

## **Cabinet**

### **Wednesday 25 May 2022**

A meeting of the Cabinet will be held in the Town Hall, Royal Leamington Spa on Wednesday 25 May 2022, at 6.00pm and available for the public to watch via the Warwick District Council [YouTube channel](#).

Councillor A Day (Chairman)

Councillor L Bartlett  
Councillor J Cooke  
Councillor J Falp  
Councillor M-A Grainger

Councillor R Hales  
Councillor J Matecki  
Councillor A Rhead  
Councillor J Tracey

#### **Also attending (but not members of the Cabinet):**

Chair of the Overview & Scrutiny Committee  
Green Group Observer  
Liberal Democrat Group Observer  
Labour Group Observer

TBC  
Councillor I Davison  
Councillor A Boad  
Councillor M Mangat

#### **Emergency Procedure**

At the commencement of the meeting, the emergency procedure for the Town Hall will be announced.

#### **Agenda**

- 1. Apologies for Absence**
- 2. Declarations of Interest**

Members to declare the existence and nature of interests in items on the agenda in accordance with the adopted Code of Conduct.

Declarations should be disclosed during this item. However, the existence and nature of any interest that subsequently becomes apparent during the course of the meeting must be disclosed immediately. If the interest is not registered, Members must notify the Monitoring Officer of the interest within 28 days.

Members are also reminded of the need to declare predetermination on any matter.

If Members are unsure about whether or not they have an interest, or about its nature, they are strongly advised to seek advice from officers prior to the meeting.

### 3. Minutes

To confirm the minutes of the meetings held on:

- a) 20 April 2022; and **(Pages 1 to 28)**
- b) 11 May 2022 **(Pages 1 to 6)**

### **Part 2**

(Items upon which a decision by Council is not required)

#### 4. **Programme Team (Green Spaces) – Resourcing Delivery of Live Projects**

To consider a report from Environment and Operations. **(Pages 1 to 5)**

#### 5. **Levelling Up Fund Round 2 – Decision to Submit**

To consider a report from the Chief Executive. **(Pages 1 to 4)**

#### 6. **Milverton Homes Ltd Business Plan**

To consider a report from Housing Services.  
**(Pages 1 to 15 and Appendices C and D)**

#### 7. **Public and Press**

To consider resolving 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.

Item Numbers	Paragraph Numbers	Reason
8, 9	3	Information relating to the financial or business affairs of any particular person (including the authority holding that information)

### **Part 1**

(Items upon which a decision by Council is required)

#### 8. **Associated Costs for the Purchase of 60, Section 106 Dwellings at Birmingham Road, Hatton, Warwickshire**

To consider a report from Housing Services. **(Pages 1 to 7)**  
**(Not for publication)**

#### 9. **Confidential Appendices to Item 6 - Milverton Homes Ltd Business Plan**

To consider confidential appendices from Housing Services.  
**(Appendices 1, A and B)**

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For enquiries about specific reports, please contact the officers named in the reports. You can e-mail the members of the Cabinet at [cabinet@warwickdc.gov.uk](mailto:cabinet@warwickdc.gov.uk)

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# Cabinet

Minutes of the meeting held on Wednesday 20 April 2022 in the Town Hall, Royal Leamington Spa at 6.00 pm.

**Present:** Councillors Day (Leader), Bartlett, Cooke, Falp, Hales, and Matecki.

**Also Present:** Councillors: Boad (Liberal Democrat Group Observer), Mangat (Labour Group Observer), Milton (Chair of Overview & Scrutiny Committee) and Dickson (Chair of Finance & Audit Scrutiny Committee)

## 118. Apologies for Absence

Apologies for absence were received from Councillor Grainger.

Councillor A Dearing was due to attend as the Green Group Observer but gave an apology for absence shortly before the meeting. With the agreement of the Leader, the Group's comments were included in the body of the minutes.

## 119. Declarations of Interest

There were no declarations of interest.

## 120. Minutes

The minutes of the meeting held on 10 March 2022 were taken as read and signed by the Chairman as a correct record.

Before the consideration of the Part 1 items, the Leader made a statement regarding the proposed merger with Stratford-on-Avon District Council:

*"Following a meeting between Council Leaders and Chief Executive's on 14 April, Cllr Jefferson, Leader of Stratford on Avon District Council wrote seeking a delay in the Government's decision on the proposed merger with Warwick District Council to allow for due diligence to be completed. The letter was sent without the agreement of Cllr Day Leader of Warwick District Council, who had been invited to be a co-signatory. It was understood by Cllr Jefferson that in writing to the Government unilaterally seeking to extend the current period of uncertainty would end the Council merger process.*

*On 13 December 2021, both Councils formally agreed merger plans and submitted a proposal to Government requesting permission to form a new joint Council by May 2024. In advance of this key political step, Councillors received detailed advice including an independent Financial Impact assessment. This Local Government Association report recommended that a supplementary review was commissioned by Stratford on Avon District Council in relation to a company wholly owned by Warwick District Council.*

*Given that a response from Government was anticipated by the end of May in respect of the merger decision, Cllr Jefferson considered there to be a material risk that the further due diligence work would not be completed in time and if*

*the Minister was minded to support the merger, there would be limited opportunity for Stratford on Avon District Council to withdraw at that point. Cllr Day considered that the decision to merge had been made last December and that ongoing due diligence did not prevent the service integration progressing as planned. To ask Government to delay matters would create further uncertainty for all staff, especially those facing redundancy, and residents seeking assurances about local services. In Cllr Day's opinion, making a request for further delay would result in trust being undermined, making it untenable for the two authorities to further integrate services or merge.*

*The Leaders jointly concluded that the proposed merger cannot go ahead as anticipated. There is a significant difference between the approaches and ambitions of the two councils that have proved to be irreconcilable, and this means that a joint request, subject to Council approval, will now be made to the Government to stop the merger process. Recommendations will be made to an extraordinary meeting of Stratford on Avon District Council, and the AGM at Warwick District Council on 11 May 2022.*

*This is a disappointing outcome, but it should not mean the end for the positives that this process has generated; we have learned a lot and wish to carry on as good partners. It is anticipated that some of the joint working arrangements already put in place will continue, such as legal services and business rates collection. However, others including the Joint Management Team and the service integration programme will end. Each council will continue to keep residents, councillors, and staff engaged in the process of updating our working arrangements.*

*Thank you for the many contributions and the positive commitment made to supporting the future of both councils."*

(Councillor Bartlett arrived at the meeting during this statement.)

Councillor Day then provided an opportunity for Members to make comments and ask questions.

Councillor Milton stated that the focus of the Overview & Scrutiny Committee had been the benefits of the merger particularly regarding the Climate Emergency and the ability to devolve to Town and Parish Councils, and enquired what the future of those would be.. He also highlighted that part of the rationale for the merger was savings, and what would be the future of service provision now.

Councillor Day stated that early indications showed that the Council had had financial benefits from shared working and the merger process in excess of £1m over the past year, and specific details would go to Scrutiny further down the line. He stressed that money had not been squandered in pursuit of this merger, and some of the gains being sought could still be achieved (i.e., the joint waste management contract and the savings made by the work done for the South Warwickshire Local Plan). Much of the joint work could in theory continue, but advice would need to be sought. He expressed disappointment that we had not been able progress as hoped, but that the two Councils had got to know each other better along the way and that might still present further positive opportunities.

Councillor Boad noted that the repercussions of this decision could be quite severe, with the possibility of a Unitary Authority now seeming likely, something that could potentially “move power away from local people”. He also highlighted the importance of providing certainty to staff, a sentiment that Councillor Day agreed with.

Councillor Rhead had worked closely with his Portfolio Holder counterpart in Stratford-on-Avon District Council as well as with the Director for Climate Change, and he hoped that this relationship would continue in the future. Councillor Day said that the Council would be seeking to take advantage of every opportunity possible to work together.

Councillor Mangat asked if things would simply revert to where we were before or whether there would be changes. She was also interested in viewing a detailed timeline of what happened and whether it had cost the taxpayer. Councillor Day assured Members that there would be thorough scrutiny and accountability taking place. He stated that senior officers had worked over Easter with the aim of getting arrangements in place to minimise disruption to the delivery of our services.

Councillor Matecki placed emphasis on the need to protect staff and residents of the district from any uncertainty. He required clarification on the LGA report advising that further due diligence was needed, as he thought that this had all happened before both Councils voted on the merger in December 2021. In response, Councillor Day explained that in November 2021, the LGA report was received as part of a scrutiny/due diligence package prior to the decision taken on 13 December 2021. One of the items in the LGA report stated that because Milverton Homes Ltd were a relatively new company, Stratford-on-Avon District Council might require a more detailed scrutiny to be undertaken. This would be a matter for SDC to progress themselves. Like WDC, SDC then voted in favour of the merger. Subsequently, WDC shared audited accounts, hosted Joint Informal Cabinet meetings, briefed SDC on projects, risks and opportunities, and also worked through the Joint Local Plan. Councillor Day admitted that it had been “something of a surprise” when Councillor Jefferson (Leader of SDC) decided to bring forward the due diligence question on Milverton Homes Ltd- a matter which this Council could do nothing other than endeavour to cooperate on. Members and officers worked to provide information to SDC and non-disclosure agreements would have been necessary to have protections in place. However, the challenge was around timing - Councillor Jefferson felt that even though WDC had given assurances that the programme of due diligence would be completed by the end of May 2022, there was still a risk that the Secretary of State would approve the merger in that time, removing the opportunity for SDC to “bail out” if they were not content with where the due diligence took them.

Councillor Bartlett requested that thanks to officers for their hard work be included in the minutes.

Councillor Falp stated that the staff were the most important asset and had had a lot of extra work as a result of the potential merger but had been willing to go the extra mile to get it done. In her role as Portfolio Holder, she had worked with SDC for many years and was sure that would continue, as the partnership had

worked well. She was pleased that the staff at least had some assurance as a result, even if they had concerns/questions moving forward.

Councillor Hales stated that we now needed to look at our priorities and reset them, if necessary, in order to ensure delivery. Thorough communication was needed as there was bound to be many questions from staff. In response to a question from Councillor Day, he advised that a fresh budget would not be needed and that we would continue with the current budget as planned. There would be work with officers in the coming weeks to ensure that the forecasts within the Medium-Term Financial Strategy were still accurate. This would then be fed back to Scrutiny and Programme Advisory Boards.

### **Part 1**

(Items upon which a decision by the Council was required)

#### **121. Joint Governance – Stratford-on-Avon and Warwick District Councils**

This report from Democratic Services presented some further joint governance proposals in light of the merger request that Stratford-on-Avon District Council (SDC) and Warwick District Council (WDC) submitted in December 2021 and in anticipation of a decision by the Secretary of State to grant the request.

However, the Leader of the Council decided to withdraw this report on 19 April 2022.

The Overview & Scrutiny Committee noted that the report had been withdrawn, that this may impact on the planned integration of services with potentially a delay to this. There were concerns around this and the Leader agreed to provide clarification on the impact of this to Cabinet next week for all Councillors.

The Finance & Audit Scrutiny Committee noted that these items had been withdrawn from the Cabinet agenda and thanked Councillor Hales for attending. They welcomed the fact that all Councillors and staff, who are our most important asset, would be informed why these items had been withdrawn.

#### **122. Inter-Authority Agreement between Stratford-on-Avon and Warwick District Councils**

This report from Democratic Services set out the reciprocal legal rights and responsibilities of Stratford-on-Avon (SDC) and Warwick District Council (WDC) arising directly from the status of their current working relationship and future ambitions.

However, the Leader of the Council decided to withdraw this report on 19 April 2022.

The Overview & Scrutiny Committee noted that the report had been withdrawn, that this may impact on the planned integration of services with potentially a delay to this. There were concerns around this and the

Leader agreed to provide clarification on the impact of this to Cabinet next week for all Councillors.

The Finance & Audit Scrutiny Committee noted that these items had been withdrawn from the Cabinet agenda and thanked Councillor Hales for attending. They welcomed the fact that all Councillors and staff, who are our most important asset, would be informed why these items had been withdrawn.

#### 123. **Amendments to the Constitution**

The Cabinet considered a report from Democratic Services, which brought forward proposals to increase the value set for Key Decisions and to create an Audit & Standards Committee.

The proposals provided greater alignment with SDC ahead of the merger and intended to make the transition to a new Council smoother through gradual change.

With the commitment from both Warwick and Stratford-on Avon District (SDC) Councils to merge as a single South Warwickshire District Council, each service area was looking to align process and policy across both Councils.

One decision in this area was in respect of the definition of a key decision. This was an important value to agree early on, as alignment of this provided a more consistent position in respect of the Joint Cabinet Committee.

Warwick District Council currently defined a key decision as a decision which had a significant impact or effect on two or more Wards and/or a budgetary effect of £50,000 or more.

The Warwick District Council defined value of £50,000 was in place since the introduction of the original Forward Plan requirement under the Local Government Act 2000. If the figure was indexed to inflation, 22 years later, it would now be greater than £78,000. Therefore, it was considered appropriate to review it at this time.

The proposed value of £150,000 was treble the current value set by Warwick but it would align with the current value set by SDC and that proposed as key decisions for the Joint Cabinet Committee. The wording also provided an improved clarification on a key decision, overall compared to the definition used by Warwick at present.

While this might be considered a significant change, operationally, at this time, little would change for Warwick District Council. This was because Warwick District Council would still list any report coming to Cabinet on its Forward Plan with publication 28 days in advance of the meeting.

The second part of the proposal brought forward was the creation of an Audit & Standards Committee ("the Committee"). This would align, more closely, with the SDC Committee structure.



The Committee would take in the responsibilities of the current Standards Committee, the Audit responsibilities from the Finance & Audit Scrutiny Committee and some responsibilities from the Licensing & Regulatory Committee.

In respect of the audit aspect the Committee would take all the responsibilities of the Audit Committee as currently defined within the Constitution, Part 3, Responsibility for Functions, sub heading G, Finance & Audit Scrutiny Committee.

In respect of the Licensing & Regulatory Committee, the Committee would take the responsibilities in respect of electoral matters and ward boundaries.

In addition a new responsibility is added to the remit of the Committee "*Power to make determinations at Code of Conduct Hearings: Arrangements for Dealing with complaints of Councillor misconduct*" to provide clarification of its role in determining Members' Code of Conduct matters.

It was proposed that the new Committee would have the remit as defined at Appendix 2 to the report. This was broadly the same as SDC with a few exceptions. These were:

- Review the Council's involvement on Outside Bodies;
- Monitor the content, quality and delivery of training for Councillors in connection with the planning and licensing processes and the attendance of Councillors at such training;
- Oversee compliance with Freedom of Information legislation;
- Grant and supervise exemptions from political restrictions;
- Monitor complaints handling and Ombudsman investigations including consideration of issues raised by the Ombudsman; and
- Overview the Council's Whistleblowing Policy and Procedure;

In respect of these variances to the remit of the Audit & Standards Committee at SDC, these were considered reasonable at this time for the following reasons:

- *Review the Council's involvement on Outside Bodies* – This was currently undertaken by Overview & Scrutiny Committee, in partnership with the Monitoring Officer as part of the annual feedback/scrutiny of the work undertaken by Outside appointments each year.
- *Monitor the content, quality and delivery of training for Councillors in connection with the planning and licensing processes and the attendance of Councillors at such training* – At present this work was undertaken by the Leadership Co-ordination Group and as officers were asked to consider alignment of member development at this stage it was considered appropriate not to change this at Warwick, as there might be a need for further changes later in the year.
- *To oversee compliance with Freedom of Information legislation* – This was undertaken through quarterly performance data being made available to all Councillors for review and to raise with scrutiny if there were concerns.

- *To grant and supervise exemptions from political restrictions* – This matter was delegated to the Chief Executive at Warwick as it was considered to be a staffing matter and appropriate for the Chief Executive to determine after taking the view of the Monitoring Officer.
- Monitor complaints handling and Local Government & Social Care Ombudsman (“LGSCO”) investigations including consideration of issues raised by the LGSCO; the LGSCO recommended that their annual report was presented to Overview & Scrutiny Committee for consideration. Quarterly data was presented to all Councillors through the performance management information. From April 2022, the Joint Management Team would also receive reports detailing enhanced monitoring information detailing outcomes and learning points from complaints. At present the Council’s complaint process was in the early stages of a review to produce an aligned policy (including monitoring) across both SDC and Warwick. Therefore, it was considered appropriate not to move this at present.
- Overview the Council's Whistleblowing Policy and Procedure – This was going to be reviewed further by Officers to understand the role in detail as the approval of the policy would be a Cabinet decision.

The proposal would see a reduction in number of formal decision-making Committees for the Council as well as a reduction in the number of Scrutiny Committees. Therefore, Council needed to be content that any revisions allow for appropriate decision making and robust scrutiny of the Cabinet.

It was recognised that the workload of the current Standards Committee at Warwick District was not significant. This proposed revision to its remit to include the additional responsibilities, would enable greater focus on this area work by Councillors.

At present the scrutiny workload was shared fairly evenly between Overview & Scrutiny Committee and Finance & Audit Scrutiny Committee, with them both focusing on specific core areas. This was developed by the two Committees through the use of a criteria on which Cabinet matters they would consider. This led to a greater focus on the strategic aspects rather than details which could lead to meetings becoming bogged down and not focussing on the community as a whole.

It was important that this good work was not undone and by overloading the Overview & Scrutiny Committee with the valuable pre-Cabinet work and its own scrutiny work of other matters such as performance of service delivery and monitoring the merger with SDC and how this impacted on service delivery/performance.

A key area where this might impact was the aspect of financial and project management scrutiny. Specifically, the setting of fees and charges and the budget. In these instances, it was proposed that Cabinet would remain on the Thursday to allow for either an additional (reserve) night for Overview & Scrutiny or a dedicated Member Group to publicly scrutinise the detail of the fees and charges and the budget. The proposals for these specific instances, to ensure good governance and public visibility, were to be developed by the Chairs of the Overview & Scrutiny Committee and the Audit & Standards Committees in the summer of 2022.

Some Pre-Scrutiny, to develop and advise on specific areas of work, was undertaken through the Programme Advisory Boards (PABs). This also helped to develop Councillor engagement and ownership of specific work streams. Officers were aware that not all matters considered by the Cabinet were passing through PABs, even as an outline and that some PABs were more active than others. The Leader would be discussing this with the individual PAB chairs within the next month.

To further enhance PABs the Leader would be making it clear to their Portfolio Holders that any significant changes in fees and charges and/or bids for growth must be considered by the relevant PAB before they came forward to Cabinet and Council. In addition, the views of the PAB should also be included within the report to the Cabinet.

The improved use of pre-scrutiny questions, over recent months, including the publication of these on-line for all parties to see, helped further enhance scrutiny across the Council and focus on core issues. Further development of this approach would continue over the coming months, including the potential for Scrutiny to comments on reports based on these questions without the need for specific officer representation of the report at their meeting. Overall, the measures above should leave the Overview & Scrutiny Committee with some additional work but not a significant increase.

It was noted that the Standards Committee, was at present, only scheduled to meet four times in the next Municipal year. The change in remit would require some changes to the adopted Calendar of meetings. These might need to be revised and would be considered in partnership with the Audit & Risk Manager for Warwick District Council to work out the most appropriate dates.

Overall though the proposal should see a reduction in the number of formal Committee meetings that took place, solely for Warwick District Council, which should help to offset any increase from any expansion in the number of Joint Committee meetings that may occur.

It should be noted that the Audit & Standards Committee at SDC included two co-opted Parish/Town Council representatives who provided the Committee with a view in respect of Code of Conduct matters relating to Town/Parish Councils. This was considered appropriate for Warwick District Council as well and proposals for this were being developed for consideration by the current Standards Committee in April.

The proposal would also mean the WDC Independent Persons were present when Audit matters were considered. At SDC the two Independent Persons were invited to all meetings of its Audit and Standards Committee and, subject to the Chairman's consent, were able to contribute to discussion of agenda items relating to standards.

Once the Committee was established and membership known there would be a programme of training identified for them. Equally, discussion would be held with the Chairman of the Overview & Scrutiny Committee as to specific support for their Committee and membership with their wider remit.

It should be noted that the removal of the Finance & Audit Scrutiny Committee enabled the Cabinet to meet on a Wednesday evening instead, thus reducing the number of consecutive nights Councillors would have for

meetings.

It was proposed that the Committee had a membership of 11 Councillors which would be politically proportionate to the Size of the Council. It would also be expected that the Leader, or their nominated deputy, attend each meeting.

There were a number of alternative options that could be considered, many of which focused around leaving the current arrangements in place, while the Council awaited the decision from the Department of Levelling Up Housing and Communities on the bid to merge with SDC.

The planned merger presented a number of opportunities for the Council to work more closely with SDC, a way of achieving this could be through joint scrutiny work of key strategic matters, rather than individual scrutiny. Therefore, either to replace this proposal and/or enhance it further Cabinet could include proposals for Joint Scrutiny arrangements with SDC. This was being considered as part of wider proposals but at present it was considered, even with the Joint Cabinet Committee, accountability to the respective District was the more appropriate form to provide assurance to the respective local communities.

The Overview & Scrutiny Committee noted the recommendations and provided the following observations:

1. The Committee felt the clarification on the reasons why a report is confidential should be explained within the report itself to show how the information related back to the legal reason for it being exempt. It would also be useful if the report could provide a timescale/event for when it may be possible for the information to become public;
2. the PABs need to improve the consistency in their minute format to facilitate Councillors' understanding;
3. consideration should be given if the PAB minutes could be public minutes; and
4. noted that the better description of items expected to go to PAB would be those items that propose significant change to a service.

The Finance & Audit Scrutiny Committee asked for all Councillors to be informed of how many Cabinet decisions, in the last 12 months, would have moved from being key decisions to no longer key decisions based on the change in the definition in the report.

The Finance & Audit Scrutiny Committee was content with the report with the exception of the following points:

That the wording of the remit of the new Audit and Standards Committee should be revised to highlight its role in reviewing risk for the Council.

That officers investigate the potential for the PAB agendas and minutes to be made public. That there should be a more consistent approach to the work of the PABs, and the format of their minutes.

The Committee welcomed the acknowledgment that the first year of

the Audit and Standards Committee would be a learning process.

Councillors felt that current reports created a perception that Warwick District Council is changing its structures and procedures to align with Stratford District Council and hoped that future reports will indicate where the reverse situation occurs.

The Green Group welcomed the change in the Constitution and welcomed the intention to make Programme Advisory Boards take a more active role in decision-making. They noted that, in order to improve the consistency of the way PABs are treated, Portfolio Holders should be provided with any documents prior to the Scrutiny Committees.

Councillor Matecki felt uncertain about the prospect of PAB meetings becoming public, as he felt that they would start to stray from their intended purpose and instead become "political statements". This sentiment was echoed by Councillor Falp who also expressed reluctance for PABs to become public and said that all necessary and important information eventually became public when it was shared at Cabinet meetings.

In response to a comment from Councillor Rhead about the numerous references to SDC in the report in lieu of the statement made by the Leader at the beginning of the meeting, Councillor Day advised that the recommendations still had validity and should be dealt with now to enable matters to be dealt with for the new municipal year. Regarding the PAB meetings, he acknowledged that it was difficult as we needed to be as transparent as possible but recognised that sometimes private informal discussions did need to take place in order to shape policy which would then be brought into the public domain. He stated that there would be meaningful work to do following these comments which would be brought back for Members' consideration.

Councillor Day proposed the following amendment to recommendation 1 to the report:

- (1) it approves the definition of a key decision ~~aligns with proposals for the Joint Cabinet Committee and the value set by Stratford-on-Avon District Council,~~ as set out at Appendix 1 to the report.

Councillor Day also accepted the recommendation from the Finance & Audit Scrutiny Committee regarding the role of the new Audit and Standards Committee. The Deputy Chief Executive clarified that the wording of the Committee as defined at Appendix 2 to the report would be revised to highlight the Committee's role in reviewing risk for the Council, so that officers could make sure the recommendation from the Finance & Audit Scrutiny Committee was then included.

Councillor Day then proposed the report as laid out, and subject to the recommendation from the Finance & Audit Scrutiny Committee, and the amendment to recommendation 1 in the report.

**Recommended** to Council that

- (1) the definition of a key decision as set out at Appendix 1 to the report, be approved;
- (2) for the new Municipal year, Council approves the creation of an Audit & Standards Committee, composed of 11 members, with the responsibilities as set out at Appendix 2 to the report;
- (3) for the new Municipal year, the Finance & Audit Scrutiny Committee ceases to exist and its scrutiny responsibility be passed to the Overview & Scrutiny Committee;
- (4) the Audit & Standards Committee meets at least quarterly, on the dates currently scheduled for Standards Committee, and the Cabinet meetings move to the day after Overview & Scrutiny Committee;
- (5) the Monitoring Officer is asked to consult with the Independent Remuneration Panel on the proposals and any adjustments they may recommend to the Special Responsibilities Allowances for the Committees; and
- (6) authority be delegated to the Monitoring Officer to update the Constitution to reflect the approved changes.

(The Portfolio Holder for this item was Councillor Day)  
Forward Plan Reference 1,283

**Part 2**

(Items upon which a decision by the Council was not required)

**124. Safeguarding Adults and Children Policy, Procedures and Information**

The Cabinet considered a report from Health and Community Protection which sought approval from Stratford District Council (SDC) and Warwick District Council (WDC) Cabinets for joint Safeguarding Policy, Procedures, and Information documents.

It was recommended the joint Safeguarding Policy, Procedures and Information documents should be approved to progress service integration and alignment of safeguarding practice across both authorities.

In terms of alternative options, as the purpose of this report was to seek approval of joint safeguarding documents to progress service integration, there were none available.

In response to a question from the Labour Group Observer, the Councillor Falp clarified that unless a Councillor had direct contact with children on their own (which was strongly advised against), national guidance was that there was not a need for Members to be DBS checked, but this could be investigated further if necessary. Councillor Day suggested that the national policy guidelines could be looked at to make sure it was applicable to this Council and Members were comfortable with it, and Councillor Mangat agreed as the safeguarding policy was also for adults, not just children, so it was important to check the policy guidelines.

Councillor Falp then proposed the report as laid out.

**Resolved** that

- (1) the joint Safeguarding Policy, Procedures and Information documents, be approved; and
- (2) authority for future approval be delegated to the Strategic Lead Safeguarding Officer in consultation with the Member Champions for Safeguarding; and

(The Portfolio Holder for this item was Councillor Falp)  
Forward Plan Reference 1,263

**125. Significant Business Risk Register**

The Cabinet considered a report from Finance which set out the latest version of the Council's Significant Business Risk Register for review by the Cabinet. It was drafted following review by the Council's Joint Management Team and by the Leader of the Council.

This report sought to assist Members fulfil their role in overseeing the organisation's risk management framework. A very useful source of guidance on the responsibilities of members and officers regarding risk management came from the Audit Commission in its management paper, "Worth the risk: improving risk management in local government":

"Members needed to determine within existing and new leadership structures how they would plan and monitor the Council's risk management arrangements. They needed to :

- decide on the structure through which risk management would be led and monitored;
- consider appointing a particular group or Committee, such as an audit Committee, to oversee risk management and to provide a focus for the process;
- agree an implementation strategy;
- approve the council's policy on risk (including the degree to which the council was willing to accept risk);
- agree the list of most significant risks;

- receive reports on risk management and internal control – officers should report at least annually, with possibly interim reporting on a quarterly basis;
- commission and review an annual assessment of effectiveness: and approve the public disclosure of the outcome of this annual assessment, including publishing it in an appropriate manner.

The role of senior officers was to implement the risk management policy agreed by Members.

It was important that the Chief Executive was the clear figurehead for implementing the risk management process by making a clear and public personal commitment to making it work. However, it was unlikely that the Chief Executive would have the time to lead in practice and, as part of the planning process, the person best placed to lead the risk management implementation and improvement process should be identified and appointed to carry out this task. Other people throughout the organisation should also be tasked with taking clear responsibility for appropriate aspects of risk management in their area of responsibility.”

Although the Audit Commission had since been abolished, the guidance remained relevant.

The report set out the latest version of the Council’s Significant Business Risk Register for review by the Cabinet. This would aid effective governance within, and of the Council.

In terms of alternative options, Members might take a differing view on the risks identified; on the ratings attributed; or the mitigations and might feel that they wish to indicate changes to be made.

The Finance & Audit Scrutiny Committee noted the risk register.

The Leader and Portfolio Holder for Transformation and Resources noted that the Risk Register was a live document and would be updated accordingly. After the announcement regarding the future of the merger, a lot of these risks would have to be revisited and reassessed. However, a lot of new risks had now emerged.

Councillor Hales thanked Mr Barr and his team for the thorough amount of work on this report, and then Councillor Day proposed the report as laid out.

**Resolved** that

- (1) the Significant Business Risk Register (SBRR), set out as Appendix 1 to the report and summarised as Appendix 2 to the report be, be noted. and
- (2) the content of section 1.3 of the report and emerging risks as identified in section 1.4 of the report be noted, together with additional risks in the SBRR.



(The Portfolio Holder for this item was Councillor Day)  
Forward Plan Reference 1,209

## 126. **HEART Shared Service Partnership**

The Cabinet considered a report from Housing Services, which summarised the evaluation of the Home Environment Assessment and Response Team (HEART) service's delivery of Disabled Facilities Grants and related services and proposed that the District Council remain a partner in the service for the next 12 months with a view to establishing revised shared service arrangements, which addressed the performance concerns previously raised.

The HEART Board were making a number of recommendations for their respective governing bodies to consider including the substantive recommendation that we continue to work to improve the service offered by the existing HEART countywide shared service and, subject to ongoing good progress, in 12 months' time create a new five-year legal agreement to continue the HEART Partnership.

It was considered that given the limited and risky alternatives, current financial challenges within the Housing Service, early signs of improving HEART performance, clear plans for improvement, service resilience and breadth of the HEART offer that this was a viable option with more merits and fewer risks than the alternatives.

In terms of alternative options, there were three options available to Members:

- Option 1 – To support the recommendations of the HEART Board and treat the current (2022) year as a transitional year to allow Authorities to refresh key aspects of the Partnership, act to strengthen it and consider how full-service integration could be achieved. Assuming this was achieved, follow this by becoming a party to a new legal agreement for a five-year Partnership from April 2023.
- Option 2 – To support the recommendations of the HEART Board and treat the current (2022) year as a transitional year to allow Authorities to refresh key aspects of the Partnership, act to strengthen it and consider how full service integration could be achieved. Once progress against these aspirations could be measured revisit the question of whether to remain in the HEART Partnership by becoming a party to a new legal agreement for a five- year period from April 2023.
- Option 3 – To leave the HEART Partnership and create a new platform for the delivery of DFG's and aligned services.

An addendum circulated prior to the meeting advised that a very minor amendment had been made to the section of Appendix 1 to the report that referred to HEART Performance. All charts were amended to ensure that the unit of measurement was shown (days/£).

The Overview & Scrutiny Committee considered the report at length and had concerns about the cyclical nature of the concerning position set out in the report.

The Committee noted the recommendations in the report and agreed that a report be brought back to Scrutiny in six Months, unless a report is brought to Cabinet at that time on the progress/improvements made and if needed the options available to the Council to change the service.

The Committee thanked the Head of Housing and Portfolio Holder for their time in attending and engaging with the Committee on this report.

The Green Group Observer approved of bringing back the report in six months' time but hoped that a robust decision would be made by then.

Councillor Matecki noted that it was a disappointing situation that we found ourselves in, but the framework of the HEART service was right, and the model was something people wanted, it was more about the execution of that service. He supported the suggestion that Members should be on the HEART Board too, providing a fresh perspective and helping to relieve the pressure on Officers. He added that hopefully we would be in a more positive position in six months' time.

Councillor Day gave assurance to Group Leaders that there was an opportunity to keep informal updates coming through the Leadership Co-ordinating Group (LCG), and that Councillor Matecki would also provide updates to Members as things progressed.

Councillor Matecki then proposed the report as laid out.

**Resolved** that

- (1) the following recommendations proposed by the HEART Board, be approved:
  - a) the progress to provide one, consistent service to deliver Disabled Facilities Grants and a Home Improvement Service for the County, be noted;
  - b) there is agreement that 2022/23 be used as a transitional year to allow Authorities to refresh key aspects of the Partnership, act to strengthen it and consider how full-service integration could be achieved;
  - c) the strategic objectives of the HEART Board, be confirmed (s2.1 Appendix 2 to the report);
  - d) the Board's intention to draw on the expertise of Foundations to support it to innovate and develop HEART, be welcomed;

- e) the implications of the White Paper for Social Care for arrangements to deliver Disabled Facilities Grants, be acknowledged; and
- f) the recommendation of the HEART Board to continue to build the partnership during 2022/23 with a view to creating a new legal agreement for a five-year Partnership from April 2023 be supported.

- (2) a further report will be submitted later in the year

(The Portfolio Holder for this item was Councillor Matecki)  
Forward Plan Reference 1,275

**127. Masterplanning Framework for Land to the North and East of Kenilworth/South of Coventry**

The Cabinet considered a report from Policy and Projects which highlighted the committed developments and significant development pressures in the area to the north of the District and immediately to the south of Coventry.

The report proposed an approach by which the Council worked collaboratively with key partner organisations to better understand opportunities and challenges in the area and develop a masterplan framework. The Masterplanning, whilst not predetermining any decisions relating to the development strategy in the emerging South Warwickshire Local Plan, would provide useful evidence to inform the preparation of the Plan.

The report highlighted the committed developments and significant development pressures in the area to the north of the District and immediately to the south of Coventry. The report proposed that the Council worked collaboratively with key partner organisations to better understand opportunities and challenges in the area and develop a masterplan framework.

Officers had sought the input and views of key partners on the progression of this work, its possible scope, governance, and cost. All three partner organisations (Coventry City Council, Warwickshire County Council and University of Warwick) agreed in principle to take part in the masterplanning work and confirmed that the financial contributions sought were acceptable.

Officers requested that £56,000 was released from the Community Project Reserve to meet the Council's contribution to this work. It was also proposed that a Site Delivery Officer post within Place & Economy should be created, on a two-year fixed term contract, to lead on this work.

In terms of alternative options, there were four available to Members:

- Alternative Option 1 – No masterplanning of area - Cabinet could determine that they did not wish to support the masterplanning work as set out in the report and ask officers to 'do nothing' with regards to comprehensively considering the challenges and opportunities in this area. This, however, would potentially result in missed opportunities to better understand the potential of the area for connecting green and blue infrastructure, for biodiversity enhancements, for transport connectivity and infrastructure and for considering what development might be suitable, where and how it might relate to other development in the area. A masterplan framework for the area would provide a stronger case for infrastructure funding bids as it would demonstrate that the area had been positively planned. Without a masterplan, should preferred options for growth in the South Warwickshire Local Plan suggest that this might be a suitable area for growth, there would not have been any initial comprehensive work undertaken looking at whether, where and how this area might be suitable for further growth.
- Alternative Option 2 - Masterplanning without involvement of key partners - Cabinet could decide that they wished for officers to prepare a masterplan without the input and direct involvement of the three key partners. However, given the location of the study area and its relationship to the city of Coventry, the importance of transport infrastructure and connectivity and the presence of Warwick University, a major institution in the area, it was logical and sensible to undertake this work with the three partners identified. The involvement of each party also ensured buy in to the process and eventual outputs of the work. Furthermore, were the Council to undertake this work in isolation, then the financial resources that would need to be found by the Council would be significantly higher (roughly four times the amount currently requested).
- Alternative Option 3 - Masterplanning involving more partners - Cabinet could decide that a greater number of parties should be part of the Project Board and take a key role in the delivery of this work. As previously identified, it was likely that a wider stakeholder group would be involved at key stages in a consultative role. However, to bring more parties, with potentially disparate aims, into the core group, this would make governance of the project more challenging and most likely extend the timescales for delivery of the work. There would also be challenges around the extent of financial contributions each organisation would be prepared or able to contribute.
- Alternative Option 4 – Masterplanning only once spatial growth strategy of SWLP has been determined - Cabinet could conclude that to undertake the masterplanning work at this stage was premature and might unduly lead or prejudice work to determine the growth strategy of the SWLP. Officers were of the view that this work could be undertaken in tandem with progression of the SWLP and that the growth strategy for the local plan would be arrived

objectively based on various layers of evidence. This work did however have the benefit of helping identify the potential for development or challenges in bringing forward further development in this area, which would be useful evidence to inform the SWLP.

The Overview & Scrutiny Committee noted the report and proposals for providing the master planning framework to help recognise the constraints in the area and developing a collective vision. It welcomed the responses from officers and the reflection from this will be provided to the Cabinet.

The Committee suggested that the words Green Belt are set out within the document as this plan would have an impact on that.

The Committee welcomed the agreement to ensure that wider stakeholder groups will be involved in the consultative role. Whilst those to be involved will be agreed by the project board once it has been formed, it is expected that this will include local district councillors, local parish councils, residents groups, Stoneleigh Park, HS2, local major land owners along with Solihull MBC and Rugby BC.

The Overview & Scrutiny Committee recommended that at least one PAB should be involved for discussion and involvement in this area of work.

The Cabinet were required to vote on this as it formed a recommendation to them.

The Green Group Observer supported this report but had the following questions:

1. They welcomed a list of stakeholders. However, they asked for clarification on how the public's views would be incorporated into the masterplan.

In a subsequent response following the meeting, officers stated that the Cabinet report and subsequently agreed updated Paragraph 1.23 in the report indicated that there would be consultation at key stages with a range of stakeholders and suggested which groups might be engaged with. It would be a matter for the Project Board that would be set up to consider detailed matters about how to engage and communicate with stakeholders. This was not solely a WDC piece of work and therefore such decisions needed to be made with the other 3 main partners, rather than taken unilaterally by this Council.

2. In a subsequent response to the Green Group's question about PAB Chairs, officers answered that it was considered that the Place & Economy PAB would be the most suitable PAB to discuss any matters relating to this work. Officers had already indicated to the Chair of the Place & Economy PAB that we would happily include this work on the agenda of an upcoming PAB.
3. The Green Group also asked whether it would be possible to look at how transport problems could be dealt with in any way different

from roads, for example considering the option of active transport, light railway, rail, cycleways instead of prioritising roads and car use. In a subsequent response following the meeting, officers remarked that generally, in their experience the approach that was taken by officers at WDC, WCC and CCC was to consider what was the effect and impact of sustainable/active travel modes first before considering whether road infrastructure was also required. For reasons such as climate considerations and the significant cost often associated with road schemes, we would want to ensure that we continue to think about schemes in this way. However, sometimes a combination of travel modes was required to address all issues that might affect an area and schemes such as very light rail requires road space also. In this Council's response to Warwickshire County Council's Local Transport Plan Key Themes consultation that ran from 21<sup>st</sup> Jan – 18<sup>th</sup> March 2021 as part of WCC's process of updating its Local Transport Plan, we did clearly state that we were of the view that transport investment should be prioritised for zero carbon modes of transport (cycling and walking), particularly for shorter journeys and that cars should only be encouraged where other options were not possible. The Green Group also commented that as part of the Climate Emergency, they recommended integrated and careful consideration of low carbon infrastructure e.g., the light railway, a new station, cycle path infrastructure and group working over 4 authorities was the only way to achieve this and to avoid the power of non-joined up pet projects. In a subsequent response following the meeting, this sentiment was agreed with by officers, who stated that the "joined-up" collaborative approach would be beneficial.

Councillor Rhead stated that this was a good report which set out a clear idea of where the Council was going, and that this should be a route map for how to plan in the future.

Councillor Hales added that it was key that the Council engaged very early with Town and Parish Councils so that they had ample opportunity to voice their opinion.

Councillor Cooke proposed an amendment to paragraph 1.3 in the report, to read:

*"Beyond the PB a wider stakeholder group(s) will be involved at key stages in a consultative role. Whilst the wider stakeholders to be involved will be agreed by the PB once it has been formed, it is expected that this will include local district councillors, local parish councils, residents' groups, Stoneleigh Park, HS2, local major landowners/developers and Solihull MBC and Rugby BC."*

Councillor Cooke was happy to accept the recommendation from the Overview & Scrutiny Committee. He then proposed the report as laid out, subject to the amendment to the report above, and the additional recommendation from the Overview & Scrutiny Committee.

**Resolved** that

- (1) the progress to date in discussing the desirability and potential benefits of this work with partner organisations, be noted;
- (2) the Council progressing the masterplanning work with the three partner organisations stated in the report, be agreed and the agreement of the study area (broadly in accordance with the area shown in appendix 1 attached), detailed scope, and governance arrangements be delegated to the Head of Place & Economy in consultation with the Portfolio Holder and Council's Monitoring Officer, noting that there will need to be mutual agreement of these matters with the partner organisations through a Project Board that will be formed;
- (3) the release an initial £56,000 from the Community Project Reserve to meet the costs of the Council's contribution to this work, be agreed and that this will, in part, be used to create a Site Delivery Officer post within the Place & Economy service area on a 2-year fixed-term contract, be noted; and
- (4) at least one PAB be involved for discussion and involvement in the masterplanning framework.

(The Portfolio Holder for this item was Councillor Cooke)  
Forward Plan Reference 1,278

**128. Exemption from Procurement / Contract Standing Orders – Housing First Support Service**

The Cabinet considered a report from Housing Services which requested an exemption from the Warwick District Council Code of Procurement Practice and Financial Regulations to enable the swift appointment of a competent and experienced provider of 'Housing First' support services to a number of vulnerable former rough sleepers and to ensure that funding won from central government was spent in accordance with their delivery time frame expectations.

In summary, the Council had the opportunity to engage a trusted provider to deliver a Housing First service. If we received a tender exemption, we could progress this at pace, and start delivering improved outcomes for former rough sleepers later in Spring. If we had to pursue the tender process, we would incur a degree of delay and potentially run the risk of DLUHC requesting the return of funds allocated to Warwick DC to achieve this.

In terms of alternative options, Members could choose to run a low value tender exercise which would take approximately three months with no certain outcome. If a provider were appointed, additional time would be required to set up (mobilise) the new arrangements. This would incur delays and create risk of being unable to complete the work required by the grant funding within the designated timescales. Consequently, some or all of the funding may be at risk of clawback. Or they could stand down the proposed Housing First service and await a potential future award of RSI funding, although a future award was not assured at this stage.

Councillor Matecki assured Members that due diligence with Brighter Futures (who were proposed to engage with this contract) had been carried out through benchmarking exercises, and Brighter Futures had offered good value for money. The Council wanted to help some of the most vulnerable members of society, and he felt that going through a procurement process would delay this aim until the end of this year. He then proposed the report as laid out.

**Resolved** that an exemption from the Code of Procurement Practice be permitted to enable the rapid award of a contract to Brighter Futures to deliver a Housing First service to former rough sleepers in Warwick District for a period of 12 months.

(The Portfolio Holder for this item was Councillor Matecki)  
Forward Plan Reference 1,277

## 129. **Community Projects Reserve**

The Cabinet considered a report from the Chief Executive which set out a variety of proposals which took forward the Council's priorities in respect of its communities. The budget agreed in February included a provision of £300,000 for Community Project Reserves. There were two other reports on the agenda for the 20 April meeting which also sought to use part of this reserve.

The Council agreed as part of its budget for 2022/23 a Community Project Reserve of £300,000. This was to assist the Council and the wider community to deliver a range of the Council's community related projects.

At the same time, in February 2022, the Council agreed a one-off grant to Hill Close Gardens Trust of £25,000 funded from the Community Projects Reserve and that a longer-term grant (five years) would be considered separately in the context of the receipt of a Business Plan. Group Leaders also agreed as an emergency decision that the Chief Executive should seek to achieve the purchase of a small part of the open space at Villiers Street that a company was selling off (even though it was managed by the Council for 50 years or so). It was agreed that a local resident that had bid for the land and was accepted, would complete the purchase, and would then sell it to the Council for the same price and including legal fees so he was not out of pocket. This was estimated at £10k.



There were two other reports on the 20 April Cabinet agenda also proposing the use of the Community Projects Reserve - one for £56,000 for the preparation of a Strategic Planning and Infrastructure Network Masterplan, the other for £30,000 for masterplan work around Court Street/Althorpe Street/Canalside. Assuming that these proposals were agreed and noting the above commitment then a total of £121,000 of the £300,000 was committed before the consideration of the report.

**Effectively Committed Items (assuming the latter two are agreed):**

Hill Close Gardens	£25k
Purchase of Land at Villiers Street, Leamington	£10k
Strategic Planning and Infrastructure Network Masterplan	£56k
Masterplan for Court Street/Althorpe Street and canalside area, Leamington	£30k

**Additional Items:**

Feasibility Work for Leamington Town Centre	£10k
Community Masterplan work for Christchurch Gardens, Leamington	£5k
Feasibility work for Spencer Yard footbridge	£50k
St Marys Lands Next Steps £50k over 2 years/£25k each pa	£25k
St Mary's Church Tower Restoration £100k over 2 years/£50k each pa	£50k
Sustrans phase 2 £50k over 2 years/£25k each pa	£25k
<b>Total for 22/23</b>	<b>£286k</b>

Feasibility Work for Leamington Town Centre - £10k - WCC and WDC were expecting a formal announcement on some transport related funding shortly but had a level of confidence that the bid submitted would be successful. It was likely however that the allocated funding would not be sufficient to ensure that the feasibility study considers the wider aspirations of the emerging Leamington Town Centre Transformation Framework. Therefore, it was proposed that WDC and WCC each contribute £10k towards the feasibility study and that this Council's contribution came from the Community Projects Reserve.

This work was a key part of a wider Transformation Framework currently being developed under a Board consisting of all three levels of local authority at County, District and Town levels with an Advisory Group. Similar work had already been progressed in part by WCC Highways, funded by WDC Community Infrastructure Levy (CIL) in the south of the town centre around Bath Street.

The feasibility work would assist further funding bids to various sources including but not exclusively the Levelling Up Fund Round 2 bids which were to be submitted by 6 July.

Community Masterplan work for Christchurch Gardens, Leamington - £5k - A Friends Group developed around the Christchurch Gardens area of Leamington Town Centre. The group was formally affiliated to the Leamington Society and was raising funds to undertake various small-scale improvements to the Gardens. They wished to take this further and develop a community masterplan and asked the Council for some support to do this.

It was proposed that a grant of £5k be made which the Friends group would match with £1k which they would use to procure advice to help them undertake a process that would engage the community to work up an achievable plan for this valuable open space. It was an area that represented a significant opportunity to contribute to the transformation of the town centre.

Pump Rooms/Spencer Yard Bridge Feasibility - £50K - The proposal was to appoint a consultant team using open procurement (up to £50K) to prepare a feasibility report for a new pedestrian footbridge as a critical part of the movement network in the Creative Quarter project. The bridge would improve pedestrian connectivity between the Old Town (including the station) and New Town, traversing the River Leam from the Pump Rooms to Spencer Yard. This would be part of improved activation along the north and south banks of the River Leam in this area and would increase footfall to surrounding businesses and venues whilst delivering a visually striking and beautiful destination in its own right – it would be more than just a functional bridge/connection, maximising the visitor experience around the Spa water drinking fountain and enhancing Leamington's riverside heritage.

The span of the bridge would be approximately 30m and the width of the bridge approximately 3m to accommodate two-way pedestrian movement. A bespoke design was anticipated, not an off the shelf solution, with an approximate budget in the order of £2m inc. all fees and implementation. Upon receipt of the completed Feasibility Report, avenues of funding would be explored e.g., Government Funding Bids such as the Levelling Up Fund and there was the potential to procure via design competition (possibly with public involvement) which would be explored further. This would offer new opportunities for the town as part of the wider Transformation Framework as well as supporting the local regeneration via the Creative Quarter.

St Marys Lands Next Steps - Project Management and Design Work - It was proposed that to complete the next steps of the St Mary's Lands Masterplan that Plincke's commission be extended to undertake the following over the next two years at a cost of £25k per annum. This would include:

- a. A developed feasibility study for the golf course and golf centre pavilion. This was likely to include a preliminary design proposal for re-working the current golf course to achieve a reduced size but

enhanced quality to create a more commercially appealing entry level, turn-up and play facility. As part of the feasibility, the value of any eco-credits for 're-wilding' of the surplus area would be calculated alongside an assessment of community value. The proposals would link into the Council's climate change commitments and biodiversity gains. The cost of replacing the driving range would be assessed, linked to a market appraisal to review whether a 'competitor analysis' would support the investment needs. An outline design proposal would be drawn for the golf centre building, including its size, form, function, and materials for discussion with the Working Party members. Undertake pre-application discussion with the Planning Team. (Architectural and cost consultancy fees would be procured separately.)

- b. Prepare a play area proposal for the site next to the replacement golf centre / hub building, including a low-cost, temporary summer play scheme for 2022 to trial the locations popularity as a play destination. Following the outcome of the trial play project, develop a natural play scheme for further consultation. Liaise with the Council's play strategy team over design and maintenance. Develop the trial scheme to detailed proposal and the final scheme to RIBA Stage 3, outline proposals.
- c. Agree a maintenance specification for the cycle track and undertake 2-observational inspections throughout the year, one summer and one winter inspection. Agree with the Jockey Club / County Council the commissioning and installation of the additional signage.
- d. Assist with the commissioning and installation of the bird-nesting protected areas, including commissioning of ecological supervision.
- e. Undertake a wider public consultation process via the Council's website and a virtual Q&A session. The purpose of the consultation would be to feedback on outcomes to date and set out the next stages of the project development. Assist the Council with other awareness raising opportunities such as newsletter content and press releases.
- f. Provide project liaison and coordination services including 2 - working party meetings and general advice in response to stakeholder engagement / FoSML.

St Mary's Church Tower Restoration - The Church Tower of St Marys Church in Warwick was a significant and place defining landmark. Sadly, the fabric of the tower deteriorated significantly and now needed £1.8m of work to restore it. The Council was asked to contribute, as had the Town and County Council. The Town Council was to contribute of £15k but the County Council would not contribute. The contribution was only toward the heritage of the church and not to the running of it as a religious facility. There was no legal impediment to the Council in this respect. A business plan was prepared by volunteers to help raise funds for the works. A copy of that business plan was attached at Appendix 1 to the report. The plan was assessed as was usual for community projects that

the Council considered and was rigorous. Clearly construction costs were a challenge for all projects, but the Council's exposure could be limited to the sum it was prepared to contribute only. It was suggested that a contribution of £100k over two years was meaningful and was of a similar scale as the contribution made towards the successful Lottery bid for the Lord Leicester Hospital.

Sustrans phase 2 - The Council had previously given support to Sustrans bid to the Department of Transport (DfT) to improve the Lias Line – the old Leamington to Rugby railway line as a footpath and cycleway connecting the existing greenway at Radford Semele to Long Itchington via a new bridge over the Fosse Way and a tunnel under the Offchurch Road that HS2 was to implement in 2023. The support – advice and £50k helped to lever in almost £3m. Sustrans were bidding for an additional £800,000 or so to improve the old railway line spur to Draycote Water. This proposal would also include acquiring a short but important section of the old line. If successful it would enable residents to cycle off road all the way from Leamington to Draycote Water. When connected to the cycling facilities planned elsewhere in Leamington and Warwick this would represent a significant leisure facility for local people.

In terms of alternative options, Members could decide to vary or to not agree the proposals, but the proposals put forward were a reasonable cost if the items were to be undertaken and the items support the Council's ambitions.

Councillor Cooke proposed the report as laid out.

**Resolved** that

- (1) the existing commitment to contribute toward Hill Close Gardens as agreed in February 2022 and the use of the Chief Executive's Emergency powers to acquire land at Villiers Street, Leamington, and the proposals on other agenda items in respect of the Strategic Planning Infrastructure Network Masterplan and Creative Quarter, be noted;
- (2) the schedule of allocations to community projects as set out in paragraph 1.3 of the report and as subsequently detailed in paragraph 1.4 of the report, be approved; and
- (3) additional provision for one off items totalling £100,000 will need to be made for 2023/24 adding to the additional savings/income total, be agreed.

(The Portfolio Holder for this item was Councillor Cooke)

**130. Creative Quarter / Future High Street**

The Cabinet considered a confidential report from Policy and Projects. A report was presented to a meeting of Full Council on 5th August 2020 outlining the Final Business Case submission for the Future High Streets Fund (FHSF). The Council was seeking funding of £14million from the fund to facilitate the delivery of a number of projects.

Full Council approved the list of projects to be included as part of the bid as follows:

- Spencer Yard.
- Town Hall.
- Royal Mail Old Post Office.
- One further confidential site which was not subject to any of the recommendations in the report.

Since the successful award of £10million to Warwick District Council from the FHSF, significant efforts had been made to secure a lease on the former Old Post Office in Leamington Spa for use as part of the Creative Quarter. Royal Mail Group were however, now not in a position to release this lease and so an alternative building within WDC ownership which could be redeveloped to deliver the same outputs was proposed in the form of the former Stoneleigh Arms public house on Clemens Street.

As such, the report sought approval to:

- confirm a project adjustment to the FHSF and Creative Quarter; and
- agree, in principal and subject to appropriate permissions, the intended change of use for the former Stoneleigh Arms public house asset.

This was a practical change which utilised one of WDC's derelict and unused assets to ensure delivery of outputs for both the Future High Street Fund and the Creative Quarter.

In terms of alternative options, there were no other suitable WDC assets within the town centre and within the Creative Quarter area that were available to deliver this output.

The Overview & Scrutiny Committee recommended a briefing update to all councillors regarding the project.

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

Councillor Cooke noted that the recommendations in the report allowed for delegated authority should any potential changes occur.

Councillor Day stated that it was important to have the Leamington Transformation Board, adding that their previous meeting enabled engagement with three different levels of local government. He then proposed the report as laid out.

**Resolved** that

- (1) the significant efforts that have been made to secure a lease on the Old Post Office from Royal Mail Group, and that this building is now not available to the Creative Quarter as set out in paragraphs 1.2.1 and 1.2.2 below, be noted;
- (2) the reallocation of FHSF funds amounting to £1.887million, as well as the Warwick District Council co-funding of £1.123million (therefore a total of £3.01million) to the former Stoneleigh Arms public house in place of the now unavailable Old Post Office as set out in paragraphs 1.3.1 to 1.3.3 of the report, be approved;
- (3) authority be delegated to the Head of Service for Place and Economy in consultation with the Place and Economy Portfolio Holder to oversee the intended change of use of the former Stoneleigh Arms public house asset and to obtain the appropriate permissions as set out in paragraphs 1.4.1 and 1.4.2 of the report;
- (4) authority be delegated to the Chief Executive in consultation with the Head of Place and Economy, the Leader of the Council and the Place and Economy Portfolio Holder, to make any future decisions regarding the potential re-profiling of Future High Streets funding. Any such changes will also be subject to formal approval from the Section 151 Officer and the Department for Levelling Up Housing and Communities that administers and monitors the fund including formal change requests.
- (5) authority be delegated to the Head of Assets to agree appropriate terms with the Council's Creative Quarter Development Partner, Complex Development Projects (CDP), with regards to the freehold or leasehold transfer of the Stoneleigh Arms public house; and
- (6) the release of £30,000 from the Community Projects Reserve be approved in order to commission a master plan study of the potential for wider development opportunities for the area around the Stoneleigh Arms including the Court Street Car Park area, the Althorpe Street industrial area and the canalside.

(The Portfolio Holder for this item was Councillor Cooke)  
Forward Plan Reference 1,279

**131. Urgent Item – Election of Chairman of the Council 2022/23**

The Leader of the Council decided to bring forward this urgent item in respect of the nomination for the appointment of Chairman of the Council for 2022/23.

This item was brought forward because the next scheduled meeting of the Cabinet was not until 11 May 2022, which was the same day as Annual Council.

In February, the Council nominated Councillor Jonathan Nicholls to be the Chairman of the Council for 2022/23. Sadly, Councillor Nicholls passed away in March, so after reflection and discussions with colleagues, the Leader chose to nominate Councillor Mangat to become the next Chairman of the District Council.

In accordance with Procedure Rules, Councillor Mangat was then nominated to be elected as the Chair of the Council for 2022/23.

The Cabinet, therefore

**Recommended** to Council on 11 May 2022  
that Councillor Mangat be elected as the  
Chairman of the Council for 2022/23.

(The Portfolio Holder for this item was Councillor Day)

(The meeting ended at 7.20pm)

CHAIRMAN  
25 May 2022

# Cabinet

Minutes of the meeting held on Wednesday 11 May 2022 in the Town Hall, Royal Leamington Spa at 4.30 pm.

**Present:** Councillors Day (Leader), Bartlett, Cooke, Falp, Grainger, Hales, and Matecki.

**Also Present:** Councillors: Boad (Liberal Democrat Group Observer), Davison, (Green Group Observer), Mangat (Labour Group Observer), Milton (Chair of Overview & Scrutiny Committee) and Syson (Chair of Finance & Audit Scrutiny Committee)

## 132. **Apologies for Absence**

Apologies for absence were received from Councillor Rhead.

## 133. **Declarations of Interest**

There were no declarations of interest.

### **Part 1**

(Items upon which a decision by the Council was required)

## 134. **Future Relationship with Stratford-on-Avon District Council**

The Cabinet considered a report from the Chief Executive which identified the immediate implications and associated decisions for revised working arrangements for the Council with Stratford-on-Avon District Council following the recommendation from the Leaders of both Councils to withdraw the request to merge and create a South Warwickshire District Council.

This report identified some of the immediate issues which were identified because of the recommendation from the Leaders to terminate the ambition to merge the two authorities and to integrate services. Whilst this move would have a negative impact on planned budget savings it was proposed that later in 2022 the Council would have a plan of action to consider and determine.

The Council was expecting to make significant savings from the proposed merger and service integration process with SDC, the values were captured in para 1.11.5 of the report.

There were benefits associated with the joint working to date and a schedule was being prepared to fully identify these and the recurring benefits that would be achieved through the joint working that would continue. It was expected that this would be published prior to the meeting of the Cabinet and Council on 11 May 2022.

The interim SLT structure was likely to be more costly than the previous joint arrangements. However, these would be accommodated by re-prioritising existing budgets linked to the cost of implementation. The structure was an interim structure and would be reviewed by September 2022.

The Council would need to update its Medium-Term Financial Strategy and savings plan. This work would start immediately though as ever the



Government's position on the financial settlement for local government would not come until much later in the year. It was expected that an initial update to the MTFS and savings programmes would be provided as part of the Quarter 1 Budget Report.

It was agreed with officers at SDC that any costs associated from the disbanding of the South Warwickshire Programme Team and other support posts would be shared.

In terms of alternative options, the following were available to the Cabinet:

1. Endorse the recommendations from the Leader contained within the joint statement and thereby formally withdraw the merger submission and the associated issues surrounding joint working.
2. Reject the recommendations from the Leader contained within the joint statement and thereby continue with the merger and the associated issues surrounding joint working.

The Overview & Scrutiny Committee thanked officers for the report and efforts made to bring the merger forward.

The Committee requested that the report should reflect the need to rebuild our employer brand both internally and externally.

In terms of future work, the Committee requested that this should include an analysis of lessons learned, and these could be incorporated into other initiatives, including the Climate Emergency Action Plan, and the South Warwickshire Local Plan.

The Committee also requested a short summary on the ICT clean-up actions and a report on the future service provision, both for shared services and services solely delivered by WDC.

The Committee also expressed its interest in the potential for devolving powers to Town and Parish Councils and asked that a further report is brought forward in the future.

The Finance & Audit Scrutiny Committee noted the report and its appendices. Members noted the timing of ending the potential merger was better happening now when the integration was minimal, than further down the line. It also noted that had the Council proceeded with pausing the merger to allow for further due diligence to be carried out, it would have put staff in an untenable position. It was explained to Members that although a significant amount of work had been considered abortive as a result, there were still some arrangements that could proceed, such as the Joint Digital Strategy, Legal Services, Climate Change and the Local Plan.

The Committee agreed that the work that had gone on between the Council and Town and Parish Councils as part of the proposed merger process was vital and also noted the benefit of having relationships and engaging with Town and Parish Councils, which would be a key ingredient in how the Council moved forward.

The Committee also noted that the reliable details of the implications of ending the merger in terms of the budget, costs, and savings would be included as part of the Quarter 1 Budget Report and Medium-Term Financial Strategy (MTFS) reports which would be coming to the August cycle of Committee meetings. These reports would also go through the Programme Advisory Boards (PAB's). Members also asked if the Future Forward Plan could include reference to the benefits of the work with Parish and Town Councils, and if this could be made available for the August cycle of meetings so that Councillors could consider the Quarter 1 Budget Report and the MTFS in the context of the wider picture of what the Council would look like moving forward.

The Committee placed on record its thanks to Tim Oruye (Programme Manager) for his hard work and professionalism throughout the process, and also thanked Chris Elliot for his leadership and support on what had been a huge project.

Members also noted the additional recommendation to the report to read:

"That the Significant Business Risk Register be updated as a matter of priority in the light of the decision not to proceed with the merger with SDC."

After a brief update from the Chief Executive, the Group Observers each gave short statements to convey their feelings about the situation. The Liberal Democrat Group Observer expressed that he was disappointed that the merger wasn't going ahead, but that he felt WDC had behaved in the correct manner. He noted that it seemed as though financially we would now be better off, however he was concerned that this would open the door for a unitary council. Regarding the South Warwickshire Local Plan (SWLP), he felt that the work was extremely useful and could work as an entity providing that everyone is honest and works together cohesively to avoid "fallout" further down the line.

The Green Group Observer was concerned with the irreconcilable differences cited as being the reason for the ceasing of the merger. He hoped that these differences were not pervasive throughout the authorities so that joint work could continue on the SWLP. He noted that we should now turn our focus back to our efforts to combat Climate Change, and especially decide what to do with Riverside House. He urged Cabinet to confirm that there would be no job losses as soon as possible, stressing the importance of retaining staff and keeping them motivated.

The Labour Group Observer echoed these comments, reiterating the importance of maintaining good relations with WDC workforce. She also encouraged the joint work on Climate Change to continue but warned against delaying our sustainability plans in order to help SDC "catch up".

Councillor Grainger stated that she had confidence in the waste management contract, which was continuing to be run jointly with SDC. She said that the two officers running the contract were exceptionally good and that she felt it could be delivered successfully.

Councillor Matecki gave a statement regarding Milverton Homes Ltd in his capacity as Portfolio Holder for Homes, Health and Wellbeing. He believed that we would've been bigger, better and more financially stable if the merger had gone ahead. He explained that the joint venture was approved in January 2021 but was not signed until August 2021 so that sufficient due diligence could be

carried out. He noted that SDC were kept fully aware of the situation every step of the way, so he was surprised when SDC cited lack of due diligence as a reason to halt the merger.

At this point, the Cabinet adjourned to have a confidential discussion regarding what had been the proposed selection process for the role of a shared Chief Executive for the Councils and the new single Council.

After the adjournment, Councillor Bartlett stated that from the start this venture was a legitimate business case. He commended officers for their effort on this project but conceded that mergers were "always ultimately acquisitions". He said that we should now be motivated to make this Council "brilliant" and pour our efforts into cementing the future of WDC as a great Council.

Councillor Hales queried SDC, asking them to clarify the timeline of their decisions and the "real" reason behind it, as it had now put both Members and Officers in a difficult position. However, he did acknowledge that SDC had a very different outlook and attitude to WDC. He congratulated Mark Cargill on his appointment as Chairman of SDC.

Councillor Day made a short statement:

*"We aren't where we wanted to be, but where we are is not a bad place- we're actually in a good place. This, as we will see in the more detailed financial reports that have been promised, will demonstrate that in year will be financially stronger. It is a huge disappointment, there has been a very significant investment of time, effort and political capital made to get us this far. However, we are still friends, we're still neighbours, we're going to work together. I do appreciate the comments that have been made tonight. I've listened very carefully to the debate, and I wish to reassure you that to be good neighbours you need to have good fences, and you need to have very clear understanding about arrangements going forward. We certainly will be continuing in that manner; whether that's on the Local Plan, the joint waste contract or the shared services that we have in place now or may have in the future. Ultimately, we're here to represent the best interests of the residents of Warwick District, and I do believe that we have done so, and even though this has ended not in the way we had hoped it would, we have a responsibility as Members to protect our officers as well. There was an unreasonable level of uncertainty that would have been required by the further due diligence, which I do not believe was necessary. As you have heard tonight, when we made the political decision on 13 December 2021, the Local Government Association had supported us in complete due diligence of both Councils. A footnote to that report encouraged SDC to do a bit more due diligence on Milverton Homes Ltd so they could better understand it. That was before our decision in December 2021- they then waited eight months say that they simply couldn't go forward with any of the other practical arrangements for our joint services, our inter-authority agreements or our Cabinet agreements, just because they had not moved on with that due diligence that was noted prior to December. I think this is an incredibly strong, agile Council and our staff are to be commended for the way in which they have responded to this dramatic change in direction. But I do believe it's important that we set the record straight with regard to our position with Milverton Homes Ltd, and the due diligence process that we went through in making the decision to write to the Secretary of State following our meeting*

*last December. I'm going to ask, with the support of our Chief Executive and appropriate officers, that that statement is prepared, and is factual and can be made public. I would ask fellow Group Leaders to join me in signing that statement and issuing it to the press. That will be the public record as far as we're concerned. Then there will be a line drawn under this and we will move on because we've got plenty of work to do."*

He proposed an additional recommendation from the Chief Executive that in the light of the cessation of the merger process with SDC, a further report on the work proposed and undertaken to re-establish the Council's position and "brand" as an employer with existing and potential employees be brought forward at the earliest opportunity.

He proposed the report as laid out, including the two additional recommendations.

**Recommended** to Council that

- (1) the formal submission to the Department for Levelling Up, Housing and Communities to create a South Warwickshire District Council, be withdrawn;
- (2) work on the full-service integration of teams across Stratford-on-Avon and Warwick District Councils be ceased;
- (3) work on the identification of sharing civic and office accommodation between Stratford-on-Avon and Warwick District Council be ceased;
- (4) the Council withdraws from the Joint Arrangements Steering Group;
- (5) the arrangements for the Joint Management Team are ended and that the Interim Senior Leadership Team structure, as set out at Appendix 1 to the report, be approved for immediate effect, i.e., 12 May 2022;
- (6) the Council agrees to Andrew Rollins taking the Section 151 Officer role on an interim basis;
- (7) the Council agrees to Andrew Jones taking the Monitoring Officer role on an interim basis;
- (8) a further report setting out the proposed longer term management arrangements will come forward for consideration by the autumn of this year be noted;
- (9) a further report on the overall consequences of the end to the merger process be noted and the implications for the Council going forward be prepared for consideration by the Overview and Scrutiny Committee and the Cabinet;

- (10) the steps to advise and support staff especially those who had been in the first proposed service integration be noted;
- (11) the Monitoring Officer be authorised to align the Officer Scheme of Delegation with the Interim Senior Leadership Team structure; and make any consequential amendments to the Constitution because of this report;
- (12) the continuing work on the joint South Warwickshire Local Plan, Climate Change Action Programme and Joint South Warwickshire Economic Strategy be noted;
- (13) the closing of the Service Alignment Reserve with the funding contained therein transferred to the Service Transformation Reserve be approved;
- (14) the Significant Business Risk Register be updated as a matter of priority in the light of the decision not to proceed with the merger with SDC; and
- (15) in the light of the cessation of the merger process with SDC, a further report on the work proposed and undertaken to re-establish the Council's position and "brand" as an employer with existing and potential employees be brought forward at the earliest opportunity

(The Portfolio Holder for this item was Councillor Day)

(The meeting ended at 6.00pm)

CHAIRMAN  
25 May 2022

Title: Programme Team (Green Spaces) – resourcing delivery of live projects

Lead Officer: Ruth Hýtch (01926 456236/ 07591 988878)

Portfolio Holder: Councillor Alan Rhead/ Moira-Ann Grainger

Wards of the District directly affected: All

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## Summary

This report sets out the anticipated resources required to complete delivery of projects already commenced by the Programme Team. For this report, the focus is on bringing three key Council projects within the programme to a point where previous investment in their development can be realised and further planned delivery can be reassessed.

## Recommendations

- (1) That Cabinet agrees to release £350,000 from the General Fund Balance to provide funding to resource the projects identified.
  - (2) That Cabinet agrees to release £119,000 from the General Fund Balance so that there is a co-ordinated and adequately resourced launch to, and operation of, the cycle trail facilities at Newbold Comyn.
  - (3) That a review is undertaken of the commitment of the Programme Team including pipeline workloads in April 2025 to establish what future resources will be required in the medium and longer term, at that time.
  - (4) That ongoing assessment is undertaken of the operational needs of the cycling facility to establish the future resources required in its first 18 months of operation.
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## 1 Background/Information

### Background

- 1.1 The report examines the current “live” workload, the context of that work and the options considered to achieve effective delivery of the Programme Team. The team commenced operation on 1 April 2020. Two Project Managers posts are fixed term until the end of March 2023, with the other posts permanent.
- 1.2 The Programme Team was established to increase capacity within the Service Area (Neighbourhood Services / Environmental and Operational Services), give a greater focus on project planning, consultation and delivery and improve coordination with other project teams across the Council. Members agreed it on the basis of live projects needing dedicated delivery and the likelihood that there will be further projects identified. The team currently works closely with a range of other Council teams but particularly with the Green Space team.
- 1.3 The Council has now gained operational experience of the concept. There have also been changes in project timing and content. These need to be planned into

the team's current and anticipated project work. This report therefore principally considers the options and resources to continue efficient delivery of the live projects (Table 1) for this proposal. It also notes other areas for consideration relating to the team's work but assumes that the wider requirements of the team will be kept under review until it is known whether the Council wishes to commit to further identified projects that are already drawing upon the team resources. These items are shown at Table 2.

**Table 1 - Live/ongoing work**

<b>Project</b>	<b>Comprises</b>	<b>Anticipated end date</b>	<b>Comments</b>
Newbold Comyn re-development	Delivery of discrete facilities to complete masterplan implementation	Cycle facilities – Dec 2022 Other elements unknown	Live work includes cycle trails and hub, nature reserve (necessarily linked by planning permission conditions) and football pitch with changing facilities Other masterplan elements not included here but bringing them forwards would add income earning facilities to help support the site's sustainability
Newbold Comyn re-development	Transition to full operation	December 2023	Involves establishing, maintenance and inspection regime, safety oversight, stakeholder response and overall delivery
Tachbrook Country Park Phase 1	Delivery of country park masterplan	Autumn 2024	Work already commenced to link to Phases 2 and 3 and bridge infrastructure
Tachbrook Country Park Phase 1	Refreshment centre	Autumn 2025	Implementation of hybrid part of the planning application in detail and the final element of implementation for the country park
Trees for our Future	Delivery of 160k tree planting target	December 2030	Completion date would still leave a shortfall of 3.6k trees yet to be planted

**Table 2 - Pipeline projects**

<b>Project</b>	<b>Comprises</b>	<b>Anticipated end date</b>	<b>Comments</b>
Europa Way Bridge	Bridge spanning Europa Way to enter Tachbrook Country Park Phase 1	Unknown	Links Phase 1 country park to other areas of implementation and diverts pedestrian and cycle traffic away from busy road
Tachbrook Country Park Phase 2	Entrance to Tachbrook Country Park via new development and development of second phase of the country park	Unknown	Links to Phase 1 country park to open up green space land has already begun Scope of future work not known as other facilities included in works
Tachbrook Country Park Phase 2	Bishop's Tachbrook	Unknown	Potential links to Phase 1 country park, improving green space access
Tachbrook Country Park Phase 3	Additional green space linked to the country park	Unknown	Site/s adjacent to the other side of Europa Way and near the Asps development
Newbold Comyn links	Examination of land that could be linked to Newbold Comyn to create cycle links and a larger accessible green space	Unknown	Currently being explored
Trees for our Future	Completion of planting (3.6k trees) and handover of operational matters	December 2032	

**Operational considerations**

- 1.4 The team develops outline (largescale) project concepts to the point where they are sufficiently detailed to implement. This work entails pulling together and managing project delivery teams that include colleagues providing expertise in support of these Council-wide objectives. Its role is then to deliver the project to the point where it can be taken over for operational management, usually by the Green Space team.

The skills required are therefore of a depth and breadth that is greater than overseeing a "ready-to-go" project's delivery, potentially via a managing contractor. The additional experience required to cover stakeholder management, scoping of ideas through to practical solutions and co-ordination of technical expertise, alongside liaison at a political level.

- 1.5 In addition to its core activity, the team has learnt in its initial period of operation that early input into the development of project concepts with other teams will lead to more practicable and cost-efficient project design. It is therefore currently working with others to support the practical development of



concepts that are listed in Table 2 and anticipated to be brought forward during the time it is completing live project commitments (Table 1).

- 1.6 Also in addition, to its core activity, the team becomes involved in supporting appropriate operational design of projects, supporting consideration of and transition to live operation of final projects. This is currently particularly the case in the delivery of the cycling facilities and nature reserve elements of the Newbold Comyn masterplan delivery. The team's work therefore encompasses the full "project continuum" to ensure the completion of practical and most cost-effective project targets.

#### **Delivery timeline and work fulfilment**

- 1.7 The attached timeline (Table 3) and staff resource requirements (Table 4) show that there is staff resource confirmed to complete one of the projects commenced, based on a full-time contract being in place. Currently, this is allocated to the Trees for our Future work but could be transferred to one of the other projects.
- 1.8 For Newbold Comyn, there is allocated resource (fixed term period) for the substantial but not whole completion of the first elements of the masterplan i.e. the cycle trails build and part of the planning for the nature reserve that must be completed to meet planning conditions.
- 1.9 For Newbold Comyn, there is currently further project resource required to encompass the transition phase and bring the completed built facility to full operational activity in accordance with the plans submitted as part of grant applications.
- 1.10 For Tachbrook Country Park Phase 1 staff resource ceases to be available (fixed term contract) at the time construction on site is planned to commence.
- 1.11 The recommendations propose the provision of appropriate funding resource to complete the current committed live projects to a point of completion where they can be operated and the previous investment in establishing them will not be lost. This funding covers principally the provision of staff resource to steer completion but also establishment funds and initial maintenance for the safety and smooth introduction of facilities at Newbold Comyn. In addition, they propose a recurring annual programme fund to access timely specialist technical advice not available in-house. This would be for an initial operation period of two years with a break point for review. The provision required is set out Table 4 below and Tables 5 and 6 set out the estimated costs for this.

Newbold Comyn	2022/23				2023/24				2024/25				2025/26				2026/27			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Cycle facilities																				
Cycle facilities transition to operation																				
Nature reserve management plan (linked to cycle facilities operation) Development & approval, incl costing & delivery methodology																				
Nature reserve - 1st phase delivery (est 3 years) plus ongoing delivery for establishment																				
Other masterplan items - incl. visitor centre & income earning facilities																				
3G pitch* Plans/Cabinet approval/grant application																				

Tachbrook Country Park Phase 1	2022/23				2023/24				2024/25				2025/26				2026/27			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Construct north & south sides																				
Allotments & community growing																				
Handover 1 - for immediate management (Green Space team)																				
Refreshment centre planning																				
Refreshment centre construction																				
Oversight STW "insertion"																				
Handover 2 - finalise land transfer arrangements to BTPC																				

Trees For Our Future	2022/23				2023/24				2024/25				2025/26				2026/27			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
WDC profiled delivery only to Dec 2030 with 3.6k target to be delivered after that date																				
SDC delivery																				

#### Key



Principal delivery period

Secondary delivery e.g. snagging, handover, retention period, maintenance

\*

Delivery by CTL Programme Team but Programme Team to oversee as a masterplan element



Staff resource  
available

**Table 3 - Timeline**

**Table 4 – Required resources**

<b>Item</b>	<b>Programme element</b>	<b>Timeline</b>
Project Manager	Newbold Comyn – cycle facilities/nature reserve & football pitch	To 31 March 26
Project Manager	Tachbrook Country Park creation to operational handover	To 31 March 26
Cycles site specialist	Newbold Comyn transition  Cycle facilities – first 2 years - monitoring, inspection, recording and liaison for maintenance and repairs.  To be reviewed after first two years of establishing operation.	2 days per week from commencement of trails' operation  To 31 March 25
Cycling liaison	Newbold Comyn transition	To 31 March 25
Cycles site specialist - training	Newbold Comyn transition	To March 2026 and then review
Cycles – roll-out of development plan	Newbold Comyn transition	To March 2026 and then review
Cycling liaison – volunteers' support	Newbold Comyn transition	To March 2026 and then review

## **2 Alternative Options available to Cabinet**

- 2.1 In order to complete already committed work based on the elements of Table 1, the following options have been considered:

Cease project activity in line with staff resource availability.

This option would be available at break points in project activity but were it to be used for the Table 1 items of work at the point staff resource is lost, the cost and reputational damage to the Council would be key factors for not pursuing this.

- 2.2 Extend the current time periods for staff provision to match the project completion needs over the next three years i.e. until the end of 25/26 financial year.

This option is the one proposed, as it meets the current project needs. It would enable the completion of committed key Council projects to the completion of key milestones, maximising the benefit of spend already accrued to commence them but allowing for a break point to review the continuation of any further works.

## **3 Consultation and Member's comments**

- 3.1 Councillor Rhead has supported the content of this report and its submission.

## **4 Implications of the proposal**

### **4.1 Legal/Human Rights Implications**

4.1.1 The current posts' time length means that the holders would be put "at risk" at the point that they are currently planned to cease.

## 4.2 Financial

**Table 5 – Staffing Resource**

Item	Cost				
	2022-2023	2023-24	2024-25	2025-26	Total
1.Project Manager		£57,190	£58,334	£59,500	<b>£175,024</b>
2.Project Manager		£57,190	£58,334	£59,500	<b>£175,024</b>
3.Cycles site specialist	£4,620	£18,840	£19,217	~	<b>£42,677</b>
4.Cycling liaison	£4,620	£18,840	£19,217	~	<b>£42,677</b>
					<b>£435,402</b>

~ As noted in recommendation 4, the early operation will be monitored and reviewed, as the facilities' operation settles, to predict future resource requirements, including ongoing planned and preventative maintenance.

Note: It is anticipated that some of the salary costs could be mitigated by the income of grant and other resources achieved by those in the extended posts. Whilst this income activity is high risk (i.e. grant applications are awarded or rejected) and cannot be enumerated at this stage, it is a consideration. 2% annual increase is assumed. The costs quoted are inclusive of all overheads.

**Table 6 – Project continuum resource** (development and transition to operation)

Item	Cost				
	2022-23	2023-24	2024-25	2025-26	Total
Cycles site specialist - training	£1,500		£1,600	£1,660	<b>£4,760</b>
Cycles – roll-out of development plan	£1250	£5000	£5100	£5200	<b>£16,550</b>
Cycling liaison – volunteers' support		£3,000	£3,000	£3,000	<b>£9,000</b>
<b>Total</b>					<b>£30,310</b>
10% contingency					£3,031
<b>Total</b>					<b>£33,341</b>

4.2.1 Within the 2022-23 budget as approved by members in February 2022, it was forecast that the General Fund Balance as at 31<sup>st</sup> March 2022 will be £2.8m. Work is ongoing as part of the Final Accounts closedown, with this balance to be confirmed within the draft Statement of Accounts due to be published before the deadline of 31<sup>st</sup> July.

### 4.3 Council Plan

- 4.3.1 The Council's Business Strategy 2020-2023 identifies that the three live projects are key initiatives for delivery in relation to the Climate Emergency. In addition, they support improved health for all, access to decent open space and safe access to alternatives to car-based transport, in turn supporting improved air quality and greater biodiversity.

### 4.4 Environmental/Climate Change Implications

- 4.4.1 As noted above, this work supports delivery of the Council's activity to address the Climate Emergency.

### 4.5 Analysis of the effects on Equality

- 4.5.1 Individual Equality Impact Assessments have been undertaken and agreed by Council for each project in the Programme.

### 4.6 Data Protection

- 4.6.1 It has been confirmed, in conjunction with the Information Governance team, that the programme data needs fall within the standard Warwick District Council policy guidelines.

### 4.7 Health and Wellbeing

- 4.7.1 The live projects being delivered support the creation of greater access to green spaces for quiet enjoyment and physical exercise, as well as helping to improve air quality through greater use of sustainable transport and creation of improved ecosystems.

## 5 Risk Assessment

### 5.1 SWOT Assessment

<b>Strengths</b> <ul style="list-style-type: none"><li>• Saves the financial commitment on the projects to date as a benefit</li><li>• Projects currently committed to "beyond the point of no return" would be completed.</li><li>• Guards against known recruitment difficulties and potentially the cheapest option</li><li>• Retains a resource to deal with any pipeline projects (already being used)</li></ul>	<b>Weaknesses</b> <ul style="list-style-type: none"><li>• Costs more</li><li>• Uncertain how this would be funded</li><li>• The projects being delivered are key business strategy projects but not statutory</li></ul>
<b>Opportunities</b> <ul style="list-style-type: none"><li>• Builds in-house capability rather than resourcing individual projects in a piecemeal approach i.e. staff can support business delivery security by working across more than one identified project</li><li>• Builds in-house capability in an area where skills are transferable across service disciplines</li><li>• Builds flexibility to provide support to the statutory delivery areas of the Council</li></ul>	<b>Threats</b> <ul style="list-style-type: none"><li>• Availability of financial resource</li><li>• There may be need to recruit technical specialists vs more general delivery skills</li><li>• The culture of working in a matrix management structure may be resisted as staffing resource reduces elsewhere</li></ul>

## **Conclusion/Reasons for the Recommendation**

- 5.2 The recommendation to agree the funding to extend existing posts allows for business continuity to finish delivering live projects to a key milestone point. This would enable project delivery without interruption to current programmes or incurring additional costs due to a break in programme.
- 5.3 The recommendation to support the Newbold Comyn establishment relates to learning gained during its early implementation and will support the “bedding in” of the facilities and assessment for their ongoing maintenance for future operation.

## **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.

## Report Information Sheet

Please complete and submit to Democratic Services with draft report

<b>Committee/Date</b>	Cabinet/25 May 2022	
<b>Title of report</b>	Programme Team – resourcing delivery of live projects	
<b>Consultations undertaken</b>		
<b>Consultee *required</b>	<b>Date</b>	<b>Details of consultation /comments received</b>
<b>Ward Member(s)</b>		Councillor Alan Rhead confirmed is supportive of the content to A Jones as the Portfolio Holder. Affects all wards
<b>Portfolio Holder WDC &amp; SDC *</b>		See above
<b>Financial Services *</b>	12/5/22	A Rollins/D Dabasia/ L Henson
<b>Legal Services *</b>		
<b>Other Services</b>		
<b>Chief Executive(s)</b>		Confirmed support via CMT meeting
<b>Head of Service(s)</b>		No relevant HoS. A Jones supports.
<b>Section 151 Officer</b>	12/5/22	Confirms availability of funding and appropriate wording
<b>Monitoring Officer</b>	12/5/22	See HoS comments
<b>CMT (WDC)</b>		Supports
<b>Leadership Co-ordination Group (WDC)</b>		
<b>Other organisations</b>		N/A
<b>Final decision by this Committee or rec to another Ctte/Council?</b>		Recommendation to :Cabinet
<b>Contrary to Policy/Budget framework</b>		No
<b>Does this report contain exempt info/Confidential? If so, which paragraph(s)?</b>		No
<b>Does this report relate to a key decision (referred to in the Cabinet Forward Plan)?</b>		No
<b>Accessibility Checked?</b>	Yes	File/Info/Inspect Document/Check Accessibility



**Title:** Levelling Up Fund Round 2 – Decision to Submit

**Lead Officer:** Chris Elliott – Chief Executive, Philip Clarke – Policy & Projects Manager, Martin O’Neill – Projects & Economic Development Business Manager, Mark Brightburn – Programme Co-ordinator

**Portfolio Holder:** Councillor Cooke

**Wards of the District directly affected:** Leamington Brunswick, Leamington Willes, Leamington Clarendon and Warwick Myton and Heathcote

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## Summary

This report seeks approval to agree to delegate authority for the Decision to Submit the Levelling Up Fund Round 2 when it is complete.

## Recommendation

- (1) That Cabinet agree to delegate authority to the Head of Development and the Portfolio Holders for Planning and Place, and Economy and Culture, to make the Decision to Submit the Levelling Up Fund Round 2 submission by the deadline of Wednesday 6<sup>th</sup> July 2022 as set out in paragraphs 1.2.1 to 1.2.7.

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## 1 Background/Information

1.1 This section sets out the background of the recommendation.

### 1.2 Recommendation

- 1.2.1 The Governments Levelling Up agenda is focused on reducing regional and local inequalities that unfairly hold back communities across the UK. The Levelling Up White Paper was published on the 2nd February 2022 and set out the simplified approaches to funding across the Towns Fund, Levelling Up Fund and UK Shared Prosperity Fund.
- 1.2.2 Warwick District Council has already successfully secured funding via the Towns Fund in the form of the Future High Streets Fund to a total of £10M for improvements across Royal Leamington Spa’s town centre. The decision was taken not to submit to the Round 1 applications for the Levelling Up Fund in 2021 given that the fund is competitive and Leamington is a Tier 3 area (lowest priority) and so any projects submitted need to be very robust to counter this.
- 1.2.3 The Leamington Transformation Board was established in January 2022 and is now overseeing the production of a Transformation Framework for the town centre with the intention of co-ordinating projects to be ready to submit them for these Government funding opportunities. A review of current projects has identified two projects that are progressed enough and have enough supporting evidence to put forward for the Levelling Up Fund Round 2 application due in July 2022. The Leamington Transformation Board has recently been reviewing projects underway across the town centre in order to establish which projects

are progressed far enough to be able to meet the criteria for consideration in a Levelling Up Fund Round 2 bid.

- 1.2.4 Two projects are sufficiently progressed and they are the Bath Street Area Improvements currently being progressed by Warwickshire County Council's (WCC) highways department using WDC Community Infrastructure Levy funds, and the Grand Union Canal Towpath Improvements being progressed by the Canal and River Trust (CRT).
- 1.2.5 Both these projects sit well under the Levelling Up Funds Transport theme and will deliver both connectivity improvements and air quality/environmental improvements in one of the more deprived areas of the town.
- 1.2.6 The timescale to prepare the bid are incredibly tight. WDC have commissioned the same support consultancy that assisted with the successful Future High Street Fund bid and work is underway at a pace, working closely with WCC colleagues and CRT to gather together all the required supporting information.
- 1.2.7 The team believe they can complete the submission in time and a delegation of the Decision to Submit will assist in approving the submission in time for the 6<sup>th</sup> July 2022 deadline.

## **2 Alternative Options available to Cabinet**

- 2.1 Given the tight timescales, this delegation is the best way to ensure the Decision to Submit can be taken quickly and efficiently to support the imminent submission.

## **3 Consultation and Member's comments**

- 3.1 There have been no comments made on this report.

## **4 Implications of the proposal**

### **4.1 Legal/Human Rights Implications**

- 4.1.1 There are no legal or human rights implications of the proposal.

### **4.2 Financial**

- 4.2.1 The Levelling Up Fund bid total is yet to be confirmed, but we expect it to be in the order of £10-12M, with a requirement of 10% match funding. Bids can be made up to £20M but advice and lessons learned from Round 1 suggest that Tier 3 areas are not successful at the full amount.
- 4.2.2 Assuming a bid in the order of £10M, £1M match funding will be required. WDC already have £3.7M of CIL funding allocated to the Bath Street Improvements between 2022-27. This will therefore cover the match funding requirement.
- 4.2.3 As the last of these three Levelling Up Government funds, WDC have a pre-allocation on the UK Shared Prosperity Fund of £3,484,412 which needs an Investment Plan (for mainly revenue, not capital) preparing to submit by August 2022. This will be submitted for consideration by Cabinet in July.

### **4.3 Council Plan**

- 4.3.1 The Levelling Up Fund supports a number of areas within the Warwick District Council Business Plan including People – Health & Communities.
- 4.3.2 The Creative Quarter, within which Bath Street lies, is a key initiative to support the local economy to provide high quality jobs and increase the prosperity of the town in line with the Business Strategy 2020-23.
- 4.3.3 The Council's Climate Emergency Action Programme is evidence of its

commitment to become a net zero carbon organisation by 2025 and to facilitate reducing the District's carbon emissions as close to zero by 2030. The improvements at Bath Street aim to reduce pollution and improve air quality in one of the worst polluted locations in the District.

#### **4.4 Environmental/Climate Change Implications**

- 4.4.1 The improvements at Bath Street will improve the environment locally by removing through traffic and supporting more sustainable travel options by bus, by bicycle or on foot. The resultant improved environment will then also support local businesses along the street to use the space more effectively and attract in more visitors and customers, improving the local economy.

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

- 4.5.1 No effects on equality.

#### **4.6 Data Protection**

- 4.6.1 No data protection implications of the proposal.

#### **4.7 Health and Wellbeing**

- 4.7.1 Include a summary of the health and wellbeing implications of the proposal.

### **5 Risk Assessment**

- 5.1 The projects contained within the Levelling Up Fund bid are not reliant on the funding from this source and so there are no risks associated with the bid in terms of other monies that might be reliant on this being secured.

### **6 Conclusion/Reasons for the Recommendation**

- 6.1 The Levelling Up Fund is another important potential source of funding that can be deployed to support the overall Transformation Framework for Leamington's town centre.

#### **Background papers:**

None.

#### **Supporting documents:**

None.

### Report Information Sheet

Please complete and submit to Democratic Services with report

<b>Committee / Date</b>	25.05.2022	
<b>Title of report</b>	Levelling Up Fund Round 2 – Decision to Submit	
<b>Officer / Councillor Approval *required</b>	<b>Date</b>	<b>Name</b>
<b>Ward Members(s)</b>		
<b>Portfolio Holder</b>	11.05.22	
<b>Financial Services *</b>		
<b>Legal Services (*SDC)</b>		
<b>Other Services</b>		
<b>Chief Executive(s)</b>	11.05.22	
<b>Head of Services(s)*</b>	11.05.22	
<b>Section 151 Officer</b>	11.05.22	
<b>Monitoring Officer</b>	11.05.22	
<b>SLT (WDC)</b>	11.05.22	
<b>Leadership Co-ordination Group (WDC)</b>		
<b>Other organisations</b>		
<b>Final decision by this Committee or rec to another Cttee / Council?</b>	Yes Recommendation to: Cabinet	
<b>Contrary to Policy / Budget framework?</b>	No	
<b>Does this report contain exempt info/Confidential? If so, which paragraph(s)?</b>	No	
<b>Does this report relate to a key decision (referred to in the Cabinet Forward Plan)?</b>	Yes	
<b>Accessibility Checked?</b>	Yes	