

WARWICK DISTRICT COUNCIL

Minutes of the meeting held on Wednesday 27 January 2016, at the Town Hall, Royal Leamington Spa at 6.05pm.

PRESENT: Councillor Doody (Chairman); Councillors Ashford, Barrott, Boad, Mrs Bunker, Butler, Coker, Cooke, Cross, D'Arcy, Davison, Day, Edgington, Mrs Evetts, Gallagher, Gifford, Gill, Miss Grainger, Grainger, Harrington, Mrs Hill, Illingworth, Mrs Knight, Mann, Margrave, Mobbs, Murphy, Naimo, Parkins, Phillips, Quinney, Mrs Redford, Rhead, Shilton, Mrs Stevens, Thompson and Weed.

70. **Apologies for Absence**

Apologies for absence were received from Councillors Bromley, Mrs Falp, Heath, Howe, Morris, and Whiting.

71. **Declarations of Interest**

Minute 74 - Petitions

Councillor D'Arcy declared that she was a Friend of St Nicholas Park, in Warwick, but that she wanted to listen to all information before deciding what should happen to the petition.

72. **Minutes**

The minutes of the meetings of the Council held on the 18 November 2015 and 13 January 2016, were taken as read and signed by the Chairman as a correct record

73. **Communications & Announcements**

The Chairman informed the Council that he had the privilege of attending the Bali awards in London where Jephson Gardens won in the category for Grounds Maintenance of an Area of Free Public Access. This was due to excellent partnership work between Warwick District Council and its contractors, the Landscape Group. The Chairman then presented the award to Councillor Shilton, as Portfolio Holder, along with representatives of the Landscape Group and Officers from the Council.

The Chairman presented awards to three members of the Council's CCTV scheme who had been recognised by the Police for their work in protecting the community.

The Chairman informed the Council that it, in partnership with the Leamington Society, had been successful in its bid for Heritage Lottery Funding for work in Jephson Gardens

The Chairman welcomed Councillor Cain back to Council meetings.

The Chairman informed the Council that there was no business to be considered under, Item 6 Notices of Motion or Item 7 Public Submissions.

74. **Petition**

Mrs Bromley presented a petition to Council of over 500 signatures on behalf of the Friends of St Nicholas Park, in Warwick that read as follows:

"We, the undersigned, petition Warwick District Council to fully restore to their previous condition the grassed areas in St. Nicholas Park which have been treated and killed with weedkiller, as soon as possible. St Nicholas Park is a cherished recreation resource for local residents and visitors to Warwick, and is designated as a public recreation space by Warwick District Council. We note that WDC have current policies to encourage residents to take more physical exercise and therefore should logically not make their parks less accessible to the public for recreation. Large areas of the open, grassed areas in St. Nicholas Park have apparently, been deliberately killed by Warwick District Council in preparation for the planting of "wild flower" meadows. We believe that the locations chosen are inappropriate for this type of planting and that consequently much of the grassed areas will be inaccessible to park users for their recreation. We are concerned that the views of the Friends of St. Nicholas Park and Warwick Town Council have been ignored regarding these major changes. We are also surprised that our Ward Councillors have not had an opportunity to debate the issues and the impact of the changes on park users. We expect WDC and our elected Councillors to act as the stewards for our parks, protecting them from further development and drawing up policies which encourage greater use and participation by local residents."

Councillor Shilton proposed that the petition be referred to Executive for consideration, along with a report from Officers on this matter. This was duly seconded and

Resolved that the petition be referred to the Executive for consideration along with a report from Officers on this matter.

75. **Leader's and Portfolio Holders' Statements**

The Portfolio Holder for Neighbourhood Services, Councillor Shilton, referred to the success of the Bali Award. The award had been independently assessed and recognised the quality of publicly open gardens. This was in addition to the Green Heritage and Green Flag awards, the success of which, were due to the hard work of contractors and Officers working in partnership.

The Portfolio Holder for Neighbourhood Services, Councillor Shilton, offered his thanks to the Friends of Pump Room Gardens for their fundraising efforts to contribute to the restoration of Pump Room Gardens. As a result of this, and working with Warwickshire County Council, the Council had been awarded £995,656 to restore the Pump Room Gardens. This would see over £1.4 million of investment in new paths, improvements to the band stand, drainage works and the river bank being refreshed. Works were due to start in September 2016.

The Portfolio Holder for Culture, Councillor Gallagher, provided an update on the Royal Spa Centre. She explained that the Council was now beginning to get the benefits of the investment it made in the Spa Centre during 2013. There were now more return bookings at both the Spa Centre and the Town Hall, improved quality of shows and it was taking on a greater number of agency work in

selling tickets for other events. This year the Council had budgeted for £500,000 income but this now looked more likely to exceed £750,000. The panto this year had been all but sold out with, record equalling attendance levels, and a £32,000 profit. In addition the cinema ticket sales were improving and it was beginning to hold its own. As a result of the good work overall the Spa Centre had also been awarded a TripAdvisor certificate of excellence.

The Portfolio Holder for Development Services, Councillor Cross, updated the Council on the latest position with regard to Racing Club Warwick Football Club. He informed the Council that works had started to clear the derelict buildings and make good the site, but this could not be concluded until the appointment of the new trustees had been confirmed. Match funding for works on the ground had been awarded by the Football Foundation. A business plan was being developed, for the Club, with officers and this should see up to £300,000 investment in to the stadium for the benefit of the wider community.

The Portfolio Holder for Health & Community Protection, Councillor Grainger, reminded the Council that the work of the CCTV team was a partnership. Part of this partnership was the street marshalls and the street pastors. To further compliment this work, following a trial, Public Health England and the Clinical Commissioning Group had appointed a mental health expert would be placed in the control room to provide advice and guidance to police officers and paramedics at an incident.

The Portfolio Holder for Health & Community Protection, Councillor Grainger, explained that training sessions, for Private Hire and Hackney Carriage Drivers, on safeguarding had taken place. This had seen 314 of the 488 licensed drivers attending. This had been very successful contributing to the "is it right campaign?" and the licensed drivers had now asked for this course to be a mandatory requirement for all Warwick District licensed drivers.

76. **Questions to the Leader of the Council & Portfolio Holders**

Councillor Boad asked the Leader if he was aware of the decision by Stratford on Avon District Council to join the West Midlands Combined Authority (WMCA) as a non constituent member and its reasons for taking this decision was because there was no viable alternative? Therefore as Stratford on Avon, Nuneaton and Bedworth had agreed to be part of the WMCA and potentially Warwickshire County Council would also agree on 23 February 2016, should we now provide Councillors with the opportunity to reconsider this Council's position?

In response, the Leader of the Council, Councillor Mobbs, informed Council that the agreement for the WMCA would take place in May with an election for an elected mayor in 2018. He explained that personally his position had not changed but was assessing the changing climate and was continuing round table discussions with all relevant bodies including the Police and relevant health partners.

Councillor Boad asked the Leader that was it not true that a very clear picture was emerging and that while this Council was once leading we were now on the back foot and this was damaging?

In response the Leader of the Council, explained that he did not believe we were on the back foot and it was worth noting that the Government had

different ideas for different areas. Therefore it was correct to take time and assess the facts.

Councillor Boad asked the Portfolio Holder for Neighbourhood Services what had happened with the Christmas waste collections, where bin hangers directed people to a website or to call to find out details of changed bin dates, yet some people did not receive the bin hangers?

In response the Portfolio Holder for Neighbourhood Services, Councillor Shilton, responded by apologising on behalf of his team as they had simply got it wrong. Meetings had taken place to review what happened and these mistakes would not be repeated.

Councillor Davison asked the Portfolio Holder for Housing & Property Services if it would be possible for the Council make public data it held on Houses in Multiple Occupation, that did not require a licence?

In response the Portfolio Holder for Housing & Property Services, Councillor Phillips, replied that there would need to be careful consideration of the Data Protection Act on this matter but officers were looking into this and he would report back to Council.

Councillor Barrott asked the Leader if he shared the disappointment on the decision by the Secretary of State to approve the applications at Gallows Hill and the Asps? Could the Leader confirm if we would be appealing these decisions and what impact had this had on the Local Plan?

In response the Leader, expressed his deepest disappointment at the decisions and that as explained in the press release on this matter the decisions had not just local but national implications. If needed there would be a report to Executive on the legal implications of any potential challenge to the decision.

77. **Executive Report**

The Council considered the reports of the Executive on 4 November 2015 (excluding the recommendations considered by Council on 18 November 2015), 2 December 2015 and an excerpt of the minutes of the meeting held on 13 January 2016.

The Leader proposed the minutes of the Executive as outlined subject Minute 80, excerpt of the minutes of the Executive meeting held on 13 January 2016, recommendation 2 being amended to read as followed:

- (2) for the avoidance of doubt, Council confirms that it established a Licensing Committee under section 6 of the Licensing Act 2003; that its responsibilities are under section 7 of the Licensing Act 2003 and section 154 of the Gambling Act 2005; and that this Committee is known in the Constitution as the Licensing and Regulatory Committee.

This proposal was duly seconded.

Councillor Barrott, proposed that, Minute 83 (Appendix 6) of the excerpt of the minutes of the Executive meeting held on 13 January 2016 be amended so that the Kenilworth charge was £0.10p for 10 minutes. This would generate the additional £24,000 to help meet the Medium Term Financial Plan, leave the one

hour rate in Kenilworth unchanged at 60p; begin to reduce the differential in the forthcoming year; and start the Council on the road to standardisation of charges across the three centres over a three year period, if that was what the proposed Working Group recommended.

Councillors: Shilton, Gifford, Mobbs, Quinney, Mann, Grainger, Boad, Gill, Coker, Miss Grainger, Butler, Illingworth and Cooke all spoke on this item.

During the debate it was informally agreed that Group Leaders would meet and discuss if the review of car parking charges should be undertaken by a working party or if the Overview & Scrutiny Committee should be asked to form a Task & Finish group to look at this matter.

On being put to the vote the amendment from Councillor Barrott was lost.

Resolved that the

- (1) report of the Executive on 4 November and 2 December 2015, be approved; and
- (2) excerpt of the report of 13 January 2016 be approved subject to the amendment to recommendation (2) of minute 80 as outlined above.

(Councillor Boad left the meeting at the conclusion of this item)

78. **Report of Planning Committee**

Councillor Cooke proposed approval of the report of the Planning Committee meeting of 8 December 2016, subject to an addition to complement Recommended (1), on Item 11/ Page 2, that read as follows:

"That the time for District Councillors to address the Planning Committee may be increased, at the discretion of the Chairman of the Planning Committee, when they believe there is significant public interest in an application"

The proposal was duly seconded.

Councillors Cooke, Mrs Knight, Gifford and Barrott all addressed the Council on this matter.

Resolved that the report of the Planning Committee of the 8 December 2016 be approved, subject to the addition, as follows:

"That the time for District Councillors to address the Planning Committee may be increased, at the discretion of the Chairman of the Planning Committee, when they believe there is significant public interest in an application."

79. **Attendance at meetings report**

The Chairman informed Council that at Council in February 2015 it was agreed that Council should receive a six-monthly report on Councillor attendance at Council, Executive, Committee and Sub-Committee meetings following the May 2015 elections.

This report was the first of its type to Council in its history and was brought forward to enable Council, and the public, to be aware of the significant work Councillors were undertaking attending public meetings.

The report could be used as a monitoring report to ensure that Councillors were meeting the basic requirement of the law, to attend at least one Council meeting every six months. A Council meeting was recognised in law as either a meeting of Council, Executive, Committee or Sub-Committee meeting.

The report included attendances for Members/Trades Unions' Joint Consultation & Safety Panel and in some instances Planning Forum. As working parties these should not be included and conversely Licensing Panels needed to be included in future reports.

Resolved that

- (1) the report be noted; and
- (2) in future, the report should include attendance as a substitute and attendance at Licensing & Regulatory Panel meetings.

80. **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 item by reason of the likely disclosure of exempt information within the relevant paragraphs of Schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006.

81. **Confidential Executive Report**

The confidential reports of the Executive meetings on 4 November and 2 December 2015 were proposed, duly seconded and:

Resolved that the Executive reports of 4 November and 2 December 2015, be approved.

82. **Common Seal**

It was

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

(The meeting ended at 7.48 pm)

CHAIRMAN
24 February 2016