillor Hales seconded the recommendations within the minutes of the Cabinet meeting held on 23 September 2021.

**Resolved** that the recommendations of the Cabinet of 23 September 2021, be adopted.

### 41. **Common Seal**

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

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

(The meeting ended at 7.30pm)

CHAIRMAN

17 November 2021

### **Community Protection Portfolio Holder Statement**

I am very proud to announce members of my Community Protection team were put forward for an award for their work when Covid started and their continued work as the crisis continued.

The Association for Public Service Awards where they were nominated as finalists in two categories:

The Best Service Team Award 2021 Environmental Health, Community Safety and Housing

The Best Collaborative Working Initiatives where our team worked with partners from the County Council, Police and other Borough and Districts.

This excellent work was recognised with them being awarded as winners in this category. I am sure you would want me to congratulate them on behalf of all the council.

I was also proud of the role of my team working collaborative with the blue light services during the tragic fire in South Leamington where resident David Boswell sadly lost his life. Our thoughts are with his family.

Covid has not gone away. We continue to play a leading role in keeping our residents safe while trying to get back to our day to day work as well. We have filled some of our vacancies but we are still not fully staffed.

We are delighted that Marianne Rolfe is now Head of Service at Stratford as well as at Warwick District. Most of the work we cover is the same in both districts and most areas are under the same government legislation. As you would have seen from the now monthly bulletins we send out to you we are reporting on the work in both Districts

## **Place & Economy Portfolio Holder Statement**

**Kenilworth School** At long last building has commenced. However, the progress of the build is being delayed because WCC has still not yet agreed to the second construction access. The longer the build is delayed the more the knock on effect on other local plan sites will be felt. Pressure is being brought to bear from WDC & Kenilworth School.

**New Pool & Sports Hall** Planning Permission has been granted for the new Pool in Abbey Fields Kenilworth, and the new Sports Hall in Fishponds Road. We have heard that this will now **not** be called in by the Secretary of State.

**CPO on St Michael's Hospital** The Planning Inspector granted a compulsory purchase order on the historic Leper Hospital site in Warwick. A planning application to build new homes whilst preserving the importance of the site is due to be considered by the Planning Committee on 21 October.

**Joint Local Plan Officer Team** The excellent joint working between both authorities on the South Warwickshire Plan continues. A Joint Officers Team has been appointed to lead on the work with 2 officers each from Warwick & Stratford. Our two Officers are Hayley Smith & Michael Brown.

**Local Plan Call for Sites** This has produced well over 500 submissions that will now have to be carefully assessed. Roughly 300 were in Stratford and 200 in Warwick. We will not be releasing ownership details of the sites or their locations until considerably more work has been undertaken for obvious reasons.

### **Housing and Economic Land Availability Assessment (HELAA)**

Councillor Pemberton & myself have agreed on the methodology for preparation of this vital document required for the new Local Plan. A HELAA is the same as a SHLAA but also assesses sites for economic development. In due course, this new HELAA will replace existing SHLAAs.

**Leamington Spa Transformation** It is intended to set up a Transformation Board to oversee the future development of Royal Leamington Spa. Such a review has not taken place since the mid 1980's. The Transformation Board will bring together members from all three levels of Local Government to oversee technical aspects of proposals made. An Advisory Board will also be set up.

## Climate Change Portfolio Holder Statement

Following the inspired Earthshot programme of last Sunday, the link for which I sent to each Members, I thought I would refer to the Councils Climate Emergency Action Plan which is set out under the headings of three ambitions.

**Ambition 1 – Net Zero Carbon Council by 2025**

**Ambition 2 – Low Carbon District by 2030**

**Ambition 3 – Communities to have adapted to a 3 degree rise in global temperatures by 2100**

In particular I would like to refer to one of the Ambition 2 items which sets out the following:

*Recognising the importance of green hydrogen as a low carbon fuel, we will explore the feasibility of a green hydrogen production, storage and fuelling facility in south Warwickshire.*

Today I attended a webinar entitled 'Making Hydrogen Happen'

This virtual briefing brought together local government councillors and officials, with leading representatives of the UK hydrogen industry. The discussion focused on opportunities for collaboration and investment in local hydrogen projects to support green job creation and decarbonisation efforts. There were 3 discussion points :-

- Looking ahead, what can realistically be delivered and achieved by local government and industry between now and 2030?
- What are the biggest barriers to developing hydrogen projects at scale at a local level? What are the suggested solutions to these issues?
- What do businesses need from local government to get started on transformative hydrogen projects?

Various points

- UK is the only country that has a hydrogen giga factory
- There are various funds including a £240 million hydrogen fund and various industrial cluster funds
- There will need to be a regulatory approach
- Shropshire pursuing hydrogen for RCV's and have contacts through the Midlands Connect and the Midlands Hub. They are also obtaining help from Manchester who have a hydrogen facility at Tydesley
- A presenter from Thames Estuary Growth Board on investment ideas
- All agreed that hydrogen for transport is particularly suitable for rural areas
- Canterbury City Council are building a green hydrogen facility utilising offshore wind power for green hydrogen. Their intended use is for buses
- A presenter confirmed that hydrogen can be put through existing pipeline infrastructure and this has received HSE approval
- A presenter from H2GREEN set out that they were a company focused on hydrogen for transport

I have asked for details of every participant so that we can contact them as we deem fit for more and better information.

**Question from Councillor Kohler to Portfolio Holder for Place & Economy**

*"Our previous Local Plan had a Sustainable Buildings SPD, which contained guidance on "Renewable Energy and the Historic Environment". Can you confirm if our current Local Plan contains equivalent guidance?"*

In response Councillor Cooke explained:

Warwick District Local Plan 2011-2029 Policy CC2 'Planning for Renewable Energy and Low Carbon Generation' supports proposals for new low carbon and renewable technologies in principle subject to various criteria being demonstrated. One of these is part c) which states: "the design will ensure that heritage assets including local areas of historical and architectural distinctiveness are conserved in a manner appropriate to their significance".

Policy CC3 'Building Standards and other Sustainability Requirements' is also a relevant Local Plan policy when considering sustainable construction, although this does not specifically refer to the historic environment.

The Council is one of the first local authorities to look to produce policy on net zero carbon development and we are doing this through the preparation of a Net Zero Carbon (NZC). Development Plan Document (DPD). We anticipate that the draft Net Zero Carbon DPD, if and when adopted, will provide up-to-date planning policy to support the delivery of sustainable buildings. We have recently undertaken a public consultation on the DPD and are in the process of analysing and responding to the representations received and will report back to Members once this process has been completed.

The NZC DPD aims to focus on minimising carbon emissions from new buildings within the District to support the achievement of national and local carbon reduction targets. From adoption (and earlier where possible) the DPD will aim to ensure all new developments should be net zero carbon in operation.

In preparing the draft DPD the policy team has engaged with the Council's Principal Conservation Officer and also with Historic England both of whom are supportive of the principle of the NZC DPD and we will carefully consider any detailed feedback provided ahead of the next consultation on the DPD. Historic England also have produced a number of publications around energy efficiency and historic buildings, responsible retrofitting of traditional buildings and also retrofitting of small-scale renewables.

Tackling climate change is one of the key principles set out in the Scoping Consultation document of the South Warwickshire Local Plan (SWLP). Given that both Warwick and Stratford Council's have declared climate emergencies and owing to the widely acknowledged importance of addressing this issue, we intend to have strong policy relating to this in the SWLP and this will build on the policy contained within the DPD, which will hopefully be adopted in advance of the new Plan.

## **Councillor Kennedy question to Portfolio Holder for Climate Change, in the absence of the Portfolio Holder for Planning:**

*"Planning officers brought forward a major application for consideration at the Planning Committee on 12 October for Item 06 - W 21 1165 -Land at the corner of Ramsey Road and St Mary's Road, Royal Leamington Spa.*

*As usual for a major application policies CC1, CC2 and CC3 were listed as relevant to the application. However in the report prepared by officers there was no reference to any of these policies, and no sustainability plan set out. Officers responded to a question about this by saying this was 'an oversight.' The same issue (the lack of any response to these three policies) has occurred on a number of major applications over the last year. At a time when we and many other local authorities have declared climate emergencies and as we approach the COP26 Conference next month, it is disappointing that the Planning Department does not seem to regard these policies as important enough to be an essential part of the consideration of planning applications.*

*(a) Can the portfolio holder for Planning please assure us that for all future planning decisions the application of these policies (CC1, CC2 & CC3) will, where relevant, be comprehensively addressed?*

*(b) Other local authorities are increasingly building their climate emergency policies into the planning process from the start, by, for example Somerset West and Taunton in its planning guidance:*

*Confirms that the Climate Emergency will be generally material to planning applications. In order to help assess how applications respond to the Climate Emergency on key issues, applicants will be required to submit a completed Climate Emergency Checklist at validation stage. The answers to the questions will not be scored or given any particular weighting, although they will feed into the Council's evaluation of the proposal under adopted planning policies.*

*As a minimum, can the portfolio holders for Climate Change and Planning consider how a statement of this type can be included in planning guidance, pending the issuing of the new DPD on Sustainable Housing and the new Local Plan?"*

Councillor Rhead shared the following response via email:

Thank you for advising me of your question and, having consulted with Officers I now set out our response to your questions below:-

*Policies CC1, CC2 and CCC3 are material planning considerations in the assessment of planning proposals. It is recognised that to date, some reports on planning applications have not always consistently reflected their significance. For that reason, looking forward, for all relevant proposals, the Officers report will now specifically include a section summarising and assessing sustainability issues and set out any proposed related planning conditions.*

*With regard to the materiality of the Declared Climate Emergency in considering planning applications, the officer advice is as follows.*

- Climate change is a material planning consideration.*
- The weight that can be given to any material planning consideration is a matter of judgement. It will depend, in large part, on the existence and status of any relevant planning policy. Where a plan is adopted (such as the Warwick District Local Plan), the weight that should be given to planning policies is significant. Where any planning policies are contained in emerging plans (such as,*

*in this case, the Council's Net Zero Carbon DPD), that weight given to those policies will be less.*

- The declaring by Warwick District Council of a climate emergency is relevant in a discussion about material planning considerations, but does not, in itself, change planning policy. The Declaration of the Climate Emergency is the Council's expression of its commitment to tackle climate change. This commitment will be articulated (in part) in the production of the Net Zero Carbon DPD. In view of the early stage that the Net Zero Carbon DPD has reached, and the fact that it raises matters of development viability (and consequently deliverability), officer advice is that we give limited weight to policies in the emerging Net Zero Carbon DPD at the present time.*
- For that reason, in the absence of a clear policy "hook", at this time, it isn't considered to be appropriate to propose a checklist as suggested by Councillor Kennedy. However, once the DPD preparation and Local Plan review are sufficiently advanced, the most appropriate means of ensuring that planning submissions include that information can be considered.*

*In view of the importance of this matter, we are looking to see how we can provide additional guidance and training for Planning Committee members on this important matter.*

### **Councillor K Dickson to the Portfolio Holder for Climate Change:**

*"Electric charging points were installed in Abbey End carpark Kenilworth more than five months ago. Since that time they have not worked properly for any sustained time and frequent reports have been made.*

*Whilst the Council has recognised the importance of electric vehicles and their ability to reduce emissions into the environment, do we have any information of when the points will be repaired to provide a dependable source of charging in the council's car parks?"*

In response Councillor Rhead sent the following email:

*"Dear Councillor Mrs Dickson*

*Thank you for your early question. I have discussed this with officers on a number of occasions and I set out below their responses.*

*"I wanted to provide you with an update on the above, following my initial email to you, dated 27 August 2021.*

*I asked for a meeting between Neil Bridges and I, Warwickshire County Council (WCC) and representatives from BP Pulse and that meeting occurred on Wednesday 8 September and during that meeting we were able to articulate our concerns about the very poor compliance on the chargers within our district.*

*Following that BP Pulse provided some feedback and proposed timescales and attached is a report supplied by WCC. In summary it states: -*

- 1. **The Server is not able to meet the demand from the growing number of public and home EV charging transactions**  
**Proposed solution:** The home charging part of the BP Pulse IT support will be moved to a new server, releasing bandwidth for public charging  
**Timescale:** "BP Pulse have indicated this is likely to happen towards the end of 2021."  
*I have subsequently asked for a more definitive timescale and BP Pulse have indicated November, but there potentially could be slippage on this date**
- 2. **An internal component within the charger is not able to deal with increased use. Sourcing new components has been affected by the global microchip shortage***

**Proposed solution:** A restricted supply of components will be used to upgrade one charge point per problematic location and then following increased component supply all charge points will be upgraded.

**Timescale:** Restricted upgrade starting in late September and then in October all charge points

3. **Customers unable to access help because lack of call centre training and recruitment due to COVID restrictions/lockdowns**

**Proposed solution:** A separation of services between drivers and business users. A new B2B unit to be set up to support charge point hosts i.e. WDC. Also there will be continued investment in Field Service Engineers

**Timescale:** New B2B unit to be in service by the end of September

4. **Problems with the App. The BP Pulse app does not reflect the operating platform and shows the charge points as available, when they are out of service**

**Proposed solution:** Update to the App will be made. Until new components are added to chargers, those charge points will not appear on the public map

**Timescale:** WCC are seeking clarity from BP Pulse as to when the updated App will be available

I have asked for clarification on what public map they are not going to appear on, will it be the map on the BP Pulse App, because as of yesterday (16 September) they are still visible on the BP Pulse App

5. **Zap Map. This public site is currently showing the BP Pulse chargers that are out of service, as available**

**Proposed solution:** BP Pulse will add appropriate content to the comment box on Zap Map to indicate the charge point is not available

**Timescale:** No timescale provided. As of today (17 September) there are no comments against the chargers on Zap Map

6. **Awareness of users**

**Proposed solution:** Proposed communication to Warwickshire based residents who are registered to the network. The draft text is within the report attached

**Timescale:** WCC to confirm they are comfortable with the wording and confirm back to BP Pulse, before it is circulated"

As a further update I have also been provided with the following information:

"For my part I have had correspondence with Cllr Kate Dickson earlier this year along with Cllr Alix Dering and Richard Dickson also. They had on-going feedback from me and appreciated my help and time pursuing this. I was desperate to get them working ahead of our new EV permit scheme at the time to promote further overnight incentives to use EVs.

I not only got involved with trying to get the machines working in the first place in Kenilworth but actually advised the ground team installing them to reconfigure their layout. I had received a number of complaints the moment the team started to dig up the pavement to fit them. A mobility scooter user could not get through and a blind person was tripping on the raised rectangular concrete bases for the round charge points! It is a bit of a slalom run now but everyone is happy, including the ground working team too.

I had signed up to the BP app to test the machines myself and could not get them to work despite looking like they do. I pursued this with the team for a number of months to a point when I asked for Graham Folkes-Skinners support as he had changed roles. He has been working with WCC, whose contract these were installed with, to tackle the delay and has been actively pursuing a case to instigate KPI penalties from the contract. WCC seem reluctant to do this until the new year and Dave Barber has also been following up to urge them too.



*Graham's attached email adds more detail or clarity but I have copied him in on this nonetheless in case he wants to add more. In essence I have been told this since March:*

- Sims not getting a strong enough signal – BP were looking at changing supplier to one that works better in our locality. This appeared to be the case when I hooked up my EV but I disputed the case when I compared different mobile phones/sim packages at the location myself and other frustrated users.*
- 'A fault with the machine, not sure what' came the response from the BP help team.*
- I had emails earlier this year with frustrated customers trying to use them and I 'talked through' a few including needing to load the app with a £5 upfront payment to instigate a charge of whatever length. Surprisingly they had all been grateful with my help but concluded that they had lost faith with BP, not WDC and begged us to change supplier.*
- BP later reveal issues with an under powered server and had separated their home charge network from the public network to lighten the strain on it – not sure if worked.*
- BP reveal there is a GUI (interface board) causing the problem inside their units, a national problem, they cannot get them fast enough as there is a shortage of chips from abroad! An issue raised by EV manufacturers of late. They will replace each one unit per location nationally so that one region does not benefit more than another. Not clear how long this will take.*
- They have removed these charging devices from their own app but I understand they remain on other apps such as Zap Maps which most EV owners would use. They have to remain on these apps as a criteria for their funding to have the chargepoints installed apparently.*
- I am receiving reports from my team that most of the units are turning red, out of service, with what would appear to be failed 'whitelist' down loads overnight (config files).*
- I am receiving an uncomfortable number of customer complaints to the team who cannot charge on them and some who were in a rare instance did get a charge found their cable was locked to the EV chargepoint. A call to BP (yesterday) told them that it was a fault with the local authority not them!!! I'm furious and I told my team leaders how to respond and firmly say it is not us and that this is a third party managed service on our land. I understand that BP have had a fast turnaround of helpline staff and issues with training. I advised my staff that the cable lock issue is because the charging unit itself lost comms or failed an update whilst the vehicle was charging. If the customer calls BP (and copes with the long wait) to say who they are and that the cable is locked that they will send an engineer out and recover it for them, posting it back quickly to their address. As you can imagine this does not go down very well, some customers need to charge every day.*

*I have suggested not pursuing a second tranche of installations with BP if at all possible and that it would be a good opportunity to source another supplier, contract permitting, so as not to put all our eggs in one basket."*

*As you will appreciate these charging points are installed under a contract with the County Council and while we have a liaising role, we are not the initial customer. I hope this provides you with answers to your question."*