# Executive

Minutes of the meeting held on Wednesday 3 December 2014 at the Town Hall, Royal Leamington Spa at 6.00 pm.

**Present:** Councillor Mobbs (Chairman); Councillors Caborn, Coker, Cross, Mrs Gallagher, Hammon, Shilton and Vincett.

**Also present:** Councillor Barrott (Chair of Finance & Audit Scrutiny Committee), Councillor Mrs Blacklock (Chair of Overview and Scrutiny Committee), Councillor Boad (Liberal Democrat Observer), Councillor MacKay (Independent Group Observer) and Councillor Weber (Labour Group Observer).

81. **Declarations of interest**

Minute Number 88 – Royal Pump Rooms and Spencer Yard - Proposed Cultural Quarter

Councillors Caborn and Shilton declared interests because they were Warwickshire County Councillors.

Minute Number 92 – Rural / Urban Capital Improvement Scheme Application

Councillor Barrott declared interest because he was a Trustee of the Community Charity who had also provided funding towards one of the projects, but took no part in the discussion and had no decision making powers.

Minute Number 95 – Options for HR and Payroll Functions

Councillors Caborn and Shilton declared interests because they were Warwickshire County Councillors.

82. **Minutes**

The minutes of the meeting held on 1 October and 5 November 2014 were taken as read and signed by the Chairman as a correct record.

**Part 1**
(Items on which a decision by Council is required)

83. **General Fund Base Budgets latest 2014/15 and original 2015-2016**

The Executive considered a report from Finance which set out the latest projections for the General Fund revenue budgets in respect of 2014/15 and 2015/16 based on the current levels of service, and previous decisions, along with the projections to 2019/20. There were further

matters that would need to be reviewed in order to finalise the base position as part of the 2015/16 budget setting process as set out in paragraph 8.5 of the report.

The 2014/15 latest budgets showed a forecast surplus of £217,200 before any appropriations.

The proposed 2015/16 Base Budget showed the Council's budget was in balance which meant currently estimated expenditure equalled estimated income in the provision of current service levels and meeting the Council's commitments.

The latest base budgets for the General Fund Services for 2014/15 were outlined in Appendix C along with the base budget in respect of 2015/16.

The report also required approval of funding for a back-up generator for the Crematorium and a replacement public address system at the Royal Pump Rooms, full details of which were provided in sections 3.4 and 3.9 of the report.

In addition, funding approval was needed for temporary Property Services' posts for both 2015/16 and 2016/17, additional national insurance and pension costs in respect of the Head of Corporate and Community Services and the estimated costs of Individual Electoral Registration in 2015/16. Again further details were given in sections 3.5, 3.6 and 3.7 of the report.

The report had also asked Members to approve expenditure to a maximum from the Contingency Budget of £9,900 to fund Warwick District Council's contribution towards the setting up of an electric car share scheme in Leamington and Warwick. However, this recommendation was removed prior to the meeting because the County Council's bid had proven unsuccessful.

Members were also advised of an amendment to recommendation 2.3 relating to the back-up generator for the Crematorium. The original cost estimate had been £20,000, however, further enquiries had led officers to believe this should be raised to £30,000.

The purpose of this report was to produce budgets as determined under the requirements of the Financial Strategy, therefore, any alternative strategies would be the subject of separate reports.

The Finance and Audit Committee supported the recommendations in the report but expressed concern about recommendation 2.6. Members were disappointed that the NI contributions had not been fully quantified when the figures were originally agreed.

Members also raised concerns about recommendation 2.8 relating to the replacement public address system at the Pump Rooms. The Committee noted the reasons why this was such a last minute request but felt that more information could be provided on what the system is used for and

how frequently. The query was raised as to whether an entire new system was necessary or had options for hiring the equipment been explored.

The Executive agreed recommendations 2.1, 2.2, 2.4, 2.5, 2.6 and 2.8 in the report.

Members noted that recommendation 2.3 had been amended to read "the purchase of a back-up generator for the Crematorium at a cost of £30,000….", and recommendation 2.7 had been deleted because the electric car share scheme was not going ahead at this time.

The Portfolio Holder for Finance, Councillor Cross, explained the updates to the recommendations and thanked all the Councillors and officers involved for their contributions.

It was therefore

**Recommended** to Council that

(1) the latest Medium Term Financial projections, especially the £0.912 million deficit by 2019/20 of savings to the same magnitude cannot be identified and achieved, be noted;

(2) the latest base budget for the General Fund services in respect of 2014/15 as outlined in Appendix 'C', is approved;

(3) the base budget for the General Fund services in respect of 2015/16 as outlined in Appendix 'C', is approved;

**Resolved** that

(4) the purchase of a back-up generator for the Crematorium at a cost of £30,000 in 2014/15 funded from the forecast surplus for the year, is approved;

(5) funding of £40,500 p.a. in respect of temporary Property Services' posts for both 2015/16 and 2016/17 from the Service Transformation Reserve, is approved;

(6) £55,000 estimated costs of Individual Electoral Registration in 2015/16 are met from the Service Transformation Reserve;

(7) an additional £4,300 is allocated from the General Fund Early Retirements Reserve for additional National Insurance and pension costs in respect of the Head of Corporate and Community Services;

(8) expenditure, to a maximum from the Contingency Budget of £8,900 to replace the public address system at the Assembly Rooms in the Royal Pump Rooms, is approved.

(The Portfolio Holder for this item was Councillor Cross)
(Forward Plan reference 586)

84. **Housing Revenue Accounts (HRA) Budgets latest 2014/15 and base 2015-2016**

The Executive considered a report from Finance, in conjunction with Housing and Property Services, which presented the Housing Revenue Account (HRA) 2014/15 latest and 2015/16 base budgets.

There were a number of appendices attached to the report. Appendix A summarised the adjustments from 2014/15 base budgets to the 2014/15 latest budgets and 2015/16 base budgets; Appendix B provided additional details of the budget changes for supervision and management; and Appendix C presented the detailed HRA revenue budgets and key budget changes.

The report did not commit to any rent increase but advised that a rent setting report would be presented to the Executive in February 2015 which would then recommend the 2015/16 Housing Rents to Council.

The proposed Base Budget for 2015/16 reflected the costs of maintaining the current level of service, and any unavoidable changes in expenditure (for example, where the Council was contractually or statutorily committed to incur additional expenditure). The report also considered the current year's budget, and included details of proposed updates to the 2014/15 Budget.

Many changes had been identified since the original budgets were set 12 months ago, including the Service Redesign of the Sustaining Tenancies and Housing Strategy & Development teams. Managers considered their budgets monthly and many changes had already been reported to Members as part of the Quarterly Budget Review Reports in July and November of this year. Further amendments had also been identified during the rigorous review to determine next year's base position.

Approval of recommendation 2.3 was needed in order to update the Capital Housing Investment Programme (HIP) to fund items that could not be accommodated within current budgets. A full 5 year Housing Investment Programme (HIP) would be presented in February 2015 and

section 11 of the report gave a breakdown of the budget changes required for HRA related capital programmes with the HIP.

Under 'Self Financing' the HRA had taken on significant debt, £136.2m, but had gained greater capacity to provide new homes and invest in the service. The HRA Business Plan projected income and expenditure over 50 years to demonstrate the ability to repay the debt and provide new homes. The base budget for 2015/16 was calculated from the projections contained in the latest HRA Business Plan.

The report also identified the risks relating to the Council's finances and greater detail was provided in section 6 of the report. However, in summary a shortage of finance would impact upon the Council's plans for the provision of services and reduced income or increased expenditure would reduce the funding available.

There were no alternative options identified relating to this report because the purpose was to produce budgets as determined under the requirements of the Financial Strategy. Any alternative strategies would be the subject of separate reports.

The Finance and Audit Committee supported the recommendations in the report. Members did raise concerns regarding the issue of 'Right to Buy' not appearing in the Risks section of the report. It was felt that the potential loss of Council owned properties was still a risk, however small.

The Portfolio Holder for Housing and Property Services, Councillor Vincett noted the scrutiny committee's comments and advised that the 'Right to Buy' risk had appeared on previous reports. He did not see any reason why it could not be included in the future, however, the Housing Business Plan due to be presented in the New Year would contain all risks.

It was therefore

**Recommended** to Council that

(1) the latest revenue budget for Housing Revenue Account Services in respect of 2014/15 as outlined in Appendix C to the report be agreed;

(2) the base revenue budget for Housing Revenue Account Services in respect of 2015/16 as outlined in Appendix C to the report be agreed; and

(3) the changes in the Housing Revenue Account related Housing Investment Programme Capital budgets as outlined in Section 11 of the report be approved.

(The Portfolio Holder for this item was Councillor Vincett)

(Forward Plan reference 590)

85. **Review of Affordable Rent Policy**

The Executive considered a report from Housing and Property Services which presented details of the outcome of a recent review of the Council's Affordable Rent Policy and proposed appropriate recommendations.

Government policy since 2010 had been to part-fund new affordable housing schemes from higher rents through the "Affordable Rent" tenure, which allowed rents to be set at up to 80% of open market rent, inclusive of service charges.

Due to concerns about the very high levels of private sector rents in Warwick District, the Council had sought to keep rents at below the 80% maximum. It was agreed, through the Housing Strategy, to seek Affordable Rents at the mid-point between social rent and 80% of market rents with a review of the policy by the end of 2014.

The original reason for setting a policy for Affordable Rents at lower than the maximum, was concern at the level of private sector rents in the District relative to local earnings at the lower end of the income scale. High market rents fed into high Affordable Rents and made it more difficult for people with low incomes to pay their rent without recourse to Housing Benefit. The Council's policy on Affordable Rents sought to balance these objectives by setting a level mid-way between the two extremes.

The report proposed that where Affordable Rent housing was being provided through planning obligations, officers should continue to negotiate for the average level of Affordable Rent across the site to be set at the mid-point between social rent and 80% of market rent inclusive of service charges.

The Homes and Communities Agency (HCA) had indicated that where it was providing grant funding for housing schemes, it expected Affordable Rents to be set at 80% of market rent in all but exceptional circumstances. It did not consider a general concern about the level of rents locally to be sufficient reason but did acknowledge that Affordable Rents should not exceed Local Housing Allowance.

The report, therefore, proposed that where Affordable Rent housing was being provided with grant funding from the HCA, the Council should accept rent levels at 80% of market rent inclusive of service charges, unless the resulting rent level would be above the Local Housing Allowance for the relevant Broad Rental Market Area.

Were the Council to continue to insist on Affordable Rents at less than 80% on grant-funded schemes the HCA could withdraw grant funding, potentially jeopardising the schemes. Officers therefore proposed that HCA funded sites should be considered on a case-by-case basis as to whether the Council should itself grant-fund a reduction in the Affordable

Rents. In these cases, a separate report would be submitted to the Executive where such funding was proposed.

All of the Council's preferred development partner housing associations were asked their views on the policy and two responded. Their full responses were outlined in appendix one to the report.

There were a number of alternative options available including having no Affordable Rented housing on new schemes in the District, not having any restrictions on Affordable Rent and allowing these to be set at 80% of open market rent in every case, setting Affordable Rent at a level other than the mid-point, or not allowing an exception for HCA funded sites. However, all of these options had been discounted because they were contrary to either the National Planning Policy Framework or the housing Strategy. In addition, grant-funded housing schemes might not be delivered if exceptions were not allowed.

The Finance & Audit Scrutiny Committee supported the recommendations in the report. Councillor Barrott expressed the Committee's thanks to the report author, Mr Bruno, for an excellent report.

The Overview & Scrutiny Committee noted the report, there were no adverse comments and the Committee welcomed that any decisions on schemes would have to be approved by Members first.

The Portfolio Holder for Housing and Property Services, Councillor Vincett, welcomed the scrutiny committees' comments and reiterated that it was imperative to try to balance the priorities of affordability during difficult financial circumstances.

It was therefore

**Recommended** to Council that

(1) where Affordable Rent housing is being provided through planning obligations, officers should continue to negotiate for the average level of Affordable Rent across the site to be set at the mid-point between social rent and 80% of market rent inclusive of service charges;

(2) where Affordable Rent housing is being provided with grant funding from the Homes & Communities Agency (HCA), the Council accepts rent levels at 80% of market rent inclusive of service charges, unless the resulting rent level would be above the Local Housing Allowance for the relevant Broad Rental Market Area; and

(3) Health & Communities Agency funded sites be considered on a case-by-case basis as to

whether the Council should itself grant-fund a reduction in the Affordable Rents, with a separate report made to Executive where such funding is proposed.

(The Portfolio Holder for this item was Councillor Vincett)
(Forward Plan reference 650)

86. **Code of Procurement Practice**

The Executive considered a report from Finance which presented proposed amendments to the Code of Procurement Practice.

The Codes of Procurement Practice was a fundamental element of the Council's policy framework. Its purpose was to ensure that appropriate contracts were procured to meet the service requirements and were subsequently properly managed. The Code of Procurement Practice also supported the ability of the Council to demonstrate that it was achieving value for money from its expenditure and that its contracts and services were being managed in an open and transparent manner, in line with the Council's Core Values.

It had been revealed during a recent investigation that there were a number of short-comings with the procurement practices adopted by the Council. The current code of procurement practice had focused on devolved procurement and, if the procurement process was not managed in a timely and efficiently, it could lead to a greater risk of challenge. These past practises identified a number of weaknesses in processes that needed to be redressed and therefore a review of the policy was required.

In addition, the Code of Procurement Practice was last formally reviewed and amended in March 2013, and since then changes to Procurement Legislation and procurement processes needed to be reflected.

The Code was being revised to reflect changes to the current Public Contract Regulations 2006, EU Procurement Regulations, the Public Services (Social Value) Act 2012 and the Local Government Transparency Code 2014 and to align the policy to the Code of Financial Practice.

The report explained that the current Code was written with the expectation of a devolved approach to procurement across the Council. In view of some of the problems that had been encountered, changes to the Code were proposed that would ensure the Procurement Team was involved in all procurement activity across the Council above £10k.

The report recommended that Members adopt the amended Code of Procurement Practice, which was attached as Appendix 1 to the report.

There were no alternative options proposed because the Council's procurement arrangements should comply with best practice and current legislation.

The Finance and Audit Committee supported the recommendations in the report and were pleased that the approach would no longer be a devolved process but enforced the need for managers to work together with the Procurement Team.

The Portfolio Holder for Finance, Councillor Cross, endorsed the report and was encouraged by the level of scrutiny given to this area of work.

It was therefore

**Recommended** to Council that the updated Code of Procurement Practice as detailed in Appendix 1 to the report, be adopted.

(The Portfolio Holder for this item was Councillor Cross)

**Part 2**
(Items on which a decision by Council is not required)

87. **Council HQ Relocation Project – Update Report**

The Executive considered a report from the Deputy Chief Executive (BH) and the Senior Project Co-ordinator which updated Members on the proposal to relocate the Council's HQ offices.

In June 2014, Council considered the Executive's conditional decision to relocate the headquarters to the land at the front of the Spa Centre. Council resolved to defer this provisional relocation site decision, and instructed officers to undertake a further assessment of all potential site options for an office relocation using a wider remit. The report set out the further site appraisal work undertaken since June 2014 and recommended a shortlist of sites for further, more detailed, consideration.

A long list of the relocation site options were attached at Appendix One to the report, along with an appraisal of those sites at Appendix Two.

The report advised that assessments had been carried out on all the sites on the long list and had concluded the majority of sites were unsuitable because their disadvantages outweighed their advantages. Therefore, a shortlist had been drawn up, which Members were asked to agree for further detailed feasibility analysis.

Each site would undergo a detailed evaluation to include the facilities required, co-location proposals with other services, comparisons between sites including financial feasibility modelling and a re-assessment of the anticipated revenue savings for each option. A full breakdown of the evaluation process was included in the report followed by a revised estimated outline and provisional project programme.

Members were advised that other privately owned sites may become available in the near future and requested that delegated authority be

given to officers to respond and undertake negotiations and evaluations as appropriate.

One of the alternative options was that the Council could progress the next-stage feasibility work itself, if it was prepared to take all of the risk, and allocate all of the funding and resources required. However, this had been rejected because a decision had already been taken to establish the LLP and to not utilise their expertise would constitute a missed opportunity.

Another alternative was to change or add to the short list of sites, however, officers believed that the recommended list best met the Council's criteria and offered the most cost effective and value for money options, worthy of consideration.

The Overview & Scrutiny Committee welcomed the report and thanked officers for their work on this report.

The Committee noted the correction in paragraph 5.2 of the report that the current cost of Riverside House should be £576,000.

The Overview & Scrutiny Committee made a formal recommendation that paragraph 2.3 be amended to remove the words "privately owned" to enable greater flexibility.

Members raised the issue of a lack of County Council owned sites being put forward but were advised that the County had stated they had no suitable buildings available. It was agreed that as a Council, Members were accountable to the Council Tax payer and would be doing residents a disservice if they did not make the savings needed.

The Portfolio Holder for Development Service, Councillor Hammon, reminded Members that there was a need to modernise and to find suitable premises fairly quickly. He thanked the Overview and Scrutiny Committee for their recommendation, which was agreed and assured Members that discussions would continue to evolve with the County Council.

It was therefore

**Resolved** that

(1) the long-list of relocation site options, as set out at Appendix One and the appraisal of those sites, as set out at Appendix Two to the report, are noted and the short-list of sites is agreed for further detailed feasibility analysis;

(2) detailed feasibility work will be commissioned through the Warwick Limited Liability Partnership (LLP) for each of the short-listed sites and a further report will be presented to

Council, as soon as practicable after the May 2015 elections, for a final decision on a relocation site; and

(3) authority is delegated to the Deputy Chief Executive (BH), Senior Project Coordinator and s151 Officer, in consultation with the Leader of the Council and the Development Portfolio Holder, to amend the short-list to include any new, suitable sites or properties should they become available prior to the completion of the assessment exercise for the shortlisted sites.

(The Portfolio Holders for this item were Councillors Hammon and Mobbs)
(Forward Plan reference 647)

88. **Royal Pump Rooms and Spencer Yard – Proposed Cultural Quarter**

The Executive considered a report from the Deputy Chief Executive (BH) and the Senior Project Co-ordinator which updated Members on the market testing work relating to the commercial potential for alternative usage of the Royal Pump Rooms.

Following the Asset Review report to Executive in February 2014, officers were instructed to carry out this work and this report set out an exciting proposition to fundamentally transform the Royal Pump Rooms offer, increase public usage, create a new wider vibrant Cultural Quarter and reduce the Council's financial liabilities.

The Asset Review report had explained the estimated costs of future essential repairs to the building which was owned by the Council and currently occupied by the Art Gallery and Museum, the County Council's central library; the visitor information centre and a café. At time of the report point, it was anticipated that £660,000 would be required for the first 5 years of the programme, rising to £1.9 million in the subsequent 5 years due to essential works required for the roof. The costs totalled just under £4 million for the full 30 year period.

Officers had completed the market testing and a summary of the outcome and its conclusions were attached as Appendix One to the report. It was felt that the best way to ensure a positive future for this building was to bring together a coherent wider regeneration strategy for the north Old Town area, with an initial specific focus on the Royal Pump Rooms and Spencer Yard, based around uses involving the cultural and creative industry sectors.

Appendix Two, to the report, was a map outlining the area in question which officers felt there was major potential for regeneration. However, this would require the Council's intervention and leadership, with the area and properties under its control; namely Spencer Yard and the Royal Pump Rooms. It was hoped that a successful first phase should raise property values, public footfall and the profile and perception of the area

stimulating investor confidence and further significant regeneration of the wider area.

Full details of the proposals for creating a Cultural and Creative Quarter were outlined in section 3 of the report and members were asked to support these. The next stage would be for officers to hold discussions with local stakeholders and key strategic stakeholders to develop the set of principles and parameters outlined in sections 3.6 and 3.7 of the report.

Members attention was drawn to an e-petition which had been received detailing 341 signatures who felt that that free public access should be '*retained to the Art Gallery, Museum and Library in the Pump Rooms and that they should remain in the Pump Rooms as part of Leamington's heritage'.*

The report advised that the recommendation was that the Art Gallery & Museum should stay in the Royal Pump Rooms but that in-principle consideration should be given to investigation of options to relocate the Library. Any potential relocations proposal would need to deliver a new, high quality Library, elsewhere in the town centre.

An alternative option was that the Council could opt to do nothing. In this eventuality, its current financial liabilities for the Royal Pump Rooms would remain; and any vision and potential for taking Spencer Yard area and a Cultural and Creative Quarter vision forward not realised.

Or the Council could decide to exclude the Royal Pump Rooms from any wider Cultural and Creative Quarter project proposal and, by implication, this would include the proposal to relocate the Library. However, section 3 of the report set out the reasons why this would fundamentally prejudice and weaken any overall transformational approach to a Cultural and Creative Quarter, and the attractiveness of the potential project.

The Overview & Scrutiny Committee welcomed the report as the next steps forward in this project and look forward to future updates.

The Portfolio Holder for Cultural Services, Councillor Mrs Gallagher supported the report and was mindful that the Library was very important and should be incorporated into the Cultural Quarter. She welcomed the support from other Members and reiterated the potential that the site held.

The Portfolio Holder for Development Services, Councillor Hammon, felt this was an exciting proposal for Royal Leamington Spa and reminded Members that because of the level of money that needed spending on the building, it was important to get the decision right.

The Leader of the Executive, Councillor Mobbs, agreed with the comments and signposted Members to section 3.6 of the report which he felt encapsulated the regeneration vision.

It was therefore

**Resolved** that

(1) the outcome of the exercise to market test the commercial potential for alternative usage(s) of the Royal Pump Rooms, as set out at Appendix One to the report, is noted;

(2) the public petition in respect of the Royal Pump Rooms, as set out at paragraphs 3.20 – 3.23 of the report, is noted;

(3) the Royal Pump Rooms should be included in plans to create a wider Cultural and Creative Quarter to stimulate regeneration of a wider area within the northern part of the Old Town area, as shown at Appendix Two to the report;

(4) further work is undertaken to ensure that the use of the Royal Pump Rooms effectively supports the future development of the cultural and heritage potential of the Pump Room Gardens and the wider regeneration of the adjacent River Leam corridor and Spencer Yard areas;

(5) the principle that, as part of any future scheme to develop the Cultural and Creative Quarter, the Art Gallery and Museum should remain in the Royal Pump Rooms but that Leamington Library could potentially be relocated at future date, subject to agreement that the alternative use of the space better supported the regeneration aspirations and agreement of a suitable Leamington town centre relocation package with Warwickshire County Council, is agreed; and

(6) officers are instructed to develop a set of principles and parameters to underpin a Cultural and Creative Quarter regeneration scheme vision, a development brief and procurement process for its delivery, and report back to the February 2015 Executive.

(The Portfolio Holder for this item were Councillors Hammon, Mrs Gallagher and Mobbs)
(Forward Plan reference 648)

89. **Tachbrook Country Park**

The Executive considered a report from Development Services which sought approval to acquire the ownership of land to the south of Harbury Lane for the purposes of a Country Park.

Policy DS13 of the Publication Draft Local Plan identified land for a Country Park between the southern edge of new development sites off Harbury Lane and Bishop's Tachbrook.

The Country Park would address identified deficiencies in access to the countryside and natural green space in this area; act as a strong green buffer to prevent further urban encroachment; provide for a range of recreational activities; and improve the ecological value of the area.

The aim was for the Council to raise approximately £2.3m for the installation and maintenance of the park through Section 106 (S106) planning agreements. A study commissioned by Officers had confirmed that the anticipated contributions would be sufficient for installation of the park and subsequent maintenance for a period of 13 years.

In August 2014, the Planning Committee resolved to approve the application for 785 houses at Lower Heathcote Farm subject to a Section 106 agreement being signed. This agreement was signed on 19 September 2014 and the key obligations relating to the proposed country park were set out at Appendix 2 to the report.

The agreement obligated the applicant, Gallagher UK, to make an offer to the Council for land for a Country Park for the sum of £1 prior to the commencement of development. The Council then had 30 working days to determine whether it wished take up this offer. If it chose not to do so, the land would remain under the control of Gallagher, whereby they will submit proposals for a Country Park in due course. Based on discussions officers had had with Gallagher, the land likely to be offered was that shown on the plan in Appendix 1 to the report, which amounted to 19.9ha (49.2 acres).

A further report was suggested regarding the funding profile and the detailed content of the proposed park.

The report explained that there were two considerations that Members needed to make. Firstly to consider whether the forecast S106 funding was enough to deliver a country park. A high level exercise had been commissioned to help determine this issue and further details were included at section 3.8, supported by Appendix 3 to the report.

The second consideration was the issue of when the park would need to be delivered and if that was achievable. The criteria set out within the S106 in relation to the Gallagher planning application (W/14/0661), specified that the transfer must be upon occupation of the 400$^{th}$ dwelling, and then the Council must ensure the land was used as a Country Park within five years of this transfer or the land must be returned to the

existing owner. Officers advised that as it was difficult to be precise when the 400th dwelling would be occupied, it was reasonable to assume that the transfer date might not be for three years. More details were outlined in Appendix 2 to the report.

An alternative option was for the Council not to take on the offer from Gallagher, resulting in the developer proposing a scheme for a Country Park themselves and the land remaining in private ownership. This would mean that the Council had less control over the design and use of this element of the park and cohesion could prove more problematic. The land would also be managed by a private management company and past experience indicated that they did not always manage green spaces to the standards to which the Council aspired.

The Finance and Audit Scrutiny Committee supported the recommendations in the report.

Finance and Audit Scrutiny Committee members sought clarity on the S106 contributions lasting for 13 years and noted that this period would begin when the transfer of land was completed, which was upon occupation of the 400th dwelling. Therefore, Members raised concerns about the cost of maintaining the land after the 13 years, and the risk of this falling on the public purse. In addition, Members queried who would be responsible for maintaining the land prior to the Council taking ownership.

Some Members were uncertain that the Section 106 monies would be enough to last 13 years but noted that officers were comfortable that Red Kite had produced accurate valuations.

The Overview and Scrutiny Committee noted the report.

The Deputy Leader, who wasresponsible for the Local Plan, Councillor Caborn, endorsed the report and stated the vision of a Country Park had existed since the beginning of the Local Plan. He hoped that by encouraging more green spaces, developers would know that the Council mean what they say. He also felt that it was a great achievement for officers to have negotiated financial support through the S106 for a length of 13 years.

Members discussed the advantages of including this exciting project and creating a 'green lung' similar to Newbold Comyn. There was also strong feeling that if the Council needed to maintain the space, they would. Provision for cycling was also discussed and the Chief Executive outlined the extensive accessibility links, on foot and cycle, to other areas of the town. Mr Elliott also reminded Members that officers were working with the County Council and Sky Ride and talks with Network Rail regarding linking the cycleways further were continuing.

The Portfolio Holder for Neighbourhood Services, Councillor Shilton, expressed the Executive's thanks to the Green space team who had worked hard, with other officers, to produce this report. He felt that the

Country Park would not only serve the town but the District and further afield.

It was therefore

**Resolved** that

(1) the land currently controlled by Gallagher, as shown on the plan in Appendix 1 to the report, is acquired for the purposes of a Country Park;

(2) the principle of acquiring further land identified for use as the Country Park, is agreed, as this comes forward. It is anticipated that this will follow the extent of the boundary set in the Publication Draft Local Plan, however, this will be subject to further refinement and negotiation through the planning process; and

(3) a future report to agree the precise content of the proposed park and on the relevant capital and revenue funding necessary for the proposed Country Park, will be submitted in due course.

(The Portfolio Holders for this item were Councillors Caborn and Shilton)

90. **Coventry Local Development Plan Consultation Response**

The Executive considered a report from Development Services which sought agreement for the response to Coventry City Council's Local Development Consultation.

The full response was attached to the report as Appendix 1 and included comments on the duty to cooperate, the objectively assessed housing need and the distribution of housing.

Coventry City Council had consulted on the next step in delivering a new Local Plan for the City. The consultation document was available on the City Council's website and a link to this was provided in the report.

The Plan was open for consultation for a seven week period commencing on 12 September and ending on 31 October. Officers had submitted a draft representation to the City Council within the consultation period and had obtained the City Council agreement that this representation may be amended following consideration by Executive.

The report reminded Members that a sound local plan for Warwick District was dependent on effective working with Coventry City Council through the Duty to Cooperate. The draft representation reflected the priority Warwick District Council had placed on Duty to Cooperate in previous policy decision, including in the Publication Draft Local Plan.

An alternative option was that different representations could be made. However, officers felt it was difficult to envisage significantly different representations without conflicting with current Council policy as set out in the Publication Draft Local Plan.

The majority of the Overview and Scrutiny Committee welcomed this response to Coventry.

The Deputy Leader, who was responsible for the Local Plan, Councillor Caborn, supported the report and assured Members that the Council had a good relationship with Coventry City Council. He stated that there was a quality of understanding and cooperation and that dialogue was continuous.

It was therefore

**Resolved** that the representation to Coventry City Council Local Development Plan Consultation, as set out at Appendix 1, be agreed.

(The Portfolio Holder for this item was Councillor Caborn)

91. **Six Month Review of Service Area Plans (SAPs) and Fit for the Future**

The Executive considered a report from the Deputy Chief Executive (AJ) which updated the Executive on the 2014/15 Service Area Plan half-year performance. The report provided a review of each Service and their progress against the plan, highlighting areas of success and where learning had led to improvements or changes which contributed to the corporate priorities as agreed in the Fit for the Future (FFF) programme.

In June 2011, Members agreed to receive update reports on the Service Area Plans/ FFF programme twice yearly to enable monitoring of progress to take place and to ensure that the activities within the Portfolios are progressing and are co-ordinated. It was vital that Members were made aware of progress so that effective scrutiny could be undertaken and service plans formally updated.

In Appendices A to F of the report, Heads of Service had provided a 6-month review of their Service Area Plans (SAPs) for 2014/15. The reviews provided an opportunity for the Scrutiny Committees to consider whether project delivery milestones had been achieved and if not, to hold the Executive to account as the body with strategic responsibility for the delivery of the change programme.

The report also outlined the examples of organisational and people change which had taken place following service interventions and the Corporate Peer Challenge. Communications initiatives were also reviewed to try to make FFF and Core Brief messages more engaging and the introduction of staff communication tool, Jabber.

Details regarding the People Strategy were given at section 6.5.4 of the report followed by a list of highlights which included updates on the interim HR structure, a review of the framework providing Agency staff, details of bite-size HR Workshops and the creation of the 'Staff Voice' discussions group.

An alternative option was to not continue with the FFF programme in this format. However, as this had been agreed by the Council as the preferred approach to achieving the benefits, this option was not considered.

Having read the report and the associated appendices, Members were satisfied with the progress of the service area plans and it was therefore

**Resolved** that the performance of the Service Areas for 2014/15 as detailed in Appendices A-F and in Section 3 of the report, is noted.

(The Portfolio Holder for this item was Councillor Mobbs)
(Forward Plan reference 640)

92. **Rural/Urban Capital Improvement Scheme Application**

The Executive considered a report from Finance which provided details of two Rural/Urban Capital Improvement Scheme (RUCIS) grant applications.

One had been received from Offchurch Sports Club to resurface the all-weather netball court to resolve current health & safety issues created by damp and wet weather conditions. The second had been received from Barford, Sherbourne and Wasperton Joint Parish Council to replace, upgrade and extend the current limited play area located at the King George's playing fields.

The Council operates a scheme to award Capital Improvement Grants to organisations in rural and urban areas. The grant recommended is in accordance with the Council's agreed scheme and will provide funding to help the project progress.

The application from Offchurch Sports Club was for 49% of the total project costs up to a maximum of £5,225. The Sports Club had stated that they would provide £5,545 (51% of the total project costs) towards the project from their own cash reserves but they were not registered for vat. Therefore, they would not be reclaiming vat in connection to this project the award would be inclusive of vat.

Offchurch Sports Club had previously had a successful RUCIS application in December 2009, for £55,000 to rebuild their pavilion. The new application met the Council's criteria, which stated that an organisation must wait a minimum of two years before reapplying for a new grant.

The application from Barford, Sherbourne & Wasperton Joint Parish Council was for the first phase of a three phase overall project.

The Joint Parish Council's business plan assumed a total funding requirement of approximately £475,000 for the three capital elements detailed above and they had also considered a provision for repairs after ten years of £5,000 per annum to ensure sustainability (i.e. £50,000), along with plans for maintenance and removal of rubbish from the site using volunteers in the parish.

This application was specifically for phase 1 of the development of The King George's Playing Field Scheme and was for 30% of the total project costs, up to a maximum of £30,000. The report advised that although this was part of a big development scheme, it was considered a stand-alone project.

The other two projects were as follows:

- Phase 2 – Create a perimeter exercise track, upgrade lane access and bike racks; estimated costs of £100,000; and
- Phase 3 – Build a multi-sports court , tennis courts and toilets; estimated costs of £250,000.

Barford, Sherbourne & Wasperton Joint Parish Council stated that they would provide £10,000 (10% of the total project costs) towards the project from their own cash reserves. In addition, they would be reclaiming the VAT in connection to the project and therefore the award was excluding VAT. Initially, the Joint Parish Council would pay for the vat from their cash reserves.

Barford, Sherbourne & Wasperton Joint Parish Council had previously had successful RUCIS applications. In June 2008, £1,135 (50% of the total project costs) for refurbishment of bus shelters and in June 2012, £2,439 (50% of the total costs) for roof insulation for the Memorial Hall in June 2012.

This new application met the criteria whereby after a successful grant award an organisation must wait for a minimum of 2 years before re-applying for a new grant.

The alternative options were that Members could choose not to approve the grant funding or could vary the amount awarded.

An addendum circulated at the meeting provided clarification on some of the details regarding the separate phases of the Barford, Sherbourne & Wasperton Joint Parish Council application.

The Finance and Audit Scrutiny Committee supported the recommendations in the report and noted the additional information contained in the addendum.

The Portfolio Holder for Finance, Councillor Cross, supported the report and referred Members to the addendum.

It was therefore

**Resolved** that

(1) a Rural/Urban Capital Improvement Grant from the Rural cost centre budget for Offchurch Sports Club of 49% of the total project costs to resurface the all-weather netball court, up to a maximum of £5,225, is approved, subject to receipt of the following:

- Written confirmation of the financial contribution request decision from Eathorpe, Hunningham, Offchurch & Wappenbury Joint Parish Council; if approved, the contribution from Offchurch Sports Club cash reserves will be reduced accordingly; and

(2) a Rural/Urban Capital Improvement Grant from the Rural cost centre budget for Barford, Sherbourne & Wasperton Joint Parish Council of 30% of the total project costs to replace, upgrade and extend the current limited play area located at the King George's playing fields, up to a maximum of £30,000 subject to receipt of the following:

- Written confirmation of SITA approval (or if the application is declined, another capital grant provider) to fund £60,000 of the project cost to ensure that the RUCIS grant remains as 30% of the total project cost.

(The Portfolio Holder for this item was Councillor Cross)

93. **Public and Press**

**Resolved** that under Section 100A of the Local Government Act 1972 that the public and press be excluded from the meeting for the following 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.

| Minute No. | Para Nos. | Reason |
|---|---|---|
| 95 | 1 | Information relating to an individual |
| 95 | 2 | Information which is likely to reveal the identity of an individual |

| | | |
|---|---|---|
| 94 & 95 | 3 | Information relating to the financial or business affairs of any particular person (including the authority holding that information) |

94. **Lee Road Garage Site Proposal**

The recommendations of the report were agreed.

The full minute for this item would be set out in the confidential minutes of the meeting.

(The Portfolio Holder for this item was Councillor Vincett)
(Forward Plan reference 654)

95. **Options for HR and Payroll Functions**

The recommendations of the report were agreed.

The full minute for this item would be set out in the confidential minutes of the meeting.

(The Portfolio Holder for this item was Councillor Mobbs)
(Forward Plan reference 645)

(The meeting ended at 7.15 pm)