

Licensing & Regulatory Committee

Minutes of the meeting held on Monday 16 April 2018, at the Town Hall, Royal Leamington Spa at 4.00 pm.

Present: Councillor Illingworth (Chairman); Councillors Ashford, Boad, Cain, Mrs Cain, Gallagher, Gill, Heath, Mrs Hill, Mrs Knight, Murphy, Mrs Redford and Mrs Stevens.

33. **Apologies and Substitutes**

- (a) An apology for absence was received from Councillor Davies
- (b) Councillor Boad substituted for Councillor Gifford and Councillor Cain substituted for Councillor H Grainger.

34. **Declarations of Interest**

There were no declarations of interest.

35. **Minutes**

The minutes of the meetings held on 20 September, 25 September, 13 November 2017 and 19 February 2018 were agreed and signed by the Chairman as a true record.

36. **Record of Licensing & Regulatory Panel Hearings**

The minutes of the Panel Hearings held on 12 September, 29 September and 22 December 2017 were noted.

Members noted that the minutes of the Panel held on 15 January 2018 were not available and would be submitted to a future meeting.

37. **Review of Warwick District Ward Boundaries**

The Committee received a report from Democratic Services which presented the Local Government Boundary Commission for England's draft recommendations on the proposed new electoral arrangements for Warwick District Council.

The report advised that the Local Government Boundary Commission for England (LGBCE) had published the draft recommendations on the new electoral arrangements for Warwick District Council, and these were attached as Appendix 1 to the report. The recommendations were open to public consultation until 11 June 2018.

The proposals did not wholly follow the submission made by the Council, or any single submission by other parties to the Commission for the reasons set out in the report by the LGBCE.

However, it was noted that 11 of the 17 wards met the Council's ambition for achieving coterminous boundaries by being wholly within a County division these being: Budbrooke; Bishop's Tachbrook, Cubbington & Leek Wootton; Kenilworth St Johns; Kenilworth Park Hill; Leamington Willes; Leamington North; Leamington Brunswick; Myton & Heathcote; Radford Semele; and Whitnash.

The report highlighted the subtle move of Shrewley Parish from the Budbrooke Ward to the Lapworth & West Kenilworth Ward. Local informal soundings suggested that this was not an issue locally, but Members needed to be aware that it would result in the WCC Division of Lapworth & West Kenilworth and the WDC Ward of the same name covering slightly different electoral areas. While the elections for these two did not normally fall on the same day, recent experience suggested this was not impossible and could cause elector confusion.

The Committee were also asked to note that the Boundary Commission for England was reviewing the Parliamentary Boundaries and that this review was unrelated. That said, it was considered that the Boundary Commission for England should be made aware of this emerging proposal because of the potential for one for the new wards (Radford Semele) to be divided between two constituencies. This had arisen as the LGBCE proposed to include Weston under Wetherley in the Radford Semele ward.

Recommendation 2.4 related to potential Community Governance Reviews. The LGBCE had agreed a provisional timetable and indicated it would consent to these reviews being undertaken. It was unlikely it would give approval to any further reviews being undertaken after the conclusion of its Ward review and prior to the scheduled elections in May 2019.

As part of the review it had been identified that the boundary between Whitnash and Royal Leamington Spa ran through the Champion School site. It was therefore suggested that, subject to the agreement of the two Town Councils, an amendment should be sought so that the boundary followed the rear of the superstore, up to the roundabout on Chesterton Drive then met the boundary on the middle of the railway bridge, thus providing a clearly definable boundary. Only one house was affected and would move from Leamington to Whitnash.

As part of its submission, Kenilworth Town Council had highlighted concerns regarding the potential large Town Council wards (Park Hill and St John's) as set out in paragraph 40 of the LGBCE proposals. The responsibility to address this situation would fall to the Council through a Community Governance Review. Therefore, it was proposed that Warwick District Council reviewed these boundaries and assisted the Town of Kenilworth if these proposals were adopted by the LGBCE.

The report advised that Stoneleigh & Ashow Parish Council had previously requested that it be separated. This request was deferred to be considered following the outcome of the Ward review by the LGBCE. However, the Democratic Services Manager advised at the meeting that Stoneleigh and Ashow Parish Council had now decided it wanted to remain a joint parish council.

No alternative options were considered for the recommendations in this report because the primary purpose was to inform members and seek support for further discussions.

Councillor Quinney raised a concern regarding the use of the term 'coterminous' which he did not feel was being used correctly. The Democratic Services Manager explained how the LGBCE used this term but it was noted that this was not necessarily the traditional terminology.

In response to a question from Members, the Democratic Services Manager advised that parish councils were statutory consultees and notification of the

consultation was sent to all clerks to parish councils, the County Council and local MP's. He also reminded Members that each argument submitted to the LGBCE held equal weight and would be judged on its individual merits.

Councillor Boad raised a concern that the new Cubbington area of Lillington North needed to move across into the community it was part of. He also requested that Group Leaders looked at Leamington Willes Ward along with possible alternative proposals for the Aylesford and Saltisford areas of Warwick. Officers agreed to highlight these two areas to Group Leaders.

The Democratic Services Manager advised that there was a parliamentary boundary review being undertaken and the LGBCE planned to draw on the District Wards as of 2015, despite officers pointing out to them that the electorate figures would be significantly changed from 2015.

The Committee agreed that there were a number of areas that it would like Group Leaders to focus on including Leamington Willes, the proposal for the Aylesford and Saltisford wards, the inclusion of Shrewley Parish in Lapworth & West Kenilworth Division, the proportionality of the electorate of the Leamington town wards (specifically College and Victoria Park wards), the area north of the river in Myton and Heathcote and the electorate for the proposed town wards in Warwick, to check if they were proportionate to the number of Councillors (specifically Wilmhurst ward).

In addition, it was noted that Wappenbury should not be included in recommendation 2.3 as it was already part of the Radford Semele ward.

The Committee therefore

Resolved that

- (1) the Local Government Boundary Commission for England (LGBCE) draft recommendations on the new electoral arrangements for Warwick District Council (Appendix 1 to the report), are noted;
- (2) the Chief Executive and Democratic Services Manager will discuss the proposals with Group Leaders as set out above, develop recommendations and bring forward a further report to the 29 May 2018 meeting of this Committee for consideration;
- (3) the Democratic Services Manager will ensure that the Boundary Commission for England is aware of these proposals in relationship to its review which is based on current District Ward Boundaries, especially in relation to the proposal to include the parish of Weston Under Wetherley in the Radford Semele ward;
- (4) the Democratic Services Manager will discuss the following Community Governance issues with the respective Parish/Town Councils and if necessary bring forward terms of remit (ahead of seeking approval to the LGBCE) to the 29 May 2018 meeting of this Committee:

- (1) the boundary of Whitnash and Royal Leamington Spa that runs through Champion School; and
- (2) the informal request from Kenilworth Town Council to sub divide the proposed town Wards of St John's and Park Hill; and
- (5) the Executive and Council in the August Budget Review report are asked to consider making an additional one-off provision of £30,000 to aid the administration of the proposed changes in the run-up to the May 2019 elections.

38. **Public & 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 item by reason of the likely disclosure of exempt information within paragraphs 1 and 2 of Schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006.

39. **Record of Licensing & Regulatory Panel Hearings**

The confidential minutes of the Licensing & Regulatory Panel Hearings on 2 November 2017 and 23 January and 20 February 2018 were noted.

(The meeting ended at 5.03 pm)