



Council

Notice of Meeting

Monday 12 December 2022

2.00 p.m.

**Council Chamber
Elizabeth House
Church Street
Stratford-upon-Avon**

This meeting can also be viewed via MS Teams [here](#)

Members of the Council are requested to attend

Chairman: Councillor Mark Cargill

Vice-Chairman: Councillor Gill Forman

Councillors:

L Adam
V Alcock
J Barker
T Bromwich
G Cleeve
A Crump
D Curtis
T Dixon
N Edden
J Feilding
E Fitter
B Fleming

J Fojtik
I Fradgley
J Fradgley
J Harris
T Harvey
P Hencher-Serafin
T Jefferson
M Jennings
S Juned
D Kendall
C Kettle
C Mills

P O`Donnell
A Parry
D Pemberton
M Perteghella
P Richards
J Riley
N Rock
K Rolfe
I Shenton
S Whalley-Hoggins

**David Buckland
Chief Executive
(Head of Paid Service)**

Elizabeth House, Church Street
Stratford-upon-Avon CV37 6HX

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NOTES

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Public Participation

Members of the public may ask questions of Members of The Cabinet or Committee Chairmen at meetings of the Council at the specified point in the proceedings with each questioner to be allowed no more than 3 minutes with a maximum of 15 minutes in total for this purpose.

In accordance with the Council's Constitution, question(s) may only be asked if notice has been given by delivering it in writing or by electronic mail to the Head of Paid Service no later than midday two clear (working) days before the day of the meeting. Each question must give the name and address of the questioner and must name the Member of the Council to whom it is to be put.

At any one meeting no person may submit more than two questions and no more than two such questions may be asked on behalf of one organisation.

The Head of Paid Service may reject a question if it:

- is not about a matter for which the Council has a responsibility or which affects the District;*
- is defamatory, frivolous or offensive;*
- involves ongoing litigation or negotiations which the Council is engaged in;*
- is substantially the same as a question which has been put at a meeting of the Council in the past six months;*
- requires the disclosure of confidential or exempt information; or*
- is about a planning, licensing or standards matter involving an individual or applicant for permission.*

Written questions will receive a written response which will be available one hour prior to the meeting.

Recording of meetings by Press and the Public

Recording, filming and photography at meetings of the Council, which members of the public can attend is allowed as long as proceedings at the meeting are not disrupted. Recording is not allowed when the meeting has agreed to formally exclude the press and public due to the nature of business discussed. To minimise disturbance to others attending the meeting please switch your phone or other mobile device to silent mode.

Unless agreed otherwise in advance, recording and reporting must take place from the public seating area and should be overt and focused on those speaking at the meeting, not other members of the public.

Please note the following Covid-19 safety advice for attending the meeting:

In line with current Government guidance, members of the public feeling unwell or showing symptoms of a respiratory infection, including Covid-19, are encouraged to view the meeting online [here](#)

COUNCIL

12 December 2022

AGENDA

Chairman's Welcome

1. Apologies for Absence

2. Disclosures of Interest

Members are reminded of the need to:

- 1) Declare the existence of any Disclosable Pecuniary Interest (DPI), Other Registerable Interest (ORI) or Non-Registerable Interest (NRI) for any agenda item;
- 2) Confirm the nature of the interest by explaining the connection between the interest and the agenda item; and
- 3) State what action (if any) they will take in relation to the interest when the agenda item is discussed*

*In the case of a DPI or ORI the obligation is to not participate in any discussion or vote and to leave the meeting room, unless the member has a dispensation from the Monitoring Officer.

If the existence and nature of any interest only becomes apparent later in the meeting it must be disclosed immediately. If a DPI or ORI is not already 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 the Monitoring Officer prior to the meeting.

3. Minutes

(Pages 1 - 32)

To confirm and sign the Minutes of the meeting held on 17 October 2022.

Items for Reference by the Council

4. Announcements

5. Public Participation (Questions by the Public)

To receive questions from the public to members of The Cabinet or Committee Chairman, notice having been given in accordance with Council Procedure Rules.

Matters for determination by the Council

6. Tanworth-in-Arden Neighbourhood Development Plan

(Pages 33 - 34)

To consider the adoption of the Tanworth-in-Arden Neighbourhood Development Plan.

7. Community Governance Review - Great Wolford and Little Wolford (Pages 35 - 38)

To consider a report that seeks the approval of the Community Governance Review undertaken at the request of Great Wolford Parish Council and Little Wolford Parish Meeting to merge and form a Joint Parish Council.

8. Update to the Constitution - Committee Procedure Rules (Planning Committee) (Pages 39 - 42)

To consider a report that proposes to amend the Committee Procedure Rules and make changes to the Council's Constitution, in respect of changes made to the duration time of a Planning Committee meeting during the Covid-19 pandemic.

Items referred to the Council from other Committees

Audit and Standards Committee 14 November 2022

9. Minute 388 - Calendar of Meetings (Pages 43 - 52)

To consider the recommendations from the Audit and Standards Committee, as contained in Minute 388 (2022/23) of its meeting held on 14 November 2022.
Agenda papers can be viewed at [Audit and Standards Committee](#)

10. Minute 389 - Review of Polling Districts and Polling Places (Pages 53 - 54)

To consider the recommendations from the Audit and Standards Committee, as contained in Minute 389 (2022/23) of its meeting held on 14 November 2022.
Agenda papers can be viewed at [Audit and Standards Committee](#)

The Cabinet 28 November 2022

11. Minute 410 - Adoption of the Infrastructure Funding Statement 2021/22 (Pages 55 - 56)

To consider the recommendation from The Cabinet, as contained in Minute 410 (2022/23) of its meeting held on 28 November 2022.
Agenda papers can be viewed at [The Cabinet](#)

Regulatory Committee 9 December 2022

12. Minute # - The proposed Byelaw for The Bancroft Gardens, The Tramway and The Recreation Ground

To consider the recommendation from the Regulatory Committee, as contained in Minute # (2022/23) of its meeting held on 9 December 2022.
Agenda papers can be viewed at [Regulatory Committee](#)

Report to follow

Matters for noting by the Council

Other items

13. Councillor Questions

To receive any questions (restricted to a maximum of 2 per Councillor) submitted by Councillors, in accordance with Council Procedure Rules.

Copies of the questions and the answers will be circulated at the meeting.

14. Questions to the Leader

The Leader to receive any questions from Councillors, in accordance with Council Procedure Rules, as below:

- a) Up to 30 minutes will be allowed at each meeting;
- b) A Councillor is permitted to speak for no more than three minutes;
- c) A Councillor may ask no more than two questions, with each question to be taken in turn;
- d) Questions must relate to the work of the District Council; and,
- e) No question shall be allowed if it relates to a question asked at the same meeting.

15. Notice of Motions Update - for information only

Notice of Motion	Action
Plantlife Council 21 February 2022	Referred to The Cabinet on 7 March 2022 and deferred pending a report from Officers. Updated information has now been received from Warwickshire County Council and will be presented, for consideration, to The Cabinet meeting scheduled for 9 January 2023.
Cost of Living Council 17 October 2022	Referred to The Cabinet meeting scheduled on 16 January 2023

16. Motions on Notice

Notice of the following Motion has been received in accordance with Council Procedure Rules.

The following Motion will be proposed by Councillor Curtis and seconded by Councillor Rolfe.

Housing Associations

- Many of our residents live in properties managed by housing associations. As elected Members we are often made aware of tenants who face long waiting times before issues are identified and resolved.
- Ever-increasing service charges continue to add financial burdens to tenants.
- Housing association tenants often feel that their concerns are ignored.
- We believe this Council must hold housing associations accountable.
- Following the recent news story where two-year-old Awaab Ishak died as a result of mould in his home, all councils need to ensure this never happens again.
- This Council needs to exert influence and demand better from housing associations for our residents.
- We ask that the Council arranges regular meetings between all Councillors and those responsible at all housing associations in Stratford-on-Avon District.
- That the contact details of a named employee are made readily available to all Councillors so that serious problems can be reported directly.
- That training is arranged for Councillors on the process of taking complaints to the Housing Ombudsman.

In accordance with Council Procedure Rules, the Chairman to report that the Motion, once proposed and seconded, will be referred to the Overview and Scrutiny Committee for initial consideration and report without debate.

17. Urgent Business

To consider any business which, in the opinion of the Chairman, is urgent in accordance with the provisions of Section 100B (4) of the Local Government Act 1972.



CHIEF EXECUTIVE (HEAD OF PAID SERVICE)

Please note: *The next meeting of the Council*
is scheduled to take place on
Monday 27 February 2023

COUNCIL

17 October 2022

MINUTES

*Held at Council Chamber, Elizabeth House, Church Street, Stratford-upon-Avon
Meeting commenced: 2.00 p.m. meeting ended: 4.49 p.m.*

Present: The Chairman of the Council (Councillor Mark Cargill) in the Chair

COUNCILLORS

G Forman	J Feilding	P Hencher-Serafin	D Pemberton
L Adam	E Fitter	T Jefferson	M Perteghella
V Alcock	B Fleming	M Jennings	P Richards
J Barker	J Fojtik	S Juned	J Riley
T Bromwich	I Fradgley	C Kettle	N Rock
G Cleeve	J Fradgley	C Mills	K Rolfe
A Crump	J Harris	P O`Donnell	I Shenton
T Dixon	T Harvey	A Parry	S Whalley-Hoggins

Apologies: Councillors D Curtis, N Edden and D Kendall

The Chairman welcomed pupils and teachers from Haselor Primary School, who were in attendance at the meeting. The pupils were visiting the Council offices to meet with the Chairman of the Council, Officers and Councillors to gain an insight on how the Council and its Committees were run. The Chairman of the Council extended his thanks to the pupils for attending, hoping that they had enjoyed the day.

332. Disclosures of Interest

The Chief Executive declared a personal interest in Minute 337 on behalf of himself, the Interim Electoral Services Manager and the Democratic Services Manager, stating that they would leave the meeting whilst this item was discussed.

The Chief Executive, on behalf of the Head of Resources, disclosed a personal interest in Minute 343 and stated that he would leave the meeting whilst this item was discussed.

333. Minutes

The Minutes of the meeting held on 11 July 2022 were confirmed and signed.

334. AnnouncementsChairman of the Council

Before making his announcements, the Chairman made reference to the online abuse some Councillors had received. He asked that Councillors report any incidents of abuse to the appropriate authorities. They would be fully supported by the Council.

The Chairman of the Council then gave a short slide presentation and reported on the following events that he had attended:

- The Degree Congregation at the University of Warwick;
- The Game Fair, where he met Her Royal Highness, The Princess Royal, who was the new patron of the British Association for Shooting and Conservation (BASC);
- The Re-enactment of the Battle of Evesham;
- The 75th Anniversary of the founding of the State of Pakistan with Stratford-upon-Avon Mayor Gill Cleeve;
- Young Traders of the Year Awards;
- Reading of the Proclamation of His majesty King Charles III at Stratford-upon-Avon Town Hall, following the death of Her Majesty Queen Elizabeth II. The Chairman also attended a number of civic events on behalf of the Council;
- Warwickshire Community and Voluntary Action (CAVA) Volunteer Awards Ceremony;
- The opening of the Mop Fair, along with fellow Councillors; and
- A groundbreaking ceremony in Alcester for a new, purpose-built headquarters for the chemical engineering firm Calgavin. The Rt Hon Nadhim Zahawi MP was also in attendance.

Leader of the Council

The Leader of the Council reported on attending the following:

- A Commemoration Service for Her Majesty, Queen Elizabeth II, in Warwick;
- A screening of the funeral of Her Majesty, Queen Elizabeth II, at the Royal Shakespeare Theatre by the Royal Shakespeare Company;
- Meetings of the Coventry and Warwickshire Local Enterprise Partnership (CWLEP) and the Finance and Governance Committee, to discuss the wind down of CWLEP; and
- A meeting at Warwickshire County Council, with Leaders and Chief Executives of the Boroughs and Districts from across the County, to discuss what to do collectively about the cost of living crisis.

Chief Executive

The Chief Executive thanked Members of the Council for their patience with the issues being experienced with the sound system in the Council Chamber. He confirmed that a long term solution was in the process of being procured and should, hopefully, be in place for the Budget meeting of the Council on 27 February 2023.

The Chief Executive then paid tribute to Graham Raspin, Senior Electoral Services Officer, who passed away on 17 August 2022, following a period of illness. Graham worked for Stratford-on-Avon District Council for most of his working career and it was the Chief Executive's privilege to present him with his 40 years' service certificate on 20 July 2022. The Chief Executive noted that Graham was one of the most respected officers in the Council and was universally popular with everyone he worked with and would be sorely missed. On 29 September 2022 a Cake Sale was held in memory of Graham which raised £644 to be donated to Cancer Charities.

335. Public Participation (Questions by the Public)

Mr Tom Ross, Chairman of Tanworth Residents Association

1. Limited infill

The current National Planning Policy Framework (NPPF) identifies one of the few permitted exceptions to the presumption against development in the Green Belt as "limited infill" within villages.

There is no nationally accepted definition of 'limited'. Stratford-on-Avon District Council (SDC) has chosen not to publish any explanation of the way it interprets this important term.

Tanworth-in-Arden is a Local Service Village totally washed over by the Green Belt. Part, but not all, is a Conservation Area.

Residents are concerned that there has been very little evidence in recent years of any limit whatsoever on applications relying on limited infill, neither what limits there should be on the size and scale of infill that is acceptable on a particular site, nor on the total number of such sites that will be permitted within a given village.

There seems plenty of infill but not much sign of it being limited.

Have the residents of Tanworth-in-Arden just got to accept that SDC will recommend that nearly every application for an infill housing development in Green Belt will be granted?

Councillor Shenton (Portfolio Holder for Planning) responded as follows:

Paragraph 149 of the NPPF states that: "A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt." A list of exceptions to this is then given, which includes, "e) limited infilling in villages". Stratford-on-Avon District Council's Core Strategy has a similar policy test contained in Policy CS.10 which states that limited infilling in Local Service Villages is not inappropriate in principle.

Mr Ross is correct to say that there is no definition of what 'limited' means. A number of planning terms are defined either through national legislation or guidance, but many are not, and this is not unusual in a legislative system such as Planning. This is because a balance has to be struck between defining terms to achieve consistency of decision-making and allowing the flexibility for decisions to reflect individual circumstances, including on a case by case basis.

The Committee reports and Delegated reports published by the Planning Team on development proposals explain what factors have been taken into account to come to a view on whether a proposal constitutes 'limited infill'. Key factors include the number of dwellings proposed compared with the number of dwellings in that settlement, and the size of the proposed building(s) in relation to nearby buildings and their own proportions. Officers will also have regard to case law and appeal decisions.

As with all areas of planning, it is important to achieve a level of consistency across different sites and circumstances.

The Planning Team addresses this by ensuring that all proposals for minor development in the Green Belt are dealt with by the West Area Team and signed off by its Team Leader. This covers all proposals up to ten dwellings together with replacement dwellings (Government 'Q' Code 13).

Within Tanworth-in-Arden Parish, Council records show that 97 applications of this type have been made since the adoption of the Core Strategy (11 July 2016): 56 have been approved, whilst 41 have either been refused or withdrawn. Of those refused or withdrawn, 29 were for reasons related to the protection of the openness of the Green Belt.

Contrary to the question, which implies an 'open door' policy to infill development in the Green Belt, there is, therefore, an extensive history of planning applications made within Tanworth-in-Arden which have either been withdrawn following officer advice or refused based on matters relating to the protection of the Green Belt. This includes examples where the question of limited infill has been tested and where refused applications have been successfully defended at appeal. (Application references 20/03580/FUL, Hardwick House, Broad Lane and 19/02306/OUT, Mewslade, Poolhead Lane, are particularly instructive and can be accessed through the Council's website).

In response to a supplementary question, Councillor Shenton agreed to provide Mr Ross with the number of planning applications, granted and refused, in Tanworth-in-Arden Village. He would also advise who, in the Planning Team, was responsible for looking at the overall cumulative effect of multiple applications for 'limited infill', outside of the meeting.

2. Profits from the sale of former Stratford-on-Avon District Council land

When Stratford-on-Avon District Council (SDC) was required to dispose of its public housing stock, a clawback provision was included in the contract with South Warwickshire Housing Association, later Orbit Housing. 50% of the profit from the subsequent sale of any assets was to be paid to SDC.

There have been two major disposals, by Orbit, of land in and around Bellfield in Tanworth-in-Arden, both of which have resulted in SDC receiving substantial sums of money.

Orbit and SDC planners were warned that the sale of land, previously used for parking since Bellfield was built, would result in a considerable loss of amenity and, in particular, a substantial reduction in parking provision for residents and users of Tanworth Bowling Club and Tanworth Garage alike. The parking situation is bad and about to get much worse.

Indications were given by a previous Ward Member that, in the light of the financial gain the Council was making, it might look favourably on some of the money being spent on projects in Tanworth to improve amenity. So far this has failed to materialize.

SDC planners have consistently chosen to ignore or downplay parking problems when considering applications to erect houses on areas previously used for parking.

Will SDC provide funding from the clawback monies to Tanworth Parish Council and local residents groups to improve the overall amenity in the village and, in particular, to try to resolve the parking problems in Bellfield and elsewhere?

Councillor Barker (Portfolio Holder for Homes, Health and Wellbeing) responded as follows:

The last clawback in 2018/19, specific to land at Bellfield, was £25k.

Before that the Council has only received money from the sale of garages across the District, not just Tanworth. Any sums received from the sale of property are applied to general capital receipts. Those funds are then used as part of the Capital Programme by Members at budget time.

In respect of the parking concerns, I am sure that Councillor Shenton would confirm that the Planning Team applies our guidance, as set out in Part O of the Development Requirements Supplementary Planning Document (SPD), available at [Development Requirements SPD | Stratford-on-Avon District Council](#). These standards were adopted following full public consultation. Far from being ignored or downplayed, parking is given due consideration, in accordance with the above, as part of the determination of any planning application.

In response to a supplementary question, Councillor Barker reiterated that the guidance was set out by the Development Requirements and that the funds were applied to the General Capital Programme. Consideration would be given to any funding applications for projects in Tanworth-in-Arden.

Councillor Barker suggested that Tanworth-in-Arden Parish Council speak directly with Warwickshire County Council Highways, to gain a better understanding of the very specific requirements to adhere to when commenting on applications.

Mr Lee Rhodes

What lessons have been learned from the circa £320,000 spent on the merger with Warwick District Council? Can some examples of the learning gained be stated in the council meeting please?

Councillor Jefferson (Leader of the Council and Portfolio Holder for Strategic Leadership) responded as follows:

One of the key lessons learned was that we saved at least £271,000 per annum. This is £1.35 million over the five year Medium Term Financial Plan period. There are potential recharges not yet quantified, so these figures can be considered a minimum. This is over four times the £320k spent on the merger.

We are still working together with Warwick District Council (WDC) in the following areas:

- *Legal Services;*
- *Climate Change;*
- *Business Rate Administration;*
- *Joint Waste & Recycling Contract;*
- *South Warwickshire Local Plan;*
- *South Warwickshire Economic Plan;*
- *Information Governance; and*
- *CCTV and HS2.*

As we have established a deeper level of relationship with opposite numbers at WDC it has already been mooted that we may explore further areas where we could institute joint working or deeper cooperation.

The experience of the merger process will not be lost. Given the pressures on Local Government finances it is likely that other similar initiatives may well need to be explored in future.

Three other key lessons were:

- *Attempting an initiative of this scale and complexity during a pandemic massively increases the challenge. We will be hesitant before attempting to do anything on this scale during any further pandemic;*
- *Cultural differences are much more significant than we estimated at the start; and*
- *The political context in WDC was a far greater constraint than we realised at the start.*

In response to a supplementary question, Councillor Jefferson confirmed that the public record of Members who voted for the merger with WDC was correct.

336. State of The District

Consideration was given to the annual report from the Leader of the Council on the 'State of the District', which summarised the events of the past year along with an outline of future proposals. It also provided information on the current economic, social and environmental profile of the District.

The Leader of the Opposition, Councillor Juned, addressed the meeting. A debate ensued, during which the following points were highlighted and discussed:

- The impact of the Coronavirus pandemic and the war in Ukraine on tourism and the economy;
- Housing availability and affordability;
- Population changes and the effects on business and transport;
- Energy prices and financial hardship, and the Council's guidance for residents;
- Planning legislation and resident satisfaction;
- The South Warwickshire Local Plan;
- Statistics relating to the lives and experiences of women in the District;
- The need for upgraded infrastructure to support growth and new housing developments, and working with Severn Trent to provide this;
- The support given by the residents of the District to the people suffering from the war in Ukraine;
- Climate Change; and
- Approaching Central Government on various issues.

The Chairman informed Members that a response to their questions raised would be circulated following the meeting.

At the invitation of the Chairman, the Leader summarised the comments made during the debate, adding his assurance that all of the above was being monitored closely.

Following which, it was

RESOLVED:

That the 'State of the Stratford-on-Avon District' be noted, and that the issues raised be considered as part of the budget making process for 2023/24.

Note: Councillor O'Donnell joined the meeting during the debate of this item.

337. Appointment of Returning Officer/Electoral Registration Officer and Deputy Returning Officer/Deputy Electoral Registration Officer

In accordance with Minute 332, the Chief Executive, the Interim Electoral Services Manager and the Democratic Services Manager left the meeting whilst this item was deliberated, returning at its conclusion.

Consideration was given to a report that recommended a review of the arrangements in respect of the statutory roles of Returning Officer/Electoral Registration Officer and Deputy Returning Officer/Deputy Electoral Registration Officer, following the departure of Caroline Nash, Democratic Services Manager.

The options available to the Council were to agree, suggest alternative proposals or not to agree to the recommended appointments, as set out in the agenda report.

Following which, it was

RESOLVED:

- 1) That David Dalby, Interim Electoral Services Manager, be appointed as Returning Officer and Electoral Registration Officer, with effect from 17 October 2022; and
- 2) That Macer Nash, Democratic Services Manager, be appointed as Deputy Returning Officer and Deputy Electoral Registration Officer, with effect from 17 October 2022.

338. Updates to The Constitution

Consideration was given to a report that sought agreement from the Council to update the Constitution, in line with the changes to the Senior Management Structure, agreed by the Employment Committee at its meeting held on 6 September 2022.

The main changes to the Senior Management Structure were:

- a) Head of Environmental and Neighbourhood Services:
 - To include Environmental Health and Licensing;
 - To include Markets and Events; and
 - To include Business Continuity along with Emergency Planning
- b) Head of Development:
 - To include Street Naming and Numbering; and
 - To add Building Control

The report also included one additional delegated power to the Head of Housing and Community Services in relation to those seeking asylum that had been the subject of a recent Decision Notice by the Leader of the Council.

The options available to the Council were to agree, propose amendments or not to agree to the recommended changes outlined in the agenda report.

Following which, it was

RESOLVED:

That the changes to the Council's Constitution, as detailed in Appendices 2, 3 and 4 to the agenda report, be approved.

339. Proposed Changes to Planning Delegations

Consideration was given to a report that sought approval for changes to the current delegated powers to the Head of Development, details of which were outlined in Appendix 1 to the agenda report. The proposed changes were designed to recognise the right of a Parish Meeting to use the Committee Trigger and other changes to promote transparency in the Council's process for administering planning applications.

In presenting the report, the Planning Committee Chairman, Councillor Peter Richards, proposed an amendment, which was seconded by Councillor Jennings and unanimously agreed, adding point 'd', to Delegation 19, as follows:

'Where an application for planning permission or reserved matters approval was made by the Town/Parish Council/Parish Meeting itself or was submitted on behalf of a Town/Parish Council/Parish Meeting, where the officer recommendation was for refusal'.

Following which, it was

RESOLVED:

That the proposed changes, as set out in Appendix 1 to the agenda report, to include the additional point as detailed in the preamble above, be approved, and that the Monitoring Officer be authorised to amend the Constitution accordingly.

340. Minute 220 - Notice of Motion - Freedom of Information Requests

Consideration was given to the recommendation from The Cabinet, as contained in Minute 220 of its meeting held on 5 September 2022, regarding the Notice of Motion in the names of Councillors Juned and Curtis, in respect of the publication on the Council's website of Freedom of Information (FOI) requests.

In considering the advantages and disadvantages, as outlined in the agenda report, it was agreed that it would not be an efficient use of public resources to publish FOI responses online.

Following which, it was

RESOLVED:

That the Notice of Motion be rejected.

341. Minute 267 - Development Requirements Supplementary Planning Document - Part U (Section 106 Planning Obligations)

Consideration was given to the recommendation from The Cabinet, as contained in Minute 267 of its meeting held on 3 October 2022, in regard to the proposed amendments to Part U (Section 106 Planning Obligations) of the Development Requirements Supplementary Planning Document (SPD).

Following which, it was

RESOLVED:

That the amendments to Part U (Section 106 Planning Obligations) of the Development Requirements Supplementary Planning Document, be approved.

342. Minute 301 - Community Governance Review - Great Wolford and Little Wolford

Consideration was given to the recommendation from the Audit and Standards Committee, as contained in Minute 301 of its meeting held on 10 October 2022, in respect of the request from Great Wolford Parish Council and Little Wolford Parish Meeting, to merge, to form one Joint Parish Council named The Wolfords Parish Council.

Following which, it was

RESOLVED:

- 1) That the Community Governance Review for Great Wolford and Little Wolford, in accordance with the Terms of Reference detailed at Appendix 1 to the agenda report, commence; and
- 2) That a report be made to Council on 12 December 2022 with final recommendations.

343. Minute 309 - Appointment Section 151 Officer

In accordance with Minute 332, the Head of Resources left the meeting whilst this item was deliberated, returning at its conclusion.

Consideration was given to the recommendation from the Employment Sub-Committee, as contained in Minute 309 of its meeting held on 10 October 2022, in respect of the appointment of the Section 151 Officer.

Following which, it was

RESOLVED

That Richard Burrell be appointed the Council's Section 151 Officer, to commence Monday 17 October 2022.

344. Minute 324 - Independent Person Appointment

Consideration was given to the recommendation from the Independent Person Recruitment Sub-Committee, as contained in Minute 324 of its meeting held on 13 October 2022, in respect of the appointment of an Independent Person.

Following which, it was

RESOLVED

That, subject to the receipt of satisfactory references, Mr Edward Macalister-Smith be appointed to the position of Independent Person, pursuant to Section 28 of the Localism Act 2011, for a four year term commencing on 17 October 2022, subject to any extension that may be agreed arising from the needs of the service, including the induction and training needs of newly appointed persons in the role.

Note: Councillor Crump left the meeting at the conclusion of this item.

345. Councillor Questions

1. Councillor Fojtik asked:

Can the Conservative run Council of the District of Stratford-on-Avon tell me how many council houses they have built since the year 2000, and how many people are now on the council house list needing to be housed?

Councillor Barker (Homes, Health and Wellbeing Portfolio Holder) responded as follows:

No council houses have been built since the year 2000. However, the Council has worked with partners to enable the delivery of 4,274 additional affordable homes between 1 April 2000 and 31 March 2022. The year ending 31 March 2022 was a record year with the Council enabling 495 affordable homes, which is the highest total ever.

There were 5,800 households on the Housing Waiting List (Home Choice Plus) as at the end of August 2022.

Financial year 1 April – 31 March	Number of additional affordable homes
2000 – 2001	48
2001 – 2002	96
2002 – 2003	73
2003 – 2004	57
2004 – 2005	201
2005 – 2006	200

2006 - 2007	54
2007 - 2008	139
2008 - 2009	51
2009 - 2010	75
2010 - 2011	76
-----	-----
2011 - 2012	105
2012 - 2013	96
2013 - 2014	122
2014 - 2015	215
2015 - 2016	291
2016 - 2017	263
2017 - 2018	384
2018 - 2019	356
2019 - 2020	491
2020 - 2021	386
2021 - 2022	495
Total	4,274
<i>Core Strategy period: 1 April 2011 onwards</i>	<i>3,204</i>

In response to a supplementary question regarding the different types of Housing Association property, Councillor Barker acknowledged the difficulties that some residents had faced in buying and selling Shared Ownership properties and advised that work was being carried out to simplify Home Choice Plus.

2. Councillor Fojtik asked:

Since being elected in 2015 I have not seen any evidence of a desire for this Council to build council houses to deal with the crisis in housing in the Stratford-on-Avon District. How many council houses will this Council be building in the next five years?

Councillor Barker (Homes, Health and Wellbeing Portfolio Holder) responded as follows:

Over the past few years, the Council has seriously explored the possibility of building council houses, e.g. through a local housing company, but for various reasons this has not been feasible. One of the main factors is that the Council owns little or no suitable land for development, and land is very expensive because developers are keen to develop in the District. It is for this same reason that we seek onsite provision of affordable housing as opposed to commuted sums.

However, Councils building their own homes is only one way of delivering affordable housing, and the Council has an excellent track record of delivering affordable homes by working with our partner housing associations.

Although the Council is unlikely to build any new council houses in the next five years, it currently expects to deliver approximately 450 affordable homes this financial year. There are at least another 1,850 affordable homes with planning permission.

It is not straightforward to compare delivery against other Councils as it will depend on a number of factors, including the housing requirement in the local plan. However, the figures do provide an indication of performance, and Stratford-on-Avon District affordable housing delivery compares very favourably with other local authorities in the West Midlands.

	2016-17	2017-18	2018-19	2019-20	2020-21
West Midlands (all LAs)	4,727	5,946	6,224	5,630	5,747
Birmingham	368	761	541	457	493
Coventry	411	223	336	199	163
Malvern Hills	69	182	188	273	226
North Warwickshire	143	125	60	59	180
Nuneaton and Bedworth	39	88	254	239	169
Redditch	81	72	126	98	77
Rugby	6	23	48	299	422
Solihull	150	186	252	207	304
Stratford-on-Avon*	301	460	422	552	465
Warwick	312	249	412	355	29
Wychavon	177	429	373	366	331

Source: [Government live table 1008C](#) as at 11 October 2022.

*Please note: Government figures differ to those recorded by councils owing to differences in data collection and definitions.

3. Councillor Bromwich asked:

When the 123+ Waste Recycling System was voted through by Full Council, we, as Councillors, were told that this was the cheapest option. It has come to light that Stratford-on-Avon District Council (SDC) has contributed payment for new refuse collection vehicles. Was this included in the tender process and all potential contractors informed that vehicles would be purchased by SDC and Warwick District Council? What has been the cost to SDC? Why was this never mentioned when the contract was voted through? Can we have full transparency as to whether these vehicles are leased or have been purchased and what is the actual cost? I ask the point about lease or purchase because there have been rumours circulating that the vehicles have been leased, this needs clarification.

What checks and research was made that the 123+ Waste Recycling System was an effective system, having researched online in August 2022, just after the system started, it appears that other local authorities who have adopted the system have suffered the very same issues as the residents of this District and Biffa used exactly the same excuses.

What scrutiny mechanisms are now in place to ensure that Biffa are actually doing as the contract asks for? For example, there have been numerous reports in Southam of food waste simply being emptied into the garden waste wagons, blue bins being emptied into general waste wagons. This is leading to a serious loss of confidence in the service with residents already starting to abandon the food caddies, as many think they are pointless because of these actions.

Councillor Fleming (Environment and Climate Change Portfolio Holder) responded as follows:

The 'Waste and Recycling Proposal' report which was approved by The Cabinet in November 2020 and recommended to Council in December 2020 stated that "a number of options are available regarding the provision of fleet, including the financing of collection vehicles [This will be informed by the soft-market testing]". The Invitation to Tender (ITT) documents included two options for vehicles funding – Option 1: the contractor funds all the vehicles and Option 2: the Authorities (Stratford-on-Avon District Council (SDC)/Warwick District Council (WDC)) fund the new vehicles for contract commencement and the vehicles are leased to the contractor. As part of the Invitation to Submit an Initial Tender (ISIT) stage, all tenderers were asked to submit a Pricing Schedule based on both options. It was clear from the Pricing Schedules received that Option 2 was the most cost-effective option for the Authorities. As such, and as part of the Invitation to Submit a Final Tender (ISFT) stage, tenderers were asked to submit a Pricing Schedule on the basis of the Authorities funding new frontline vehicles for contract commencement and during the initial contract period, to be leased to the contractor. WDC has purchased and financed all the frontline vehicles being used on the new contract. SDC will reimburse WDC for its element of the financing costs.

Regardless whether the vehicles have been leased or purchased and by whom, this has been done with the S151 Officer's and financial consultants' advice, as to the most cost effective way of dealing with the vehicles, without which bins cannot be emptied.

Rumour has no part in this process. This information is fully available if requested.

This was also covered in the 'Waste and Recycling Proposal' report, which was approved by The Cabinet in November 2020 and recommended to Council in December 2020. Item 3 'Waste Design Service states:

'3.2 This proposal is based on evidence from other Councils and from independent consultant exercises carried out over the last five years. These include:

- Frith Resource Management Ltd (FRM) - Daventry District Council 2016;*
- WRAP report WDC 2019; and*
- WRAP options appraisal report SDC 2020.*

These all support the principles of the 123+ design as the most cost effective service that is legally compliant maximising recycling, minimising residual waste and reducing the extent to which the cost of the new service will rise.'

The majority of the issues that residents of the District have faced are due to the introduction of the new food waste service. Given that this will shortly be a statutory requirement, this would have had to have been introduced regardless of the 123+ design.

One of the primary reasons for moving to the new 123+ service was the impact on climate change. Again, this was included in the 'Waste and Recycling Report'.

Item 1.4.4 stated:

'In line with the Council's declaration of a Climate Emergency, consideration must be given to the climate change agenda and a balance achieved between affordability and environmental impact. Reduction in frequency of collections to three weekly will reduce impact on the environment, as will reduction of residual waste capacity by encouraging people to recycle more.'

The report also indicates the success of the 123+ scheme when introduced in Daventry, where it led to a fall in residual waste of 13% in the first year of implementation. During the first seven weeks of operation of the new service in SDC and WDC, a fall of 1,552 tonnes of residual waste has already been evidenced, showing the success of the new scheme. The reasons for the move to the 123+ system should be remembered.

Other issues that have arisen are ones that would have been created with the mobilisation of any significant change in service when major logistical operations such as routes, staff and vehicles change. With the introduction of the new food service, we are now collecting 287,000 bins per week. The service change also involved the purchase of 66 new vehicles, preparation of 43 routes collecting from 136,000 households, it was a huge logistical operation. All of these things would have changed regardless of the contractor appointed or the choice of the 123+ service. There was no option to remain with the current contract as it had expired and could not have legally been extended again, and the previous vehicles were at the end of their life cycle.

One of the biggest problems experienced was the poor roll out of containers that was commissioned by WDC and was nothing to do with Biffa.

Biffa are an extremely experienced operator that has collected household waste in Stratford-on-Avon District successfully for the last 16 years with relatively few issues.

This was answered, in full, at the Overview and Scrutiny Committee on 30 September 2022 as follows:

- *Day-to-day liaison between SDC officers and Biffa's representatives (by phone/email or in person), covering issues across both SDC and WDC;*
- *Monthly Contract Operations meetings, attended by SDC's Environmental and Operational Services Manager (Chair), SDC's Streetscene Lead Contracts officer and WDC's Contract Services Manager; and*
- *Quarterly Contract Partnership Board meetings, attended by SDC's Head of Environmental and Operational Services (Chair), SDC's Environmental and Operational Services Manager and WDC's Head of Assets and Contract Services.*

In response to a supplementary question regarding whether the refuse vehicles had been bought or leased by the Council, Councillor Fleming clarified that the refuse vehicles acquired had been leased over a period of eight years, which was the most economic option.

Subsequent to the meeting, it was clarified by the Head of Environmental Services, that the vehicles had been purchased by Warwick District Council, as detailed in the written response above.

4. Councillor Bromwich asked:

Aldi submitted a planning application for a much-needed store to be built in Southam. It actually recorded the highest level of support for any potential store ever.

Currently, I am led to believe by the Planning officer, that it is awaiting a response from Warwickshire County Council (WCC) Highways in relation to a revised Highways proposal. This was submitted almost two months ago along with a requested environmental report.

Given the desperate need for residents of Southam and surrounding villages for infrastructure and, in particular, additional grocery shopping needs due to Southam and surrounding villages taking a higher percentage of new builds, as recognised in the Core Strategy, than other areas in the Stratford-on-Avon District and the big environmental impact in reducing travel with this application along with the job creation, what can the Council Leadership and the Planning Department do to get WCC to get a decision made as a matter of urgency?

Councillor Shenton (Planning Portfolio Holder) responded as follows:

A suite of amended plans has been prepared by the applicant over the last few months and submitted to the Council in the last fortnight. Re-consultations have been carried out and as such, the Local Highway Authority has 21 days to respond to that re-consultation.

In order to ensure that high priority applications are dealt with as quickly as possible, senior officers of the Stratford-on-Avon District Council and LHA meet on a monthly basis. This site was raised at the meeting in August, and it will be raised again later this month, which is within the 21 day consultation period.

It is expected that the LHA will be able to respond to the consultation within or very soon after the consultation period expires. SDC officers will continue to work with their colleagues in the LHA to secure a prompt response.

In response to a supplementary question in regard to response times, Councillor Shenton would take Councillor Bromwich's point back to the Regulatory Committee at Warwickshire County Council (WCC), noting however, that regular meetings were held between WCC Highways and the Council.

5. Councillor Edden asked:

A large number of residents on prepayment meters are eligible to revert meter types back to cheaper traditional or smart meters but find themselves facing wait times of up to six months for energy suppliers to swap their meters.

In light of rapidly increasing energy prices and the imbalance of pricing on prepayment meters, would the Leader be willing to lobby Government to put pressure on energy firms to improve the wait times of often vulnerable residents?

Councillor Barker (Homes, Health and Wellbeing Portfolio Holder) responded as follows:

The Council continues to work with partner organisations, and has information on our website referring residents to Warwickshire County Council's Warm and Well Warwickshire offer which provides:

- Energy saving and fuel bill advice;*
- Referrals for energy saving measures such as insulation; and*
- Advice on funding support.*

The Contact details are actonenergy.org.uk or call for FREE on 0800 988 2881.

I will also raise this matter via the Local MP for referral into Government.

6. Councillor Juned asked:

The Department for Environment, Food and Rural Affairs have announced a £110m Rural England Prosperity Fund to help support countryside communities. This tops up the UK Shared Prosperity Fund (UKSPF) and replaces the EU LEADER programme.

The funding can be invested in initiatives that create rural job opportunities, including being ring-fenced for farm businesses looking to expand by opening a farm shop, wedding venues or tourism facilities, as well as renovations for pubs, village halls and other rural hubs vital in their local communities.

What plans are Stratford-on-Avon District Council submitting to access this fund and can councillors make suggestions?

Councillor Pemberton (Deputy Leader of the Council and Place Portfolio Holder) responded as follows:

The Council is currently developing an addendum to the UKSPF investment plan that was previously submitted in the summer.

It aims to build on the proposed delivery approach, data and insight gained from the stakeholder engagement and expressions of interests received. The proposed allocation is for just over £1million for a two-year period from April 2023 to March 2025.

There will be further stakeholder engagement planned, to include consideration at the Local Partnership Advisory Group (LPAG) that is being formed to make recommendations to SDC with regards to these funding initiatives. Membership of LPAG will have representation across the intervention themes. The fund is aiming to address such themes as Community and Place, Supporting Local Business and People and Skills.

Annual calls for projects will undergo a robust process of selection aligned to the grant standards, following receipt of the award.

In response to a supplementary question, Councillor Pemberton noted that The Cabinet was expected to make a decision shortly on applying for the Rural England Prosperity Fund.

7. Councillor Adam asked:

My residents have had an appalling and inconsistent introduction to the new 123+ waste system.

Our officers have been admirable in working to address the persistent problems we have faced when these have been identified.

When asked for statistics of the rollout of the scheme the apparent favourable figures for the two Districts on the whole have been repeated time and time again, by both Stratford District Council and Biffa, but this has been of little comfort to my residents who have had in places five weeks without collections, maggots and insect infestations affecting their homes, and no place to put excess waste of all types.

Additionally, the extra stress this has put on our own resources has notably caused communication issues for residents and indicates the scale of the problems.

With this in mind, can the Council provide: a breakdown of the actual service we have received from Biffa on an area by area basis; an indication of the total number of residents negatively affected over the lifetime of the scheme to date; and an apology to the residents affected who, at the time of writing, are still having to put up with an inadequate system that they are paying for through their taxes or in the case of the green bin through additional charges.

Further, residents calling the Council have been put on hold, often for up to 50 minutes, and despite the long wait they have not been able to talk to advisers and/or officers. I understand the Call Centre is dealing with a large number of calls in relation to the 123+ waste collection system, with SDC fielding 123+ calls also for Warwick District Council residents.

Can the Portfolio Holder let me know what percentage of calls have been from residents in the Stratford-on-Avon District in relation to the 123+ and how many calls have gone unanswered?

Councillor Fleming (Environment and Climate Change Portfolio Holder) responded as follows:

SDC is unable to provide a breakdown of the actual service we have received from Biffa on an area-by-area basis. In terms of the number of residents negatively affected, Biffa currently carry out 287,000 collections per week from residents across Stratford-on-Avon and Warwick Districts, which equated to 2.583 million collections from 1 August to 30 September 2022. During this period, there were 13,696 missed collections. Apologies have been issued to residents when missed collections have been reported, either verbally or in writing.

Between 1 August and 30 September 2022, the Contact Centre answered 15,031 calls in relation to the 123+ waste collection service, covering both SDC and WDC. During this period, the calls answered equated to 64% of the total calls received in the contact centre.

In response to a supplementary question, Councillor Fleming agreed missed collections had affected specific areas, which was extremely unfortunate for those residents. Improvements to the service were being made, involving ongoing work of Council officers and regular meetings with Biffa. The agreed performance mechanism of the contract to be levied for service failures was being considered and negotiated.

8. Councillor Adam asked:

With energy bills increasing to excessive levels, many in Stratford-on-Avon District, even after the energy freeze announced by the Government, will be forced to make hard choices on how to stay warm and cook over the winter months. As such, what preparations are the Council undertaking to help provide warm community spaces for residents who feel they cannot heat their own homes. Similarly, can such measures be used to provide cool spaces during the heatwaves that are increasing in frequency?

Councillor Barker (Homes, Health and Wellbeing Portfolio Holder) responded as follows:

The Council continues to work across a number of agencies to provide the most appropriate information readily available to both elected Members and residents.

Last week, all Members received an email from the Head of Housing and Customer Services alerting them to the Warwickshire County Council initiative where parish councils and local communities can apply for Warm Hub Grants.

<https://www.wrccrural.org.uk/services/wrcc-warm-hubs/winter-warm-hubs/>

The Council will continue to provide information to signpost residents and Members using all communication channels.

In response to a supplementary question, Councillor Barker advised that funding for the provision of Warm Hubs was available through both Warwickshire Rural Community Council and the National Grid. The Council was considering its own buildings for use as Warm Hubs, whilst also working with Town and Parish Councils and receiving offers from other organisations, with different models available, such as, spaces open to the public all day, and others open at certain times.

9. Councillor Perteghella asked:

During a recent planning application in my Ward, a non-designated heritage asset was identified. However, Stratford-on-Avon District Council does not have a local list of buildings. In many of the Conservation Area Reviews there are lists of significant unlisted buildings, which I understand would likely be candidates for local listing.

Could the Portfolio Holder tell me why a list is not available, and would they agree that a local list of buildings is an important tool which can be used during planning applications, especially in an area rich in architectural heritage such as ours.

Would the Portfolio Holder support the compilation of such a list?

Councillor Pemberton (Deputy Leader of the Council & Place Portfolio Holder) responded as follows:

There are a number of processes through which non-designation heritage assets may be identified, including through neighbourhood plans and, as Councillor Perteghella notes, through conservation area appraisals and reviews. In some cases, the Local Planning Authority may also identify non-designated heritage assets as part of the decision-making process on planning applications. The Council utilises GIS information on significant non-designated heritage buildings when considering planning applications.

Whilst a local list of non-designated heritage assets can provide a useful reference, it should be noted that in a district like Stratford-on-Avon with such a rich heritage, any local list would never be definitive. It would require updating as and when new heritage assets were identified, including through the consideration of development proposals.

It is important to note that the historic environment record covering Stratford-on-Avon District is maintained by Warwickshire County Council (WCC). It identifies both designated and non-designated heritage assets. This information is already publicly available online and can thus be utilised to inform planning applications.

To conclude, it would be possible for the Council to produce a local list for Stratford-on-Avon District, but this would have significant resource implications to produce and require regular updating, and in many respects would be duplicating the information that is available on the WCC's historic environment record.

In response to a supplementary question, Councillor Pemberton would ask that the relevant officers publish the link to WCC's historic environment record on the Council's website.

10. Councillor Curtis asked:

In relation to the Council budget, what assumptions are being used?

With building costs soaring, will the Council be liable for any increased costs for the Materials Recycling Facility or is it a fixed price build contract?

In relation to the purchase by the Council of the vehicles for Biffa, has the Council fixed its interest costs?

Regarding the Council's leisure centres, using evidence from operators across the public and private sectors, the association UKactive estimates that combined gas and electricity costs for 2022 will increase by 100% compared to 2019 (the last full operating year, pre-pandemic). Their findings show that larger operators, such as facilities with swimming pool, will face an increase of up to 150%.

What is the likely impact on our leisure centres, and in particular those with swimming pools? And following the agreed fees and charges in January 2022, are we now likely to have to pay more under the contract?

Who is responsible for meeting the overrun costs for the Riverside project, and is there any estimate yet of how much it will be?

Councillor Harvey (Resources Portfolio Holder) responded as follows:

Discussions concerning the 2023/24 budget are underway. The assumptions that will be applied to the figures within the Medium Term Financial Plan sensibly have not yet been finalised.

This is because, as it may have been noticed, market conditions are in a state of flux. When there is an increased degree of certainty about the financial future that the Council will face, decisions will be made on the prudent assumptions that the Administration will adopt.

The contract to build the MRF is not a fixed price contract. The project has, over the two and a half year construction period and not unexpectedly, experienced additional costs in respect of building materials as a consequence of the disruption to materials supply chains. The plant and machinery part of the contract is based on payment in Canadian dollars. The decline in sterling's exchange rate will also have an impact on the final cost. Any request to cover additional costs will be limited to Stratford-on-Avon District Council's investment of 12.5% in the project and will form part of the preparation of the 2023/24 Capital Programme.

Councillor Curtis is under a misunderstanding. The refuse vehicles for the waste contract have not been purchased by SDC; they have been purchased and financed by Warwick District Council (WDC). To date, the cost involved has been financed by WDC from its own resources consistent with their treasury management policy. Discussions are in hand over the basis upon which the costs involved will be shared between the two Councils over the lifetime of the waste contract.

The final costs for the Riverside Project are expected to be known in about two weeks. It is anticipated that the additional costs incurred may be about £100k. These costs have been minimised by some redefining of the project, e.g. changes to the works to the edge of the Bathing Place and to the entrance to Fisherman's Car Park. These changes will not, however, remove all the additional costs.

The Stratford Town Trust is understood to have some relevant insurance arrangements in place which may be applicable. Once the position is clarified, the Council will negotiate an equitable split of the remaining costs.

The current leisure management contract that the Council negotiated with SLM (Everyone Active) provides that all utilities costs associated with our leisure centres are the responsibility of SLM (Everyone Active).

It is not anticipated that the higher energy costs will have an operational impact on our leisure centres, including those with swimming pools. SDC is in regular dialogue with SLM (Everyone Active) about energy costs and other contractual matters. Any future changes to the current contract negotiated with SLM (Everyone Active), e.g. in tariffs or energy consumption, will not have any impact on the management fee paid to SDC.

11. Councillor J Fradgley asked:

How many second homes in Stratford-on-Avon District will be given the £400 heating payments, or other subsidies?

Councillor Barker (Homes, Health and Wellbeing Portfolio Holder) responded as follows:

Stratford-on-Avon District Council is not responsible for administering the £400 heating payments and, as such, has had no input into which properties receive the funding.

12. Councillor I Fradgley asked:

Fordham House in Stratford-upon-Avon was given permission for residential flats on the basis of 'key workers' accommodation. There is an annual return made by the housing association of how many are let to key workers and how many to other people. I understand the annual return by the Housing Associations to 31 March 2022 should now have been received. How many flats are let to key workers?

Councillor Barker (Homes, Health and Wellbeing Portfolio Holder) responded as follows:

The Fordham Housing scheme is a private rented scheme, albeit owned by a Housing Association. The s106 provides for a cascade mechanism that extends to local people in various local occupations.

The s106 legal agreement allows for the letting of the 83 private rented flats to either key workers (including but not limited to NHS staff, teachers, police officers, prison service staff, social workers, education psychologists and occupational therapists, and junior and retained fire fighters), to people working in Stratford Town or to any other applicants. The agreement also obliges Orbit to forward an annual monitoring return to the Council.

- *7 flats - key worker*
- *68 flats - working in Stratford Town.*
- *7 flats - working elsewhere*
- *1 flat - not seeking work.*

There were no void flats at that date.

In response to a supplementary question, Councillor Barker agreed to supply Councillor Fradgley with a copy of the Section 106 agreement, mentioned above, following the meeting.

13. Councillor Cleeve asked:

The Council recently introduced an app, which notifies residents of the 123+ waste collection.

The app also offers residents the possibility of reporting issues, for example abandoned vehicles, dead animals, graffiti, missed bin collection, fly tipping, and so forth.

When residents report an issue or problem via the app, where does the report go and how long does it take to action? Is there data available on the use of the app for reporting problems?

Councillor Fleming (Environment and Climate Change Portfolio Holder) responded as follows:

The app sends the data straight to Biffa's IT system and Biffa is required to return within 48 hours to justify missed bins.

In response to a supplementary question, Councillor Fleming agreed to look into the reports and data available, detailing the use of the app, and report back to Councillor Cleeve, following the meeting.

14. Councillor Alcock asked:

As a person who has provided help and assistance for the homeless in the town of Stratford-upon-Avon over the years, I have been in full support of the Fred Winter Centre, the multiagency project which provides the help, advice and beds that are very much needed.

I am concerned, however, that there are still instances of rough sleeping in town, especially with the colder months setting in, and also reports of anti-social behaviour in the centre of Stratford-upon-Avon, especially alcohol related.

Can I ask the Portfolio Holder to look at this worrying issue, and provide bespoke support where needed?

Councillor Barker (Homes, Health and Wellbeing Portfolio Holder) responded as follows:

Stratford-on-Avon District Council takes this matter extremely seriously and works closely with all partner agencies to provide the most appropriate support to all cases. There has recently been a major initiative 'Operation Recording' launched by the Police, which was covered substantially in the local press last week.

For three weeks in October 2022 - as we approach the clocks going back and nights drawing in, the Police will be working alongside our partner agencies to focus on reducing anti-social behaviour within the town.

We know from speaking to communities that anti-social behaviour in Stratford-upon-Avon is an ongoing concern and can have a real impact on local residents and businesses. As part of the focus, Police officers will be conducting daily patrols within the town and liaising with the public. Those officers will also be conducting welfare checks on anyone seen rough sleeping and will be offering support and solutions to help prevent this.

Medical assistance for mental health and wellbeing, as well as drug and alcohol addiction support, will form part of this support structure.

Over recent months the Council has been working hard to look at measures to reduce anti-social behaviour within the town and to help divert people away from causing it.

This upcoming focus will reassure our local communities that the Council takes these concerns seriously and, through a co-ordinated approach with our partners, it will be a way to make a real difference.

The Council recognises that many of the people begging in Stratford-upon-Avon are often vulnerable and have complex needs, which is why the Council is working closely with charities and other services.

The best way to help these individuals is to support a charity, such as the Meaningful Change Programme, which aims to positively help change the lives of vulnerable people, by diverting money away from funding harmful lifestyles into positive interventions for those most at need.

The main aim of this work is to cooperate with partners, Stratford Town Council, Stratford Bid, Spring Housing, Community Mental Health Services and the street pastors. The Council hopes to:

- Information share on a daily basis to provide the best responses for individuals;*
- Build better connections and communication between on-street partners and services;*
- Work in partnership to support those who are vulnerable;*
- Improve feelings of safety, reduce fear of crime and improve public confidence in our local services; and*
- Prevent and reduce anti-social behaviour.*

In response to a supplementary question, Councillor Barker agreed to provide a report on the Fred Winter Centre and related projects at a later date, which she anticipated would include some positive outcomes.

15. Councillor Juned asked:

I have recently had complaints from two residents about Stratford-on-Avon District Council's response to enquiries about whether planning permission for the installation of solar panels was required. Neither live in a Conservation area or in a Listed Building.

Both were told by duty officers that they would need to apply for a Lawful Development Certificate with full elevations, site plan, Community Infrastructure Levy form and a fee of £103 before confirmation could be given on whether planning permission is required.

It was not made clear that the installation of solar panels and equipment on residential buildings and land may be 'permitted development' with no need to apply to the Local Planning Authority for planning permission unless important limits and conditions apply.

Many Councils, such as Swindon Borough Council and Cornwall Council, are making it clearer (for members of the public) on their websites about the rules on installing solar panels. A search for solar panels and planning permission on the Warwick District Council website leads directly to advice. A search on the Council's website returns 'no results found'.

Can the Council's website be updated to make the planning guidance on solar panel installation clearer please?

Councillor Shenton (Planning Portfolio Holder) responded as follows:

We get a large number of queries through our duty officer service regarding whether planning permission is required for a whole range of works. Permitted development rights are covered by National Legislation. It is our approach, in relation to the SDC web pages on planning permission/applications, not to duplicate information which is readily available on either the Planning Portal or Government websites.

Not only does this minimise resources needed to keep any such pages up to date, it minimises any risks of pages being out of date. Government planning policy has changed quite frequently in recent years.

For all permitted development enquires the duty officer will normally point customers in the direction of the Planning Portal and Government Regulations so they can make a self-assessment about whether planning permission is required. They will also advise them that if they wish to have confirmation of whether permission is not needed that they need to make an application for a certificate of lawfulness. Such applications are required to be accompanied by a fee and plans of sufficient quality for officers to make a formal assessment on whether planning permission is required.

Permitted Development Regulations cover a whole range of development, including a wide range of renewable energy generators in relation to domestic properties (solar, biomass, air source heat pumps, combined heat and power and wind power). So, the approach taken helps minimise the chance of the incorrect advice being given.

In response to a supplementary question, Councillor Shenton advised that few complaints had been received about the Council's advice and guidance regarding planning applications, and invited specific incidents to be brought to his attention for consideration.

16. Councillor Rolfe asked:

In the column written by the Leader in the Stratford Herald of 22 September 2022 he stated:

'Inflation is already having a direct effect on the funds allocated for Levelling Up and the Shared Prosperity Fund. The amounts bid for will not enable completion of the projects. Allocation of more funds may be challenging, so projects will need to either be scaled back or cancelled'.

Will he please tell me which projects in this District may be affected and when we can expect to hear which projects will be cancelled and which will be cut back?

Councillor Pemberton (Deputy Leader of the Council & Place Portfolio Holder) responded as follows:

At this stage, Stratford-on-Avon District Council has received a high volume of expressions of interest (70+) regarding potential projects that helped shape the development and submission of the Investment Plan. There are no definite projects that have been selected at this stage.

These will be further assessed and selected after a robust call for projects process following confirmation of the proposed award from central government of £3.5 million for the whole funding period to March 2025.

In response to a supplementary question, Councillor Pemberton advised that officers conducted the relevant work in selecting projects, forwarding recommendations to The Cabinet. There was scope for input from local residents and Ward Members in supporting particular projects.

17. Councillor J Fradgley asked:

A Motion to Council on 23 February 2015, which was subsequently referred to The Cabinet on 15 March 2015, resolved: *'an interim policy be implemented that an additional S106 contribution be sought on every application for residential development approved subject to a S106 agreement, where the South Warwickshire NHS Foundation Trust (SWNHSFT) had sought a contribution, subject to the Head of Environment and Planning being satisfied that such a contribution would be Community Infrastructure Levy compliant'*.

Would the Portfolio Holder please tell me the total of S106 contributions to SWNHSFT since March 2015?

Councillor Shenton (Planning Portfolio Holder) responded as follows:

Total paid over to the South Warwickshire NHS Foundation Trust since March 2015 is £2,827,296.75

18. Councillor Perteghella asked:

I attended last month the Shipston Town Meeting organised by the League of Friends of the Shipston on Stour Hospitals to update on the proposed redevelopment of the Ellen Badger Hospital, a local hospital which has provided care to the town and surrounding villages for generations of residents. I heard from speakers how community hospitals provide important integrated healthcare facilities, including in-patient beds, for the rural areas they occupy, as well as employment opportunities to the local community. We are a mainly rural district, and many residents live in isolated villages, with a lack of regular bus services, therefore reliant on private car travel. Much of the rural population is made up of an older demographic, therefore the provision of a comprehensive healthcare facility with both rehabilitative and palliative care close to home is essential for our rural, elderly communities.

While planning permission for the redevelopment has been agreed, funding problems have raised concerns as to whether the complete scheme can go ahead. To add to the uncertainty, the South Warwickshire University NHS Foundation Trust (SWUNHSFT) has been carrying out a beds review and we are awaiting an imminent statement, for both the Ellen Badger and the Nicol Unit at Stratford Hospital.

Can the Portfolio Holder tell me what representations have been made by The Cabinet of Stratford-on-Avon District Council to SWUNHSFT and the County Council, and if meetings have been held with SWUNHSFT, and other stakeholders to discuss progress?

Councillor Barker (Homes, Health and Wellbeing Portfolio Holder) responded as follows:

I work on the Board of Governors of the South Warwickshire Foundation Trust (SWFT) and am working with all stakeholders - including cross party with the local Liberal Democrats.

The bed review for South Warwickshire has still yet to be published.

The old Ellen Badger Hospital is currently being demolished having rehomed the protected bats in a bat box. Once demolition is complete the construction of the Hospital will then commence.

I am also in dialogue with the GPs, SWFT and the Integrated Care Board to find a solution to the financing of the new Health Centre on the site.

The aim of the project is an integrated health offer with all services on one site, fit for the next century.

In response to a supplementary question, Councillor Barker advised that the bed review was not expected to be published before January 2023. More work was, however, being done to provide beds for preventative, palliative, and emergency care in local community hospitals.

19. Councillor Cleeve asked:

Noting that the Prime Minister has refused to go ahead with a campaign to publicise simple ways in which people can reduce their energy use this coming winter, and noting that Warwick District Council has a dedicated page for help and advice on the cost of living, will the Portfolio Holder consider making such advice available in the next edition of The View magazine and on the Council's website?

Councillor Barker (Homes, Health and Wellbeing Portfolio Holder) responded as follows:

The Council continues to work closely with Warwickshire County Council and other partner agencies to ensure residents are provided with the most up to date and relevant information using all the communication channels available.

In response to a supplementary question, Councillor Barker confirmed that this information was now available on the Council's website.

20. Councillor O'Donnell asked:

I have been contacted by elderly and disabled residents who have reached out to me out of concern that they are being forced to purchase an extra grey bin to accommodate their clinical or incontinence waste.

Please could you update me regarding the progress of the 123+ charging policy with regard to charging for the extra grey bin required by many elderly disabled and vulnerable residents for their clinical waste. In the positive drive to keep elderly and vulnerable residents in their own homes it seems discriminatory for residents, who fall within the minority group, to firstly have to pay for an additional bin and also struggle with the reduced frequency of grey bin collection.

As per my previous query to the Overview and Scrutiny Committee, could there not be a loan scheme for the extra grey bin and also a specific extra collection for residents who have additional waste items due to incontinence and other clinical issues. Not to do so, I would suggest, could be seen to go against the recommendations of the Disability Minorities Act 2010 and the Disability Discrimination Act (DDA). Ideally, Stratford-on-Avon District Council should provide a separate human waste bin for regular collection. Bear in mind that the waste occurs due to residents being cared for in their own home and, in turn, saves the authorities substantial fees and it seems unfair that they are being penalised in this way.

Given the demographic of our region, I must also ask how the elderly and disabled were taken into consideration when this policy 123+ was initially considered.

Finally, such a scheme could be rolled out for families with young toddlers and extra nappy waste and the extra grey bin could be returned when the child reaches a certain age.

I look forward to your thoughts and response.

Councillor Fleming (Environment and Climate Change Portfolio Holder) responded as follows:

The policy with regards to the purchase of extra bins is not new due to the 123+ service. It has existed for many years to cover the cost of the purchase and delivery of additional bins. The Overview and Scrutiny Committee was advised to make this recommendation to The Cabinet and once made, it will consider the issue.

To clarify, the waste being referred to is not clinical waste. It is residual waste. There is no requirement under DDA to collect human waste separately and no frequency dictated. As with all these things, loan schemes can be done but there is a considerable financial impact. One of the reasons for introducing the new 123+ waste scheme was to encourage all residents to think more about how they dispose of their waste by recycling, and this applies equally to elderly and vulnerable residents.

The impact on all residents was considered when the scheme was introduced and the policy for additional bins for people with medical needs, or large households of two or more children in nappies, has not changed.

The offer of assisted collections has also remained for those residents who cannot present their own bins.

In response to a supplementary question, Councillor Fleming stated that he would liaise with the relevant officers for further information regarding the frequency and cost implications of collections for residents with medical needs and report back to Councillor O'Donnell outside of the meeting.

346. Questions to the Leader

1. Councillor Rolfe asked:

Had the Leader received a letter from the Warwickshire Wildlife Trust and, if so, did he intend to respond?

Councillor Jefferson, Leader of the Council responded as follows:

That he had received a letter and did intend to respond.

2. Councillor I Fradgley asked:

Having conducted his own survey and gathered data on the way that Bridgetown residents had reacted to putting out their bins, following the introduction of the new 123+ waste collection service, it appeared that residents were more likely to put their food caddies out when there was another bin being collected on the same day.

Could the Leader confirm if this was the case across the District and was there any notable difference as to whether bins were put out or otherwise for different days of the week?

Councillor Jefferson, Leader of the Council responded as follows:

That he was unable to answer such a detailed question. He would, however, look into whether this information was available and get back to Councillor Fradgley outside of the meeting.

3. Councillor I Fradgley asked:

After being repaired, the railing lighting on the bridge over the Bancroft Basin Lock appeared to have failed again. Could this matter be addressed?

Councillor Jefferson, Leader of the Council responded as follows:

The Leader confirmed that the matter would be addressed.

4. Councillor Fojtik asked:

Would the Leader look at Planning Policies that compel developers to include solar panels on new build houses as a prerequisite before applications were approved?

Councillor Jefferson, Leader of the Council responded as follows:

That it would be given serious consideration as part of the South Warwickshire Local Plan.

5. Councillor Perteghella asked:

Having been noted, at the recent Regulatory Committee meeting, that one post in the Enforcement Team would not be replaced, did the Leader agree that a well-resourced Enforcement department was imperative to ensure that any alleged breach of conditions were acted upon swiftly?

Councillor Jefferson, Leader of the Council responded as follows:

That Enforcement would be reviewed as part of the budget making process. The Leader noted, however, that Enforcement was not a statutory service and there would be significant constraints on next year's budget.

6. Councillor Alcock asked:

Housing associations, and one in particular, were time and time again failing residents. Please, can this Council look at ways of holding the housing associations to account?

Councillor Jefferson, Leader of the Council responded as follows:

That he too had received complaints about a certain housing association. Despite numerous meetings with the housing association, the Council was actually limited in the powers that it had to compel the organisations to do anything. The Leader would, again, take up Councillor Alcock's point, to see if more could be done.

7. Councillor Rock asked:

Please could the Leader indicate when he would receive responses to his questions regarding the new 123+ waste collection service in Southam, discussed at two earlier meetings?

Councillor Jefferson, Leader of the Council responded as follows:

The Leader apologised that the information had not been passed on. He would chase up the matter after the meeting and, as soon as the information was available, it would be sent to Councillor Rock.

8. Councillor Cleeve asked:

After thanking the Council for becoming a hub for receiving medical donations for Ambulance Aid and the staff that organised it, could the Leader continue to promote the Council's collection point as it was still desperately needed?

Councillor Jefferson, Leader of the Council responded as follows:

On behalf of the Council, that he would be happy to support Councillor Cleeve's request.

9. Councillor Bromwich asked:

With all the discussion on how the Council could assist residents struggling with the current cost of living crisis, would the Leader be willing, along with the other Members of the Council, to publish a booklet before Christmas, with recipe ideas for less than £3.00. Any money raised to be given to charity.

Councillor Jefferson, Leader of the Council responded as follows:

That he thought it was an excellent idea.

347. Notice of Motion Update - for information only

The update provided on the Notice of Motion for Plantlife was noted.

348. Motions on Notice

1. Water Resources

The following Motion was proposed by Councillor Juned and seconded by Councillor Hencher-Serafin.

Council notes that the very hot weather over the summer led to water shortages, drought and, in many areas, restrictions on water use. Hotter weather in the future could cause further water shortages.

Council notes that water is one of the key strategic issues of the South Warwickshire Local Plan.

As far back as 2009, an Environment Agency Science Report stated that water neutrality should be established within the planning system. Waterwise, in 2021, recommended that local authorities and water companies should consider the ways in which this might be achieved over the next 10 or 20 years within all new development.

Around 112,000 litres of water could be saved for each water neutral home built with annual savings of around £44 per home (Waterwise).

In developing the South Warwickshire Local Plan, Council requests that Severn Trent be approached to discuss the options available, with a report back on what further planning controls and policies could be adopted.

In accordance with Council Procedure Rules, the Chairman reported that the Motion would be debated at the meeting.

In response to the Motion, the Deputy Leader, on behalf of the Leader, noted the following:

- The need to engage with all the stakeholders, particularly the infrastructure providers, at the beginning of the process of developing the South Warwickshire Local Plan (SWLP);
- Confirmed that Severn Trent had responded to the initial scoping consultation of the SWLP and had attended meetings with officers, which included positive discussions surrounding water security for the future;
- Severn Trent would be part of the issues and options consultation process with regards to infrastructure and would be invited to the stakeholder infrastructure working groups that would be part of the SWLP process; and
- A Strategic Flood Risk Assessment was to be undertaken and a Water Cycle Study, looking at supply and quality issues, would be commissioned.

The Deputy Leader assured Members that the importance of water resources was very much a part of the SWLP process and progress would be reported to Members throughout the development of the Plan.

In response, the Leader reaffirmed the need to consider water supply within the SWLP and acknowledged the current challenges with existing infrastructure that could not meet the demands from some of the new developments.

A request was made on what could be done to overcome the obstacles faced by the water authorities when consulting on planning applications.

It was further suggested that Severn Trent be invited to a meeting at the Council to explain how it would deliver water supply in the future.

In conclusion, the Leader proposed an amendment to the wording of the Motion as follows, which was duly seconded and agreed by the proposer and seconder of the Motion:

In developing the South Warwickshire Local Plan, Council requests that Severn Trent be approached to discuss the options available, with a report back at appropriate points, through the South Warwickshire Local Plan process, on what further planning controls and policies could be adopted.

Following which, in agreement with all those present at the meeting, it was

RESOLVED:

That the Motion be supported.

2. Cost of Living

The following Motion was proposed by Councillor Perteghella and seconded by Councillor Rolfe.

This Council notes that families and individuals in our District face a cost-of-living crisis.

People living in rural areas, like ours, are disproportionately affected by fuel price increases because of the lack of regular and interlinked public transport and longer distances to reach work, education and health services.

Further, for those residents living in some areas, there is no price cap on solid fuel, bottled gas or heating oil, which many residents in rural villages in Stratford-on-Avon District Council use.

Council thanks our officers for the additional work already being done to support residents, including:

- Processing the £150 Council Tax rebates promptly;
- Homelessness prevention work;
- Managing funding with partners, such as Act on Energy, to provide financial and other advice across the District; and
- Signposting of benefits and other support.

But there is much more to do both nationally and locally. Therefore, Council resolves to ask the Leader and the Chief Executive to explore:

- Reviewing our Council Tax Reduction Scheme to reduce the tax burden for lower income households;
- Ways to protect funding for partnerships, delivering advice services to residents in next year's budget and future years as far as possible; and
- Working with partners to improve access to affordable and healthy food across our District.

Council also asks the Leader to write to relevant Government ministers and our local MPs to ask for action to relieve the cost-of-living crisis through the delivery of a real increase in investment in UK renewables, boost energy efficiency and develop a green energy plan for the UK, which immediately reduces costs for the end user and leads to the decarbonisation of the UK energy network in the long term.

In accordance with Council Procedure Rules, the Chairman reported that the Motion, having been proposed and seconded, would be referred to The Cabinet for consideration and report without debate.

Note: Councillor Bromwich left the meeting during the discussion of this item.

349. Urgent Business

There were no items of urgent business.

Council
12 December 2022

**Report of: Tanworth-in-Arden Neighbourhood
Development Plan**

Date: 29 November 2022

Chairman: Councillor Pemberton

The following Portfolio Holder Decision was published on 29 November 2022 to recommend to Council that the Tanworth-in-Arden Neighbourhood Development Plan (TIANDP) be adopted.

Copies of the relevant report and documents are available from Committee Services (telephone 01789 260245; email committeemanagers@stratford-dc.gov.uk) or can be viewed at [TIANDP](#)

At Referendum on 24 November 2022 the local community endorsed the Plan, with 87.1% (364) 'yes' votes to 12.9% (54) 'no' votes. The ballot generated a 15.89% turnout of the eligible voters.

The Tanworth-in-Arden Neighbourhood Development Plan (NDP) meets the Basic Conditions and its promotion is compliant with legal and procedural requirements. Paragraph 38A(4)(a) of the Planning and Compulsory Purchase Act 2004 requires the Council to 'make' (adopt) the Tanworth-in-Arden NDP if more than half of those voting in the Referendum have voted in favour of the Plan being used to help decide planning applications within the neighbourhood area.

Recommendation to Council:

That the Tanworth-in-Arden Neighbourhood Development Plan (Appendix 1 to the Decision) is adopted with immediate effect with the consequence that it becomes part of the Development Plan for Stratford-on-Avon District.

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Council**12 December 2022****Subject: Community Governance Review – Great
Wolford and Little Wolford****Lead Officer: David Dalby
Contact on 01789 260228****Lead Member: Councillor C Kettle**

Summary

This report relates to a Community Governance Review that has been undertaken at the request of Great Wolford Parish Council and Little Wolford Parish Meeting. The request was that they be merged and a Joint Parish Council be established. Terms of Reference have been agreed and the Council has consulted with all key stakeholders. Final recommendations are now made to Council.

Recommendations

- (1) That Great Wolford Parish Council and Little Wolford Parish Meeting be merged and be named The Wolfords Joint Parish Council; and**
 - (2) That the Head of Law and Governance be authorised to execute the Reorganisation Order made under the Local Government and Public Involvement in Health Act 2007.**
-

1 Background/Information

- 1.1 For some time, Great Wolford and Little Wolford have been considering the feasibility of merging into one joint parish. At meetings in March 2022, both agreed to recommend to Stratford-on-Avon District Council (SDC) that it undertake a Community Governance Review to achieve this. Currently, Great Wolford has five parish councillors.
 - 1.2 The Audit and Standards Committee considered the initial report on 10 October 2022 and Council agreed to commence the Community Governance Review on 17 October 2022 on the following basis:
 - that Little Wolford Parish Meeting and Great Wolford Parish Council be merged to form a Joint Parish Council;
-

- that the new Joint Parish Council be named The Wolfords Joint Parish Council;
- that the number of parish councillors remain at five; and
- that the changes come into effect from the Parish Council Elections in May 2023.

2 Consultation

- 2.1 In accordance with the regulations, all key stakeholders have been consulted, including:
- all residents of Great Wolford and Little Wolford;
 - the Parish Council and Parish Meeting;
 - the SDC Ward Member;
 - the County Councillor for the Division;
 - Warwickshire County Council; and
 - The Warwickshire Association of Local Councils (WALC).
- 2.2 Eleven consultation responses have been received, nine of which supported the proposal and two that did not support the proposal.
- 2.3 The responses that were not supportive voiced their concern about governance issues and the fact that, in the past, many of the Parish Councillors had been co-opted rather than elected. This is an issue many parish councils face if parish elections are not contested. In this particular instance, the obvious answer is in the hands of local people i.e. for six candidates to nominate themselves in order for an election to take place.
- 2.4 There were also calls for representation on the new Joint Parish Council to be from both villages. Again, this is in the hands of local people from each village to put themselves forward for election to ensure this representation.

3 The Reorganisation Order

- 3.1 To implement the change, the Council is required to adopt a Reorganisation Order made under the Local Government and Public Involvement in Health Act 2007. If the recommendations of this Community Governance Review are approved, the Order will be prepared in the New Year with a view to the new arrangements coming into effect at the quadrennial elections in May 2023.

4 Options available to the Council

- 4.1 To approve the Community Governance Review. This is the preferred option.

4.2 To reject the Community Governance Review. There is no evidence to support such an outcome.

4.3 To request more information before making a decision.

5 Evidence Base

5.1 The Council has a responsibility to ensure good governance in the area and, when approached by a Parish Council to make new arrangements to ensure this, it should consider such requests.

6 Consultation and Members' Comments

6.1 The Portfolio Holder has been consulted on this report and has no comments.

7 Implications of the proposal

7.1 *Legal/Human Rights Implications*

7.1.1 If the final recommendations for the Community Governance Review are approved, a Reorganisation Order would have to be produced.

7.2 *Financial*

7.2.1 If Council decides to agree the final recommendations, there will be a small amount of officer time involved.

7.3 *Council Plan*

7.3.1 The consideration of the request for a Community Governance Review supports the Council's aim of putting residents and the community centre stage.

7.4 *Environmental/Climate Change Implications*

7.4.1 None.

7.5 *Analysis of the effects on Equality*

7.5.1 None

7.6 *Data Protection*

7.6.1 There are no data protection issues.

7.7 *Health and Wellbeing*

No implications

8 Risk Assessment

8.1 The consultation exercise has helped determine whether any issues arise out of the proposals.

9 Conclusion

- 9.1 This report recommends to Council that the final recommendations of the Community Governance Review for Great Wolford and Little Wolford be approved.

Phil Grafton

HEAD OF GOVERNANCE AND DEMOCRACY

Background papers:

Request from Great Wolford Parish Council and Little Wolford Parish Meeting.

Consultation responses.

Council
12 December 2022

Title: **Update to the Constitution - Committee Procedure Rules (Planning Committee)**

Lead Officer: **Phil Grafton (01789 260400)**

**Portfolio Holder/
Lead Member:** **Councillor T Jefferson**

Summary

Following on from changes made to the Council's Planning Committee during the Covid-19 pandemic, it is proposed to amend the Procedure Rules to revert to the previous duration time of a meeting, which will bring the Planning Committee back in line with all of the Council's Committee meetings.

Recommendation

That the change to the Council's Constitution, as detailed in Appendix 1 to the report, be approved.

1 Background/Information

- 1.1 At the Annual Council meeting held on 16 September 2020, it was agreed to amend the operation of the Council's Planning Committees by replacing the two Committees (A and B) with a single Committee and to amend the Procedure Rules for this Committee to impose a maximum duration of time for a meeting.
- 1.2 As the meetings of the Planning Committee are more streamlined now that they have reverted to in-person meetings, it is proposed to amend the Procedure Rules to revert to the previous duration time for a meeting, which will bring the Planning Committee back in line with all of the Council's Committee meetings.
- 1.3 It is therefore proposed to update the Council's Constitution in line with the change, as detailed in **Appendix 1**.

2 Options available to Council

- 2.1 To agree, propose amendments or not to agree to the change.

3 Evidence Base

- 3.1 Not applicable.

4 Consultation and Members' comments

- 4.1 The Chairman of the Planning Committee is in favour of the proposal.

5 Implications of the proposal

- 5.1 ***Legal/Human Rights Implications***

5.1.1 Not applicable.

5.2 Financial

5.2.1 Not applicable.

5.3 Council Plan

5.3.1 This proposal is consistent with the Council's commitment to become a more agile and resilient Council.

5.4 Environmental/Climate Change Implications

5.4.1 Not applicable.

5.5 Analysis of the effects on Equality

5.5.1 Not applicable.

5.6 Data Protection

5.6.1 Not applicable.

5.7 Health and Wellbeing

5.7.1 Not applicable.

6 Risk Assessment

6.1 Not applicable.

7 Conclusion/Reasons for the Recommendation

7.1 The Council's Constitution is required to be amended in line with the proposed changes to the Planning Committee procedure rules to revert to the previous duration time, which will bring the Planning Committee back in line with all of the Council's Committee meetings.

Phil Grafton

MONITORING OFFICER

Background papers:

None

Committee Procedure Rules

9 DURATION OF MEETING

9.1 Unless the majority of Councillors present vote for the meeting to continue, any meeting that has lasted for three hours will adjourn immediately. Remaining business will be considered at a time and date fixed by the Chairman. If he/she does not fix a date, the remaining business will be considered at the next ordinary meeting.

~~**9.2** An exemption to the above is a maximum three hour duration for Planning Committee meetings, with the exception being that where consideration of any application has commenced 30 minutes or more prior to the three hour cut off, that it will continue until determined. Any application that does not meet this condition will automatically be deferred to a future Planning Committee meeting.~~

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Council
12 December 2022

Report of: **Audit and Standards Committee**
Date: **14 November 2022**
Chairman: **Councillor E Fitter**

A meeting of the Audit and Standards Committee was held on 14 November 2022 at which the following item had been considered and referred to the Council for determination.

Copies of the relevant report are available from Democratic Services (telephone 01789 260245; email committeemanagers@stratford-dc.gov.uk) or can be viewed at [Audit and Standards Committee](#)

Minute 388 – Calendar of Meetings

The Committee was presented with a suggested Calendar of Meetings for 2023/24 and a provisional Calendar for 2024/25, which would assist Councillors and Officers in planning their diaries ahead. In effect, a two-year programme was being presented, with the second year period being provisional.

It was requested that Officers continue to note the possibility of online meetings going forward, in order to assist new Councillors joining in May 2023.

Following a discussion, it was

RECOMMENDED to Council:

- 1. That the Calendar of Meetings for 2023/24 be agreed; and**
- 2. That the Calendar of Meetings for 2024/25 be approved, on the basis of these being provisional dates to assist the Council with its forward planning.**

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CALENDAR OF MEETINGS 2023/24

CALENDAR OF MEETINGS: MAY – AUGUST 2023

MAY			JUNE			JULY			AUGUST		
1	M	<i>BANK HOLIDAY</i>	1	Th		1	S		1	Tu	
2	Tu		2	F	OSC	2	S		2	W	Planning
3	W		3	S		3	M	The Cabinet	3	Th	
4	Th	<i>DISTRICT & PARISH ELECTIONS</i>	4	S		4	Tu	MDWG Climate Change Panel	4	F	
5	F		5	M	The Cabinet	5	W	Planning	5	S	
6	S		6	Tu		6	Th		6	S	
7	S		7	W	Planning	7	F		7	M	
8	M	<i>BANK HOLIDAY</i>	8	Th		8	S		8	Tu	
9	Tu		9	F		9	S		9	W	
10	W		10	S		10	M	COUNCIL	10	Th	
11	Th		11	S		11	Tu		11	F	
12	F		12	M		12	W		12	S	
13	S		13	Tu		13	Th		13	S	
14	S		14	W	Licensing	14	F		14	M	
15	M		15	Th		15	S		15	Tu	
16	Tu		16	F		16	S		16	W	Planning
17	W		17	S		17	M		17	Th	
18	Th		18	S		18	Tu		18	F	
19	F		19	M		19	W	Planning	19	S	
20	S		20	Tu		20	Th		20	S	
21	S		21	W	Planning	21	F		21	M	
22	M		22	Th		22	S		22	Tu	
23	Tu		23	F	Regulatory	23	S		23	W	
24	W	ANNUAL COUNCIL	24	S		24	M	Audit and Standards	24	Th	
25	Th		25	S		25	Tu		25	F	
26	F		26	M	JCNG	26	W	Licensing	26	S	
27	S		27	Tu	Employment	27	Th		27	S	
28	S		28	W		28	F		28	M	<i>BANK HOLIDAY</i>
29	M	<i>BANK HOLIDAY</i>	29	Th		29	S		29	Tu	
30	Tu		30	F	OSC	30	S		30	W	Planning
31	W	Planning				31	M		31	Th	

CALENDAR OF MEETINGS: SEPTEMBER – DECEMBER 2023

SEPTEMBER			OCTOBER			NOVEMBER			DECEMBER		
1	F	OSC	1	S		1	W		1	F	OSC
2	S		2	M	The Cabinet	2	Th		2	S	
3	S		3	Tu		3	F	OSC	3	S	
4	M	JCNG The Cabinet	4	W		4	S		4	M	The Cabinet
5	Tu	Employment Climate Change Panel	5	Th		5	S		5	Tu	
6	W	Licensing	6	F		6	M	The Cabinet	6	W	Planning
7	Th		7	S		7	Tu	Climate Change Panel	7	Th	
8	F		8	S		8	W	Planning	8	F	Regulatory
9	S		9	M		9	Th		9	S	
10	S		10	Tu	MDWG	10	F		10	S	
11	M		11	W	Planning	11	S		11	M	COUNCIL
12	Tu		12	Th		12	S		12	Tu	
13	W	Planning	13	F		13	M	Audit and Standards	13	W	
14	Th		14	S		14	Tu		14	Th	
15	F		15	S		15	W		15	F	
16	S		16	M	COUNCIL	16	Th		16	S	
17	S		17	Tu		17	F		17	S	
18	M		18	W		18	S		18	M	
19	Tu		19	Th		19	S		19	Tu	
20	W		20	F		20	M		20	W	Planning
21	Th		21	S		21	Tu		21	Th	
22	F	Regulatory	22	S		22	W	Planning	22	F	
23	S		23	M		23	Th		23	S	
24	S		24	Tu		24	F		24	S	
25	M	Audit and Standards	25	W	Licensing Planning	25	S		25	M	<i>CHRISTMAS DAY</i>
26	T		26	Th		26	S		26	Tu	<i>BOXING DAY</i>
27	W	Planning	27	F		27	M	JCNG	27	W	<i>OFFICES CLOSED</i>
28	Th		28	S		28	Tu	Employment	28	Th	<i>OFFICES CLOSED</i>
29	F	OSC	29	S		29	W	Licensing	29	F	<i>OFFICES CLOSED</i>
30	S		30	M		30	Th		30	S	
			31	Tu					31	S	

CALENDAR OF MEETINGS: JANUARY – MAY 2024

JANUARY			FEBRUARY			MARCH			APRIL			MAY		
1	M	<i>BANK HOLIDAY</i>	1	Th		1	F	OSC	1	M	<i>EASTER MONDAY</i>	1	W	
2	Tu		2	F	OSC	2	S		2	Tu		2	Th	<i>PCC ELECTIONS</i>
3	W		3	S		3	S		3	W	Planning	3	F	
4	Th		4	S		4	M	The Cabinet	4	Th		4	S	
5	F		5	M	The Cabinet	5	Tu	Climate Change Panel	5	F		5	S	
6	S		6	Tu		6	W	Planning	6	S		6	M	<i>BANK HOLIDAY</i>
7	S		7	W	Planning	7	Th		7	S		7	Tu	
8	M		8	Th		8	F	Regulatory	8	M		8	W	Planning
9	Tu	Climate Change Panel	9	F		9	S		9	Tu		9	Th	
10	W	Planning	10	S		10	S		10	W	Licensing	10	F	
11	Th		11	S		11	M	JCNG	11	Th		11	S	
12	F	OSC	12	M		12	Tu	Employment	12	F	OSC	12	S	
13	S		13	Tu		13	W		13	S		13	M	
14	S		14	W		14	Th		14	S		14	Tu	
15	M	The Cabinet	15	Th		15	F		15	M	The Cabinet	15	W	Planning
16	Tu		16	F		16	S		16	Tu		16	Th	
17	W	Licensing	17	S		17	S		17	W	Planning	17	F	
18	Th		18	S		18	M		18	Th		18	S	
19	F		19	M		19	Tu	MDWG	19	F		19	S	
20	S		20	Tu		20	W	Planning	20	S		20	M	
21	S		21	W	Planning	21	Th		21	S		21	Tu	
22	M		22	Th		22	F		22	M	COUNCIL	22	W	ANNUAL COUNCIL
23	Tu		23	F		23	S		23	Tu	Climate Change Panel	23	Th	
24	W	Planning	24	S		24	S		24	W		24	F	
25	Th		25	S		25	M	Audit and Standards	25	Th		25	S	
26	F		26	M	COUNCIL	26	Tu		26	F		26	S	
27	S		27	Tu		27	W		27	S		27	M	<i>BANK HOLIDAY</i>
28	S		28	W	Licensing	28	Th		28	S		28	Tu	
29	M		29	Th		29	F	<i>GOOD FRIDAY</i>	29	M		29	W	Planning
30	Tu	MDWG				30	S	<i>EASTER SATURDAY</i>	30	Tu		30	Th	
31	W					31	S	<i>EASTER SUNDAY</i>				31	F	

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CALENDAR OF MEETINGS 2024/25

CALENDAR OF MEETINGS: MAY – AUGUST 2024

MAY			JUNE			JULY			AUGUST		
1	W		1	S		1	M		1	Th	
2	Th	<i>PCC ELECTIONS</i>	2	S		2	Tu	MDWG Climate Change Panel	2	F	
3	F		3	M		3	W	Planning	3	S	
4	S		4	Tu		4	Th		4	S	
5	S		5	W	Planning	5	F		5	M	
6	M	<i>BANK HOLIDAY</i>	6	Th		6	S		6	Tu	
7	Tu		7	F		7	S		7	W	
8	W	Planning	8	S		8	M	COUNCIL	8	Th	
9	Th		9	S		9	Tu		9	F	
10	F		10	M		10	W		10	S	
11	S		11	Tu		11	Th		11	S	
12	S		12	W	Licensing	12	F	OSC	12	M	
13	M		13	Th		13	S		13	Tu	
14	Tu		14	F	OSC	14	S		14	W	Planning
15	W	Planning	15	S		15	M	The Cabinet	15	Th	
16	Th		16	S		16	Tu		16	F	
17	F		17	M	The Cabinet	17	W	Planning	17	S	
18	S		18	Tu		18	Th		18	S	
19	S		19	W	Planning	19	F		19	M	
20	M		20	Th		20	S		20	Tu	
21	Tu		21	F	Regulatory	21	S		21	W	
22	W	ANNUAL COUNCIL	22	S		22	M	Audit and Standards	22	Th	
23	Th		23	S		23	Tu		23	F	
24	F		24	M	JCNG	24	W	Licensing	24	S	
25	S		25	Tu	Employment	25	Th		25	S	
26	S		26	W		26	F		26	M	<i>BANK HOLIDAY</i>
27	M	<i>BANK HOLIDAY</i>	27	Th		27	S		27	Tu	
28	Tu		28	F		28	S		28	W	Planning
29	W	Planning	29	S		29	M		29	Th	
30	Th		30	S		30	Tu		30	F	OSC
31	F					31	W	Planning	31	S	

CALENDAR OF MEETINGS: SEPTEMBER – DECEMBER 2024

SEPTEMBER			OCTOBER			NOVEMBER			DECEMBER		
1	S		1	Tu		1	F	OSC	1	S	
2	M	JCNG The Cabinet	2	W		2	S		2	M	The Cabinet
3	Tu	Employment Climate Change Panel	3	Th		3	S		3	Tu	
4	W	Licensing	4	F	OSC	4	M	The Cabinet	4	W	Planning
5	Th		5	S		5	Tu	Climate Change Panel	5	Th	
6	F		6	S		6	W	Planning	6	F	Regulatory
7	S		7	M	The Cabinet	7	Th		7	S	
8	S		8	Tu	MDWG	8	F		8	S	
9	M		9	W	Planning	9	S		9	M	COUNCIL
10	Tu		10	Th		10	S		10	Tu	
11	W	Planning	11	F		11	M	Audit and Standards	11	W	
12	Th		12	S		12	Tu		12	Th	
13	F		13	S		13	W		13	F	
14	S		14	M	COUNCIL	14	Th		14	S	
15	S		15	Tu		15	F		15	S	
16	M		16	W	Licensing	16	S		16	M	
17	Tu		17	Th		17	S		17	Tu	
18	W		18	F		18	M		18	W	Planning
19	Th		19	S		19	Tu		19	Th	
20	F	Regulatory	20	S		20	W	Planning	20	F	
21	S		21	M		21	Th		21	S	
22	S		22	Tu		22	F		22	S	
23	M	Audit and Standards	23	W	Planning	23	S		23	M	
24	T		24	Th		24	S		24	Tu	
25	W	Planning	25	F		25	M	JCNG	25	W	CHRISTMAS DAY
26	Th		26	S		26	Tu	Employment	26	Th	BOXING DAY
27	F		27	S		27	W	Licensing	27	F	OFFICES CLOSED
28	S		28	M		28	Th		28	S	
29	S		29	Tu		29	F	OSC	29	S	
30	M		30	W		30	S		30	M	OFFICES CLOSED
			31	Th					31	Tu	OFFICES CLOSED

CALENDAR OF MEETINGS: JANUARY – MAY 2025

JANUARY			FEBRUARY			MARCH			APRIL			MAY		
1	W	<i>BANK HOLIDAY</i>	1	S		1	S		1	Tu		1	Th	<i>WCC ELECTIONS</i>
2	Th		2	S		2	S		2	W	Planning	2	F	
3	F		3	M	The Cabinet	3	M	The Cabinet	3	Th		3	S	
4	S		4	Tu		4	Tu	Climate Change Panel	4	F		4	S	
5	S		5	W	Planning	5	W	Planning	5	S		5	M	<i>BANK HOLIDAY</i>
6	M		6	Th		6	Th		6	S		6	Tu	
7	Tu	Climate Change Panel	7	F		7	F	Regulatory	7	M	COUNCIL	7	W	
8	W	Planning	8	S		8	S		8	Tu		8	Th	
9	Th		9	S		9	S		9	W		9	F	
10	F	OSC	10	M		10	M	JCNG	10	Th		10	S	
11	S		11	Tu		11	Tu	Employment	11	F		11	S	
12	S		12	W		12	W		12	S		12	M	
13	M	The Cabinet	13	Th		13	Th		13	S		13	Tu	
14	Tu		14	F		14	F		14	M		14	W	Planning
15	W	Licensing	15	S		15	S		15	Tu		15	Th	
16	Th		16	S		16	S		16	W	Planning	16	F	
17	F		17	M		17	M		17	Th		17	S	
18	S		18	Tu		18	Tu	MDWG	18	F	<i>GOOD FRIDAY</i>	18	S	
19	S		19	W	Planning	19	W	Planning	19	S	<i>EASTER SATURDAY</i>	19	M	
20	M		20	Th		20	Th		20	S	<i>EASTER SUNDAY</i>	20	Tu	
21	Tu		21	F		21	F		21	M	<i>EASTER MONDAY</i>	21	W	ANNUAL COUNCIL
22	W	Planning	22	S		22	S		22	Tu		22	Th	
23	Th		23	S		23	S		23	W	Planning	23	F	
24	F		24	M	COUNCIL	24	M	Audit and Standards	24	Th		24	S	
25	S		25	Tu		25	Tu		25	F		25	S	
26	S		26	W	Licensing	26	W		26	S		26	M	<i>BANK HOLIDAY</i>
27	M		27	Th		27	Th		27	S		27	Tu	
28	Tu	MDWG	28	F	OSC	28	F	OSC	28	M		28	W	Planning
29	W					29	S		29	Tu	Climate Change Panel	29	Th	
30	Th					30	S		30	W	Licensing	30	F	
31	F	OSC				31	M	The Cabinet				31	S	

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Council
12 December 2022

Report of: **Audit and Standards Committee**
Date: **14 November 2022**
Chairman: **Councillor E Fitter**

A meeting of the Audit and Standards Committee was held on 14 November 2022 at which the following item had been considered and referred to the Council for determination.

Copies of the relevant report are available from Democratic Services (telephone 01789 260245; email committeemanagers@stratford-dc.gov.uk) or can be viewed at [Audit and Standards Committee](#)

Minute 389 - Review of Polling Districts and Polling Places

In accordance with Minute 380, Councillor Fitter withdrew from the meeting. Councillor Whalley-Hoggins took the Chair.

The Head of Law and Governance presented the report and outlined the review of the polling districts and polling places and highlighted that this review was deemed necessary due to the pending boundary changes in the District of Stratford-on-Avon.

The Democratic Services Manager (DSM) then gave a verbal update to the report:

- To propose two additional stations for Southam South Ward with subsequent discussions to take place with Southam Bowls Club and Southam Community Hall, as both buildings were located in the revised ward; and
- To propose that the areas of Kings Coughton and Alcester Heath form a separate polling district, although situated mainly to the north and west of Alcester, were to be placed within the revised Alcester East Ward, with voting taking place at Alcester Scout Hut (located in Alcester West Ward) and/or any station to be confirmed within the new polling district.

The DSM then highlighted that Shipston South currently had three polling places listed in the report as it had not been decided which building to use, however, he further advised that inspections of these would be undertaken in the week beginning 28 November 2022 to clarify the confirmed polling place.

The Committee was also advised that the only concern Warwick District Council's elections team had expressed was that Wellesbourne Village Hall was too small to accommodate all voters for the area, therefore, Wellesbourne Sports and Social Club had been acquired in the revised Wellesbourne South Ward to help alleviate those issues.

A discussion then took place with regard to whether a separate ballot box could be provided for the residents of Chapel Ascote and Hodnell and Wills Pastures at Ladbroke Village Hall, as this was a polling place previously used for those parishes. The DSM explained that Ladbroke was now placed within the revised Harbury Ward, unlike Chapel Ascote and Hodnell and Wills Pastures, which was included within the revised Ward of Bishops Itchington, Napton and Fenny Compton.

The DSM further advised that all parishes across the District would vote in their designated Ward unless a separate polling station within an adjoining polling place ward could be provided. In the case of Chapel Ascote and Hodnell and Wills Pastures, this was not practical due to it being a small electorate, the District Council Ward elections, a possible parish election at Ladbroke and the proposed changes to Voter ID being introduced as part of the incoming Elections Act 2022. The DSM advised that residents would be informed of the change in advance of the election.

Thereafter, the Chairman proposed an informal vote be taken regarding Chapel Ascote and Hodnell and Wills Pastures being located to Fenny Compton Village Hall, which was agreed by 6 votes in favour to 3 votes against.

The Chairman thanked the officers for their work in undertaking the review of polling districts and polling places.

Following discussion, it was

RECOMMENDED to Council:

That the Polling Districts and Polling Places Review, as set out in Appendix 1 to the agenda report, to include the updates to Southam South Ward and Kings Coughton/Alcester Heath as detailed in the preamble above, be approved.

Council
12 December 2022

Report of: **The Cabinet**
Date: **28 November 2022**
Chairman: **Councillor Jefferson**

A meeting of the The Cabinet was held on 28 November 2022 at which the following item had been considered and referred to the Council for determination.

Copies of the relevant report are available from Democratic Services (telephone 01789 260245; email committeemanagers@stratford-dc.gov.uk) or can be viewed at [The Cabinet](#)

Minute 410 – Adoption of the Infrastructure Funding Statement 2021/2022

Councillor Pemberton – Deputy Leader – Place Portfolio

Consideration was given to the adoption of the Infrastructure Funding Statement (IFS) for 2021/22.

The adoption of the IFS 2021/22 provided the Council with transparency in reporting and decision making relating to Section 106 (S106) and Community Infrastructure Levy (CIL) developer contributions on both planning applications and the allocation of receipts.

Regulatory reforms required the Council to update the IFS on an annual basis by December for the preceding monitoring year. The IFS was required to include, as a minimum:

- The Infrastructure List;
- A S106 Report; and
- A CIL Report.

In addition to the above minimum requirements, the IFS also included the Council's CIL Spending Protocol.

The options open to The Cabinet were to recommend that Council adopt, amend and then adopt, or not to adopt the IFS 2021/22.

The Portfolio Holder advised that officers were in conversation with Town/Parish Councils and other colleagues/organisations where necessary, in order to help facilitate and progress infrastructure projects that had seemingly stalled. The Portfolio Holder felt that, given current budget and resource constraints, he did not consider it was therefore

necessary to introduce any further formal monitoring of CIL projects at this time.

The Overview and Scrutiny Committee Chairman gave feedback on the confusion surrounding applications and allocations, suggesting that training be provided.

Following which, it was

RECOMMENDED To Council:

That the Infrastructure Funding Statement 2021/22, as set out in Appendix 1 to the agenda report, be adopted.

NOTE: This item is not subject to call-in to OSC as it is a recommendation to Council.

COUNCIL

12 December 2022

Councillor Questions

AGENDA ITEM 13

1. Councillor Juned will ask:

Has the Government given the relevant instructions and finance to the Council on the implementation of the free "local elector ID" that will allow residents without suitable photo voter ID to vote?

Will extra training and guidance be given to elections staff?

How many cases has Stratford-on-Avon District Council experienced of residents who have committed the offence of impersonating another voter at a polling station in recent years?

Councillor Kettle (Legal and Community Safety Portfolio Holder) will respond as follows:

On 23 November 2022, the Electoral Commission published guidance for Electoral Registration Officers/Returning Officers to support the Voter Authority Certificate application process, which is expected to be launched in January 2023.

There is an extensive list of suitable photo ID that can be used by voters which includes a photo driving licence, passport, elderly persons'/disabled persons' bus pass and PASS cards. The full list is on the Council's website.

If voters do not possess any of the required forms of photo ID, they can apply for a free Voter Authority Certificate either online, by paper application or by visiting the Council Offices. They will have until 25 April 2023 to do this and the Certificate will be valid for more than one election.

The Government is making more than £82,000 available to the Council in the next 18 months to fund the new initiative. Training courses are being organised by The Cabinet Office and the Association of Electoral Administrators.

There have been no known cases of personation in the Stratford-on-Avon District in the last six years, although this is no guarantee that offences have not taken place.

2. Councillor Juned will ask:

Schedule 3 of the Flood and Water Management Act, passed in 2010, requires that sustainable drainage systems should be designed to national standards and approved by the County Council for any construction work which has drainage implications after consultation with bodies such as the Environment Agency and water companies if required.

Have the regulations for drainage systems on new developments passed in 2010 been enacted and enforced in England and what is the current consultation process for major construction work?

Councillor Shenton (Planning Portfolio Holder) will respond as follows:

The Flood and Water Management Act (2010) was enacted in April 2010, at which point Warwickshire County Council became a Lead Local Flood Authority (LLFA), responsible for managing local flood risk. Within Warwickshire this is related to surface water, groundwater, and ordinary watercourses.

To assist in the management of local flood risk, the LLFA develop, maintain, apply and monitor a Local Flood Risk Management Strategy (LFRMS). The LFRMS provides an overview and assessment of local flood risk in Warwickshire and how to manage and reduce local flood risk. Schedule 3 was consulted on multiple times in the period of 2010-2014 with strong opposition from housebuilders on the costs of such regulations and impacts on house building numbers. As such, the Government changed position towards the end of 2014. Instead of Schedule 3, the LLFA became a statutory consultee to the planning process in April 2015.

In relation to planning applications, the Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMPO) sets out at Schedule 4, that a consultation will take place with the LLFA in relation to any scheme proposing major development with surface water drainage. The most common types of schemes classified as 'major' are those proposing ten dwellings or more; buildings containing 1,000sq.m of floorspace or more; or sites having an area of 1 hectare or more.

Upon receipt of the planning consultation, the LLFA will review the Flood Risk Assessment and Surface Water Drainage Strategy to ensure that local flood risk has been adequately appraised and managed and that runoff arising from the proposed development will be managed using sustainable drainage systems (SuDS). The LLFA then provide their technical input to the planning application, which the case officer will have regard to in assessing the scheme.

In addition to this, the planning officer will also consult with the Environment Agency in certain specified circumstances and dependent on the level of Flood Risk.

3. Councillor Alcock will ask:

It has been reported that the local Stratford foodbank has experienced an 80% increase recently. This is a symptom of the cost-of-living crisis. We are pleased that the Liberal Democrat budget amendment for £50,000 to help with cost of living and energy advice has now been implemented and is delivered by Act on Energy to our residents. However, we also need to ensure that help and support is available face to face at the Council.

As things are only going to get harder for families and pensioners, we should be making sure that help is available in several ways. Can the Council go back to pre-pandemic opening times?

Councillor Barker (Homes, Health and Wellbeing Portfolio Holder) will respond as follows:

The Council re-instated its pre-pandemic opening hours from 8 September 2022.

4. Councillor J Fradgley will ask:

I have been asked by residents if it is permissible to convert sheds in their gardens to Airbnb's. Does this conversion need planning permission and Building Regs?

Do the regulations for insulation, safety, etc. on properties let for long term renting apply to this kind of back garden development?

What costs apply to such an Airbnb? Does Council Tax, and/or Business Rates?

Can such a development be rented out on a long-term basis? Are there different rules for Airbnb and a property for rent?

Councillor Barker (Homes, Health and Wellbeing Portfolio Holder) and Councillor Shenton (Planning Portfolio Holder) will respond as follows:

In relation to Airbnb properties, when residents are renting out a holiday home or investment property on Airbnb and it's available to let for less than 140 days per year, they will pay council tax, not business rates. Private rental property tenancy agreements are normally longer term. The Valuation Agency determines if a property appears on the national rating list as business or domestic. Individual businesses or domestic properties are able to challenge their rateable value or Council Tax Band.

The use of properties for letting out as Airbnbs can constitute a material change of use in some circumstances. There is extensive case law to guide officers on making judgements around whether a material change of use has taken place. If a change of use does arise, then planning permission will be required. Landowners are always encouraged to seek a Lawful Development Certificate where there is doubt. The factors that can be taken into account include:

- *how many days the Airbnb is occupied per year;*
- *average length of occupancy;*
- *whether it has an independent access (or if it's shared with the host dwellinghouse/multiple dwellinghouses);*
- *parking impacts; and*
- *size of unit and proportion of the dwellinghouse taken up.*

Permission may also be required where there are extensions or other building works proposed.

If it is proposed to convert an outbuilding to sleeping accommodation then Building Regulations would be required. This would assess a number of issues relating to insulation, heating and fire safety amongst other Health and Safety requirements.

I understand from my council tax colleagues that, if you create self-contained accommodation in your shed or outbuilding, you may be required to pay council tax. If the property is available to rent for 140 days or more in a year, it will be subject to business rates as it will be classified as a self-catering property.

5. Councillor Hencher-Serafin will ask:

Noting that Redditch Borough Council planning application 20/01650/FUL contains a requirement for the following S106 payments, is there any reason why Stratford-on-Avon District Council could not introduce a requirement for similar contributions in the Stratford-on-Avon District?

- Redditch Town Centre (Enhancement Contribution) £542 per dwelling;
- £461,400 bio-diversity contribution (Noting that the planning application states that this contribution would be shared amongst both Redditch Borough Councils and Stratford on Avon District for use on local biodiversity projects, as this is a cross border site).

Councillor Shenton (Planning Portfolio Holder) will respond as follows:

Planning obligations are legal obligations entered into to mitigate the impacts of a development proposal. Accordingly, what S106 contributions are necessary will depend upon the impacts of any particular development proposal. Planning obligations may only constitute a reason for granting planning permission if they meet the test that they are necessary to make the development acceptable in planning terms. They must be:

- *necessary to make the development acceptable in planning terms;*
- *directly related to the development; and*
- *fairly and reasonably related in scale and kind to the development.*

These tests are set out as statutory tests in regulation 122 (as amended by the 2011 and 2019 Regulations) and as policy tests in the National Planning Policy Framework. The 2019 amendments to the regulations removed the previous restriction on pooling more than five planning obligations towards a single piece of infrastructure. As such, it is possible to pool smaller contributions towards a single piece of infrastructure or project, subject to the request meeting the three tests.

A contribution towards town centre improvements could meet the tests for some developments. The contributions would, however, need to be directed towards a specific project or set of specific improvements that were realistic and deliverable improvements identified in policy or similar and which are not already being funded by CIL contributions.

The Council does secure bio-diversity offsetting contributions to mitigate the impacts of development where necessary. Such contributions are requested by the County Ecologist and supported by Policy CS.6 of the Core Strategy.

Any contributions for specific schemes will be set out as part of the relevant Case Officer / Committee Report.

6. Councillor I Fradgley will ask:

Stratford Town has three major regeneration and infrastructure projects planned.

The Gateway project, where in 2013 the District Council agreed to give an option over the Windsor Street car park as part of the development, the South Western Relief Road, included in the final 2016 Core Strategy, and improvements to Birmingham Road, a project derived from a series of meetings on traffic started by the local MP in 2014.

Would the Portfolio Holder please tell me when they expect these three projects to be completed?

Councillor Pemberton (Place Portfolio Holder) will respond as follows:

In respect of the Gateway Project: there are currently ongoing negotiations with two parties who are interested in purchasing the site with a view to its redevelopment. Stratford-on-Avon District Council is in the process of developing a design brief for the site to shape the redevelopment.

In respect of the Birmingham Road: Phase 2, from north of St Peters Way to the A46 roundabout will start in January 2023 and will include the S106 schemes including the new footpath, crossing and bus shelter. The main elements of the scheme are a segregated cycle and footpath on the west side and a swapping of lanes from two out of town and one in, to two into town and one out. In doing so, Warwickshire County Council (WCC) is including the provisions of LTN 120, which is the new guidance for prioritising cycling and pedestrians at junctions. Phase 3 for the remaining middle section has also been designed with site works expected to start in 2023.

In respect of the South Western Relief Road: discussions are ongoing with Homes England and WCC. I do not have a date for completion. A Transport Options Study is being prepared to look at the Garden Village itself and explore how greater trip internalisation and modal shift could be achieved.

7. Councillor J Fradgley will ask:

Second homeowners in this District currently have the ability, subject to certain conditions, to pay business rates instead of council tax. With small business reliefs, this often means that no payment is made either for council tax or business rates.

What powers does this Council have to challenge such claims and ensure that some contribution is made towards local services?

Councillor Barker (Homes, Health and Wellbeing Portfolio Holder) will respond as follows:

The Regulations relating to the awarding of Small Business Rate Relief are based firstly on the rateable value of the property. This Relief is a national scheme which all Local Councils are required to administer on behalf of Central Government. The Valuation Agency determines if a property appears on the national rating list as business or domestic.

Local Councils have no powers to appeal the decision. Individual businesses or domestic properties are able to challenge their rateable value or Council Tax Band.

The Government indicated in November 2022 its intention to look at the regulations and guidance around second homes at some point.

8. Councillor Curtis will ask:

This Council's most recent draft accounts show a £53 million deficit arising from the authority's obligation in respect of its defined benefit pension plans. In the current year this Council raised £9,372,000 in council tax.

What impact does the Portfolio Holder expect the pension deficit to have on council tax and what arrangements have been made to pay off the deficit?

Councillor Harvey (Resources Portfolio Holder) will respond as follows:

The Local Government Pension Scheme (LGPS) is a collective scheme with over 18,000 sponsoring employers and 6.1m members. The LGPS is administered locally by 86 local pension funds. At the end of March 2021, it had assets of £342 billion. The valuation of the pension fund assets and liabilities is undertaken by actuaries, Hymans Robertson LLP. The actuaries forecast asset values and apply a series of assumptions and statistical information to determine the liabilities to which the fund could be exposed.

The net position of assets and liabilities in 2020/21 was a deficit of £53 million, although this position had changed to a £39.4 million deficit by the close of 2021/22. The actuarial calculations are based over a long term period. As a consequence, a small alteration in any one of the underlying assumptions can create significant shifts in asset and liability valuations. The aim of the actuary is to move the fund to a fully funded position by reducing any deficit to nil over a timescale that is agreed with the sponsoring employers. The longer term view taken by the actuaries will also spread the cyclical variations in the economy so that pension contributions are more stable and certain.

A routine triannual valuation of the pension fund has just been completed. The employer contribution rate for the next three years has as a result risen by 0.2%. This equates to £20,000 for Stratford-on-Avon District Council (SDC) which has been incorporated into the 2023/24 budget. If this sum were to be financed solely through SDC's Council Tax, it would represent some 0.33p per household.

9. Councillor Alcock will ask:

Residents have raised concerns about the amount of litter on the area around the railway bridge on Alcester Road. When planning permission was given for the residential blocks at the College, there was an owner's covenant requiring 30 litter picks in the area per year, to remove litter which could reasonably be expected to have been dropped by College students.

Would the Portfolio Holder please tell me whether that clause is still in force and whether any arrangements have been made with the College over litter picking should the planning application to demolish the blocks be approved?

Councillor Shenton (Planning Portfolio Holder) will respond as follows:

An agreement was part of the S106 Unilateral Undertaking submitted by the applicant under application 04/03802/FUL and my understanding is that it remains in force. It applies, however, to a different area of land forming part of Shottery Field and not the land by the railway bridge. I am not aware of any request to vary the requirement.

10. Councillor Rolfe will ask:

The 5 April 2018 edition of the *Stratford Herald* carried an article under the heading 'Council admits to housing mix lapse'. The article explained that 'far more four or more-bedroom houses have been built than the 12 to 17 per cent outlined by the Core Strategy'. At the same time there was a deficit in the number of smaller houses built.

Has this situation now been remedied?

Councillor Barker (Homes, Health and Wellbeing Portfolio Holder) and Councillor Shenton (Planning Portfolio Holder) will respond as follows:

CS.19 of the Core Strategy sets out the preferred type and mix of homes, which includes 15-20% market four-beds and 5-10% affordable four-beds. The latest monitoring shows that since 2018/19 the number of larger properties (four-bed+) has fallen each year:

- 2018/19 – 25%
- 2019/20 – 21%
- 2020/2021 – 19%
- 2021/22 – 18%

The number of smaller properties (one and two bed) delivered since 2018/19 account for 39% to 42% of all homes delivered overall (both market housing and affordable housing).

NB: Numbers are rounded and only include sites of five dwellings or more. The figures include both market and affordable housing. Also, Neighbourhood Plans may set slightly different housing mix figures which will affect the overall figures.

It is also worth noting that there is a time-lag in delivery between homes gaining planning consent and being built. Some of the homes built in 2018 may have secured consent prior to adoption of the Core Strategy and implementation of the policy. The policy is also intended to be a broad target as opposed to applying on every site – there may be site specific reasons (including design) as to why a slightly different mix is considered acceptable. The trend shown above, however, is a positive one and shows that the Core Strategy is being successful in helping to rebalance the mix of homes in the District.

11. Councillor Perteghella will ask:

I understand that some of the social housing in Meon Vale was purchased as 'Off the Shelf' (OTS) properties and therefore residents were told that the housing association did not hold National House Building Council (NHBC) inspection reports for these properties, and only required final warranty from NHBC.

An OTS purchase is where an association purchases either:

- newly constructed properties for first-time occupation by housing association tenants; or
- properties that have been occupied privately for period not exceeding twelve months from completion.

Can the Portfolio Holder tell me how many social homes have been purchased as OTS in the District? Is Stratford-on-Avon District Council involved with the confirmation of whether a percentage of newly built homes marked for social housing are OTS?

If problems with a new building are such that the result is that building regulations have not been met, I understand that this Council's Building Control Department has the power to intervene and take action to ensure that such faults are rectified.

How significant do such breaches have to be before this Council will intervene?

Councillor Barker (Homes, Health and Wellbeing Portfolio Holder) and Councillor Shenton (Planning Portfolio Holder) will respond as follows:

The overwhelming majority of affordable homes in this District are delivered via 'Off the Shelf' purchases. In simple terms, these are new build homes bought by Registered Providers (mostly housing associations) on sites owned by private developers. The Council is involved in agreeing the percentage of affordable homes on each site.

It is important to remember that Registered Providers are regulated by the Regulator of Social Housing.

In general, where there are problems with homes that were dealt with by an Approved Inspector, the District Council's Building Control Team is unable to take enforcement action against a developer unless it is reverted to the Local Authority, instigated by the owner/developer. In exceptional circumstances, consideration can be given to take the Approved Inspector to Court if he has issued a compliance certificate for work that contravenes the regulations, but this is extremely rare and normally relates to Life Safety.

The warranty provider/developer and their professional body would be the best way to tackle any issues, and any tenants or shared owners with concerns about their homes can contact their landlord. If they are not satisfied with the outcome of their complaint they can contact the Housing Ombudsman.