

To: Leader and Members of the Executive Board

(Councillors D Wright, Bell, Clews, Dirveiks, Gosling, Parsons, H Phillips, Reilly, Ridley, Simpson, Symonds and Whapples)

For the information of other Members of the Council

For general enquiries please contact the Democratic Services Team on 01827 719237 or via e-mail – democraticservices@northwarks.gov.uk

For enquiries about specific reports please contact the officer named in the reports.

The agenda and reports are available in large print and electronic accessible formats if requested.

EXECUTIVE BOARD AGENDA

19 July 2023

The Executive Board will meet in The Chamber, The Council House, South Street, Atherstone on Wednesday, 19 July 2023 at 6.30pm.

The meeting can also be viewed on the Council's YouTube channel at NorthWarks - YouTube.

AGENDA

- 1 Evacuation Procedure.**
- 2 Apologies for Absence / Members away on official Council business.**
- 3 Disclosable Pecuniary and Non-Pecuniary Interests.**

4 **Public Participation**

Up to twenty minutes will be set aside for members of the public to put questions to elected Members.

Members of the public wishing to address the Board must register their intention to do so by 9:30am two working days prior to the meeting. Participants are restricted to five minutes each.

If you wish to put a question to the meeting, please register by email to democraticservices@northwarks.gov.uk or telephone 01827 719221 / 01827 719237.

Once registered to speak, the person asking the question has the option to either:

- a) attend the meeting in person at the Council Chamber;
- b) attend remotely via Teams; or
- c) request that the Chair reads out their written question.

The Council Chamber has level access via a lift to assist those with limited mobility who attend in person however, it may be more convenient to attend remotely.

If attending remotely an invitation will be sent to join the Teams video conferencing for this meeting. Those registered to speak should dial the telephone number and ID number (provided on their invitation) when joining the meeting to ask their question. However, whilst waiting they will be able to hear what is being said at the meeting. They will also be able to view the meeting using the YouTube link provided (if so, they made need to mute the sound on YouTube when they speak on the phone to prevent feedback).

- 5 **Minutes of the Executive Board held on 20 June 2023** – copies herewith, to be approved as a correct record and signed by the Chairman.

ITEMS FOR DISCUSSION AND DECISION (WHITE PAPERS)

- 6 **External Auditors' Report** – Report of the Corporate Director – Resources

Summary

This report presents the 2020/21 Draft Annual Audit Letter received from the Council's external auditors, Ernst & Young LLP.

The Contact Officer for this report is Jane Heppel (719374).

7 **Transformation Team Updates – Report of the Chief Executive**

Summary

This is the annual report that provides Members with an update to the work that the Transformation team is undertaking.

The Contact Officer for this report is Trudi Barnsley (719388).

8 **Budgetary Control Report 2023/24 – Period Ended 30 June 2023**

The report covers revenue expenditure and income for the period from 1 April 2023 to 30 June 2023. The 2023/24 budget and the actual position for the period, compared with the estimate at that date, are given, together with an estimate of the out-turn position for services reporting to this Board.

The Contact Officer for this report is Nigel Lane (719371).

9 **West Midlands Combined Authority - Report of the Chief Executive**

Summary

This report seeks to update Members with regard to some recent developments concerning the West Midlands Combined Authority ('WMCA').

The Contact Officer for this report is Steve Maxey (719438).

10 **North Warwickshire Local Plan – Process for Review – Report of the Chief Executive**

Summary

This report brings to Members information on the process for review of a Local Plan which was considered by the Local Development Framework Sub-Committee on 4 July 2023.

The Contact Officer for this report is Dorothy Barratt (719250).

11 **Local Development Scheme (LDS) July 2023 – Report of the Chief Executive**

Summary

This report brings to Members a revised up to date Local Development Scheme which was considered by the Local Development Framework Sub-Committee on 4 July 2023.

The Contact Officer for this report is Dorothy Barratt (719250).

- 12 **Food Law Enforcement Service Plan** - Report of the Chief Executive

Summary

This report seeks Members approval for the Food and Health and Safety Enforcement Plan

The Contact Officer for this report is Sharon Gallagher (719292).

- 13 **Electoral Review – Local Government Boundary Commission** - Report of the Chief Executive

Summary

This is a report to inform Members about the Local Government Boundary Commission for England's (LGBCE) review of the Ward Boundaries in North Warwickshire, which will take place from Autumn 2023 until 2025.

The Contact Officer for this report is Steve Maxey (719438).

- 14 **Minutes of the Safer Communities Sub-Committee held on 16 March 2023**, copy herewith, to be received and noted.

- 15 **Exclusion of the Public and Press**

To consider, in accordance with Section 100A(4) of the Local Government Act 1972, whether it is in the public interest that the public and press be excluded from the meeting for the following items of business, on the grounds that they involve the likely disclosure of exempt information as defined by Schedule 12A to the Act.

- 16 **Staffing Matter**

The Contact Officer for this report is Steve Maxey (719438)

- 17 **Exempt Extract of the Minutes of the meeting of the Executive Board held on 20 June 2023** – copy herewith to be approved as a correct record and signed by the Chairman.

STEVE MAXEY
Chief Executive

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE EXECUTIVE BOARD

20 June 2023

Present: Councillor D Wright in the Chair

Councillors Bell, Clews, Dirveiks, Gosling, Jarvis, Parsons, H Phillips, Reilly, Ridley, Symonds and Whapples

Apologies for absence were received from Councillor Simpson (Substitute Councillor Jarvis).

1 **Declarations of Personal or Prejudicial Interest**

None were declared at the meeting.

2 **Minutes of the Executive Board held on 21 March 2023**

The minutes of the meeting of the Board held on 21 March 2023, copies having been circulated, were approved as a correct record and signed by the Chairman.

3 **The Chief Executive gave an overview of the services and issues reported to the Board, including a summary of the terms of reference.**

4 **Safeguarding Policy and Procedure**

The Director of Leisure and Community Development presented a slightly revised Safeguarding Policy and Procedure for the Board's consideration.

Resolved:

That the revised Safeguarding Policy and Procedure (2022 to 2025), attached at Appendix A to the report, be approved and implemented with immediate effect.

5 **Natural Environment including Biodiversity Net Gain**

The Chief Executive provided information on a range of initiatives and activities taking place around the natural environment.

Resolved:

a That Member training be provided on BNG;

b That the introduction of BNG in relation to planning applications be noted;

- c That Council land be explored to assess its suitability for being put forward as land within the natural capital market, including Biodiversity Net Gain: and**
- d To explore with partners their involvement in these opportunities.**

6 A5 and A5 Partnership, including consultation on Shaping the future of England's strategic roads by Department for Transport

The Chief Executive updated the Board on the work of the A5 Partnership and the A5 generally.

Resolved:

- a That the Elevator Pitch document, prepared by the A5 Partnership, be used to seek additional funding to improve the A5;**
- b That representation be made on both the DfT's Strategic Road Network Initial Report and National Highways Route Strategy Initial Overview Report for the South Midlands; and**
- c That the Chief Executive agrees the final detail of these representations in consultation with the Leader of the Council and Leader of the Opposition.**

7 The Serious Violence Duty

The Chief Executive provided a summary of the requirements of the Council in meeting the Serious Violence duty and proposed suitable governance arrangements to meet those responsibilities.

Resolved:

- a That the Council agree to adopt the Serious Violence Strategy;**
- b That the Chief Executive be authorised to sign the Partnership Agreement to discharge the Duty; and**
- c That a commitment is given to participate and contribute to the development of the countywide delivery plan, develop the Local Delivery Plan, and contribute to the implementation of the Local Delivery Plan to reduce serious violence in North Warwickshire.**

Recommendations to Council

- d **To adopt the Serious Violence Strategy, and to include it in the Council's Constitution in the list of Council Plans and Strategies; and**
- e **To amend the Terms of Reference for the Safer Communities Sub Committee to include a specific reference to scrutiny of crime and disorder and serious violence duties.**

8 **Exclusion of the Public and Press**

Resolved:

That under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business, on the grounds that it involves the likely disclosure of exempt information as defined by Schedule 12A to the Act.

9 **Honorary Aldermen**

The Chief Executive asked Members to consider recommending that Council confer the title of Alderman on a number of former Councillors.

Resolved:

- a **That the recommendations for conferring the title of Honorary Alderman on the former Members mentioned in the report be agreed; and**
- b **That a meeting of the Council convened for the purpose of appointing Honorary Aldermen be arranged.**

D Wright
CHAIR

Agenda Item No 6

Executive Board

19 July 2023

**Report of the
Corporate Director - Resources**

External Auditors' Report

1 Summary

- 1.1 This report presents the 2020/21 Draft Annual Audit Letter received from the Council's external auditors, Ernst & Young LLP.

Recommendation to the Council

That the report presented as Appendix A be noted.

2 Introduction

- 2.1 The Council's external auditors, Ernst & Young LLP, have summarised the work they have undertaken to date relating to the 2020/21 financial year in an annual audit letter attached as Appendix A.
- 2.2 Work is ongoing on the audit and has not yet started for financial year 2021/22 or 2022/23.

3 Audit Deadlines

- 3.1 In March 2021 new regulations came in force to extend the deadline for publishing audited local authority accounts to 30 September from 31 July for 2020/21. The deadline was also extended for the preparation of draft accounts from 31 May to 31 July.
- 3.2 Secondary legislation was introduced to extend the deadline for publishing audited local authority accounts to 30 November 2022 for the 2021/22 accounts. Following this, the deadline will revert to 30 September for 6 years, until the end of the next appointing period for auditors.
- 3.3 This means that the Council is currently in breach of the secondary legislation in regard to the publication of accounts for 2020/21, 2021/22 and 2022/23. However this applies to a significant number of Councils and is a sector wide problem. North Warwickshire has however experienced a longer delay than most.

3.4 Table of deadlines

Accounts	Draft Accounts Deadline	Draft Accounts Published	Accounts Audited and Signed deadline	Accounts Audited and Signed
2020/21	31 July 2021	16 May 2022	30 September 2021	-
2021/22	31 July 2022	-	30 November 2022	-
2022/23	31 May 2023	-	31 July 2023	-

4 Report Implications

4.1 Finance and Value for Money Implications

4.1.1 Budget provision for external audit costs has been made. The auditors review the financial arrangements of the Council, including an assessment of the value for money achieved by the Council in terms of economy, efficiency and effectiveness.

4.1.2 The ongoing delays in signing the accounts negatively impact decision making by the Council as it is making key decisions on spending and saving without the benefit of audit assurance.

4.2 Risk Management Implications

4.2.1 An external audit process provides some assurance over the Council's internal control system and highlights any areas where improvements could be made.

4.3 Legal Implications

4.3.1 As indicated in the report, there are statutory deadlines for signing off local authority accounts which, as a result of delays by the external auditors appointed for the purpose, have not been met.

The Contact Officer for this report is Jane Heppel (719374).

Relevant Legislation

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Local Audit and Accountability Act 2014

Accounts and Audit Regulations 2015

Accounts and Audit (Amendment) Regulations 2021

Local Audit (Public Access to Documents) Act 2017

Background Paper No	Author	Nature of Background Paper	Date

**North Warwickshire
Borough Council
Audit results report**
Year ended 31 March 2021

7 July 2023



Private and Confidential

7 July 2023

Executive Board
North Warwickshire Borough Council
Council House
South Street
Atherstone CV9 1DE

Dear Executive Board Members

2020/21 Draft Audit Results Report

We are pleased to attach our audit results report for the forthcoming meeting of the Executive Board. This report summarises our progress to date in relation to the audit of North Warwickshire Borough Council for 2020/21.

We have substantially completed a number of areas of our audit of North Warwickshire Borough Council for the year ended 31st March 2021, subject to the outstanding matters listed on our report.

The audit is designed to express an opinion on the 2020/21 financial statements and address current statutory and regulatory requirements.

This report contains our findings related to the areas of audit emphasis, our views on North Warwickshire Borough Council's accounting policies and judgements and material internal control findings. Each year sees further enhancements to the level of audit challenge and the quality of evidence required to achieve the robust professional scepticism that society expects. We thank the management team for supporting this process. We have also included an update on our work on value for money arrangements to secure economy, efficiency and effectiveness in your use of resources.

This report is intended solely for the information and use of the Executive Board, other members of the Council and senior management. It is not intended to be and should not be used by anyone other than these specified parties.

We welcome the opportunity to discuss the contents of this report with you at the Executive Board meeting on 19 July 2023.

Yours faithfully

Maria Grindley

Partner

For and on behalf of Ernst & Young LLP

Encl

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Public Sector Audit Appointments Ltd (PSAA) issued the "Statement of responsibilities of auditors and audited bodies". It is available from the PSAA website (<https://www.psa.co.uk/audit-quality/statement-of-responsibilities/>). The Statement of responsibilities serves as the formal terms of engagement between appointed auditors and audited bodies. It summarises where the different responsibilities of auditors and audited bodies begin and end, and what is to be expected of the audited body in certain areas.

The "Terms of Appointment and further guidance (updated April 2018)" issued by the PSAA sets out additional requirements that auditors must comply with, over and above those set out in the National Audit Office Code of Audit Practice (the Code) and in legislation, and covers matters of practice and procedure which are of a recurring nature.

This report is made solely to the Executive Board and management of North Warwickshire Borough Council in accordance with the statement of responsibilities. Our work has been undertaken so that we might state to the Executive Board, and management of North Warwickshire Borough Council those matters we are required to state to them in this report and for no other purpose. To the fullest extent permitted by law we do not accept or assume responsibility to anyone other than the Executive Board and management of North Warwickshire Borough Council for this report or for the opinions we have formed. It should not be provided to any third-party without our prior written consent.



01 Executive Summary

Executive Summary

Scope update

In our audit planning report we provided you with an overview of our audit scope and approach for the audit of the financial statements. We carried out our audit in accordance with this plan.

We identified an increased risk around the completeness, accuracy, and appropriateness of information produced by the entity due to the inability of the audit team to verify original documents or re-run reports on-site from the Council's systems. We undertook the following to address this risk:

- Used the screen sharing function of Microsoft Teams to evidence re-running of reports used to generate the IPE we audited; and
- Agreed IPE to scanned documents or other system screenshots.

Status of the audit

Our audit testing in respect of the North Warwickshire Borough Council opinion is substantially complete. The following items relating to the completion of our audit procedures were outstanding at the date of this report:

- ▶ Completion of outstanding audit procedures as per Appendix B at the end of this report
- ▶ Completion of manager and partner quality reviews on items as per Appendix B at the end of this report
- ▶ Completion of subsequent events review
- ▶ Update on going concern assessment
- ▶ Receipt of the signed management representation letter and final updated accounts

Given that the audit process is still ongoing, we will continue to challenge the remaining evidence provided and this may result in additional queries raised to management. This also may result in additional misstatements / variances if assessed to be material.

Audit differences

We have not yet concluded our procedures however there are two main areas containing potential misstatements which we are currently in discussion with management over:

- Potential Impact of the Triennial Valuation over the IAS 19 estimate
- Valuation differences identified over the sampled Property, Plant and Equipment and Investment Properties between EY Internal specialists and management's valuers

Control observations

We have adopted a fully substantive approach, so have not tested the operation of controls. We have not identified any significant deficiencies in the design or operation of an internal control that might result in a material misstatement in your financial statements and which is unknown to you.

We have set out our observations at section 7 of the report.

Executive Summary

Auditor responsibilities under the new Code of Audit Practice 2020

Under the Code of Audit Practice 2020 we are still required to consider whether the Council has put in place 'proper arrangements' to secure economy, efficiency and effectiveness on its use of resources. The 2020 Code requires the auditor to design their work to provide them with sufficient assurance to enable them to report to the Council a commentary against specified reporting criteria (see below) on the arrangements the Council has in place to secure value for money through economic, efficient and effective use of its resources for the relevant period.

The specified reporting criteria are:

- Financial sustainability - How the Council plans and manages its resources to ensure it can continue to deliver its services;
- Governance - How the Council ensures that it makes informed decisions and properly manages its risks; and
- Improving economy, efficiency and effectiveness - How the Council uses information about its costs and performance to improve the way it manages and delivers its services.

Status of the audit - Value for Money

In the Audit Plan, we reported that we have not completed yet our value for money (VFM) risk assessment against the three reporting criteria we are required to consider under the NAO's 2020 Code. We have now completed, our VFM risk assessment and we have not identified any risks of significant weakness in arrangements. Subject to review process and concluding our work, we anticipate we will have no matters to report by exception in the auditor's report (see Section 5).

We plan to issue the VFM commentary in our Auditor's Annual Report, the NAO has allowed for the Auditor's Annual Report to be provided up to three months after signing the accounts.

Other reporting issues

We have reviewed the information presented in the Annual Governance Statement for consistency with our knowledge of the Council. We have no matters to report as a result of this work.

At the time of writing this report, review of the procedures required by the National Audit Office (NAO) on the Whole of Government Accounts submission are still outstanding. We will be completing it in line with the Council's timeline.

We have no other matters to report.

Independence

Please refer to Section 9 for our update on Independence.



02 Areas of Audit Focus



Areas of Audit Focus

Fraud risk

Misstatements due to fraud and error

What is the risk?

The financial statements as a whole are not free of material misstatements whether caused by fraud or error.

As identified in ISA (UK and Ireland) 240, management is in a unique position to perpetrate fraud because of its ability to manipulate accounting records directly or indirectly and prepare fraudulent financial statements by overriding controls that otherwise appear to be operating effectively. We identify and respond to this fraud risk on every audit engagement.

What judgements are we focused on?

We focused on testing key areas that are susceptible to management bias.

What did we do?

- ▶ Inquired of management about risks of fraud and the controls put in place to address those risks.
- ▶ Understood the oversight given by those charged with governance of management's processes over fraud.
- ▶ Considered the effectiveness of management's controls designed to address the risk of fraud.

Performed mandatory procedures regardless of specifically identified fraud risks, including:

- ▶ Tested the appropriateness of journal entries recorded in the general ledger and other adjustments made in the preparation of the financial statements;
- ▶ Assessed accounting estimates for evidence of management bias; and,
- ▶ Evaluated the business rationale for significant unusual transactions.

What are our conclusions?

We have yet to conclude our review of our audit procedures performed, however based on the work performed to date:

- We have not identified any material weaknesses in controls or evidence of material management override.
- Our mandatory procedures did not identify any instances of management override.
- We did not identify any other transactions during our audit which appeared unusual or outside the Council's normal course of business

We will continue to work on these areas and we will update these findings on completion if any issues arise.



Areas of Audit Focus

Fraud risk (continued)

Risk of fraud in revenue and expenditure recognition

What is the risk?

Under ISA 240 there is a presumed risk that revenue may be misstated due to improper recognition of revenue. In the public sector, this requirement is modified by Practice Note 10, issued by the Financial Reporting Council, which states that auditors should also consider the risk that material misstatements may occur by the manipulation of expenditure recognition.

For North Warwickshire Borough Council, we consider this risk to be present in:

- Additions to property, plant and equipment; and,
- Inappropriate transfers between the Housing Revenue Account (HRA) and the General Fund.

Linking to our risk of misstatements due to fraud and error above, we have considered the capitalisation of revenue expenditure on property, plant and equipment as a specific area of risk given the extent of the Council's capital programme.

In addition there is a risk where transfers between the HRA and General Fund result in incorrect treatment of HRA revenue expenditure.

What judgements are we focused on?

We consider that the risk impacts on the following account balances:

- ▶ Improper capitalisation of revenue expenditure in order to reduce the impact on the general fund.

What did we do?

We performed the following:

- ▶ Sample tested additions to Property, Plant and Equipment to ensure they have been correctly classified as capital and included at their correct values and to identify any revenue items that have been inappropriately capitalised
- ▶ Tested the transfer between the HRA and General Fund to ensure such transfers are appropriate

What are our conclusions?

We have yet to conclude our review of our audit procedures performed, however based on the work performed to date:

- Our testing has not identified any additions which have been inappropriately capitalised
- Our testing did not identify any inappropriate transfers between the HRA and General Fund.

We will continue to work on these areas and we will update these findings on completion if any issues arise



Areas of Audit Focus

Fraud risk (continued)

Risk of fraud in revenue recognition - Accounting for Covid-19 related government grants

What is the risk?

Under ISA 240 there is a presumed risk that revenue may be misstated due to improper revenue recognition. We consider the risk to be relevant to those significant revenue streams other than taxation receipts and grants, where management is able to apply more judgement. Specifically, our risk is focused on:

- ▶ The recognition and treatment of additional grants received in year for Covid-19. The Council has received a number of grants in 2020/21 as a result of the pandemic and there is a risk that the accounting treatment of these grants will not appropriately reflect the underlying terms and conditions of the grant agreement.

What judgements are we focused on?

We consider that the risk impacts on the following account :

- ▶ Inappropriate recognition of Covid-19 grant income by not appropriately applying the agent vs Principal principle

What did we do?

- ▶ Reviewed and discussed with management judgements applied in their income recognition for evidence of any bias
- ▶ Performed analytical reviews over the data to identify whether there are any unusual movements or trends or monthly trends worth investigating
- ▶ Sample tested the revenue and capital Covid-19 grants received by the Council to ensure the accounting treatment and recognition applied to grant income is appropriate

What are our conclusions?

We have yet to conclude our review of our audit procedures performed, however based on the work performed to date:

- Our testing has not identified any inappropriate treatment and recognition of Covid-19 grant income
- Our testing did not identify any unusual trends or movements that warranted further investigation
- Our testing did not identify any bias in managements estimates

We will continue to work on these areas and we will update these findings on completion if any issues arise



Areas of Audit Focus

Significant risk

Valuation of Council Dwellings, Other land and buildings and Investment Property

What is the risk?

The valuation of Property, Plant and Equipment (specifically other land and buildings) and Investment Property represent significant balances in the Council's accounts.

Management is required to make material judgemental inputs and apply estimation techniques to calculate the year-end balances recorded in the balance sheet.

The valuation process is subject to a number of assumptions and judgements, which if inappropriate could result in a material impact on the financial statements.

The Council has also changed the expert used to value the assets for the year ended 31 March 2021 from an internal valuer to Howkins and Harrison and Bridge House, which adds further risk that the assumptions used in the valuations may not be appropriate and give risk to material misstatement.

ISAs (UK) 500 and 540 require us to undertake procedures on the use of management experts and the assumptions underlying the estimated valuation.

What judgements are we focused on?

Our work on valuations focused on assessing the reasonableness of the methodologies adopted by the Council's valuers in undertaking their valuations in 2020/21 and of the key assumptions input into these valuations. We have also considered those assets that were not valued in 2020/21 and the potential for material misstatement in the valuation of those assets.

What did we do?

We have performed the following:

- ▶ Reviewed the valuations performed by the internal valuers
- ▶ Instructed our EY Real Estate to review the valuation provided by the internal valuers
- ▶ Reviewed the specific changes to the new and current investment assets held on the balance sheet
- ▶ Tested accounting entries have been correctly processed in the financial statements
- ▶ Reviewed the income received in relation to the investment properties in year

What are our conclusions?

We have assessed and are satisfied with the competency and objectivity of the Council's internal valuers.

We engaged our internal EY Real Estate specialists to review in detail the valuations of 10 properties. Our specialist team has identified differences in valuation over 4 of the 10 properties and we are in discussion with management regarding the impact of materiality against the differences. We will provide an update to the Executive Board once this process has concluded.

Aside from the matters raised above, and subject to review, in relation to other areas of valuation testing and the remainder of our other procedures and we have determined that the Council has appropriately valued their Council Dwellings, Other land and buildings and Investment Property.

We will update these findings when the above valuation work is concluded.



Areas of Audit Focus

Other risk

Accounting for pension liability

What is the risk?

The Local Authority Accounting Code of Practice and IAS19 require the Council to make extensive disclosures within its financial statements regarding its membership of the Local Government Pension Scheme administered by Worcestershire County Council.

The Council's pension fund deficit is a material estimated balance and the Code requires that this liability be disclosed on the Council's balance sheet. At 31 March 2021 this totalled £43.759 million.

The information disclosed is based on the IAS 19 report issued to the Council by the actuary to the County Council.

Accounting for this scheme involves significant estimation and judgement and therefore management engages an actuary to undertake the calculations on their behalf. ISAs (UK and Ireland) 500 and 540 require us to undertake procedures on the use of management experts and the assumptions underlying fair value estimates.

What judgements are we focused on?

We consider that the risk impacts on the following account balances:

- ▶ Incorrect estimation of liabilities of the fund
- ▶ Incorrect estimation of the asset balances of the pension fund allocated to the Council
- ▶ Improper application of the pension estimate adjustments to the yearend financial statements

What did we do?

We have performed the following:

- ▶ Liaised with the auditors of Warwickshire County Council Pension Fund to obtain assurances over the information supplied to the actuary in relation to North Warwickshire Borough Council
- ▶ Assessed the work of the Pension Fund actuary including the assumptions they have used by relying on the work of PwC (Consulting Actuaries commissioned by Public Sector Auditor Appointments for all Local Government sector auditors) and considered any relevant reviews by the EY actuarial team
- ▶ Reviewed and tested the accounting entries and disclosures made within the Council's financial statements in relation to IAS19
- ▶ Determined if decisions made by management are appropriate and if there is a material impact on the pension liabilities and disclosures

What are our conclusions?

We have assessed and are satisfied with the competency and objectivity of the Council's actuaries: Hyman Robertson.

EY pensions team have reviewed the work of the actuaries. We challenged the actuarial valuation and found no indication of management bias in this estimate.

Due to latest triennial valuation, we are required to undertake additional procedures over the impact of this valuation over the IAS 19 estimate as at 31 March 2021. As at the date of this report, we are yet to perform our procedures and will provide an update to the Executive Board once this has been concluded



Areas of Audit Focus

Other risk (continued)

Going concern

What is the risk?

The auditing standard ISA570 has been revised in response to enforcement cases and well-publicised corporate failures where the auditor's report failed to highlight concerns about the prospects of entities which collapsed shortly after. The revised standard increases the work we are required to perform when assessing whether the Council is a going concern. It means UK auditors will follow significantly stronger requirements than those required by current international standards; and we have therefore judged it appropriate to bring this to the attention of the Executive Board.

The CIPFA Guidance Notes for Practitioners 2020/21 accounts states 'The concept of a going concern assumes that an authority's functions and services will continue in operational existence for the foreseeable future. The provisions in the Code in respect of going concern reporting requirements reflect the economic and statutory environment in which local authorities operate. These provisions confirm that, as authorities cannot be created or dissolved without statutory prescription, they must prepare their financial statements on a going concern basis of accounting.'

'If an authority were in financial difficulty, the prospects are thus that alternative arrangements might be made by central government either for the continuation of the services it provides or for assistance with the recovery of a deficit over more than one financial year. As a result of this, it would not therefore be appropriate for local authority financial statements to be provided on anything other than a going concern basis.'

What did we do?

We have performed the following:

- ▶ Challenged management's identification of events or conditions impacting going concern, tested management's resulting assessment of going concern and evaluated supporting evidence obtained which includes consideration of the risk of management bias
- ▶ Challenge management's assessment of going concern, thoroughly tested the adequacy of the supporting evidence obtained and evaluated the risk of management bias, based on our knowledge of the Authority obtained through our audit
- ▶ Ensured that management has complied with any updated reporting requirements
- ▶ Considered all of the evidence obtained, whether corroborative or contradictory, in order to draw our conclusions on going concern
- ▶ Made necessary considerations regarding the appropriateness of financial statement disclosures around going concern.

What are our conclusions?

We have considered the going concern assessments and cashflow forecasts and the scenarios provided by management to understand the impact that different demands on services and delivery of services may have. In each of these scenarios, the Council is in a positive cash position at the end of the review period.

This work is subject to review before completion and we will report on any matters arising before completion.

From our review, we have not identified any events that have occurred or transactions that should be disclosed as an Event After the Balance Sheet Date. Prior to signing the opinion, we will need to obtain a final confirmation from management.



Areas of Audit Focus

Other risk (continued)

Compliance with Accounting Estimates and Related Disclosures ISA540

What is the risk?

ISA 540 (Revised) - Auditing Accounting Estimates and Related Disclosures applies to audits of all accounting estimates in financial statements for periods beginning on or after December 15, 2019.

This revised ISA responds to changes in financial reporting standards and a more complex business environment which together have increased the importance of accounting estimates to the users of financial statements and introduced new challenges for preparers and auditors.

The revised ISA requires auditors to consider inherent risks associated with the production of accounting estimates. These could relate, for example, to the complexity of the method applied, subjectivity in the choice of data or assumptions or a high degree of estimation uncertainty. As part of this, auditors consider risk on a spectrum (from low to high inherent risk) rather than a simplified classification of whether there is a significant risk or not. At the same time, we expect the number of significant risks we report in respect of accounting estimates to increase as a result of the revised guidance in this area.

The changes to the standard may affect the nature and extent of information that we may request and will likely increase the level of audit work required, particularly in cases where an accounting estimate and related disclosures are higher on the spectrum of inherent risk.

What did we do?

We have performed the following:

- ▶ Placed more emphasis on obtaining an understanding of the nature and extent of managements estimation processes and key aspects of related policies and procedures
- ▶ Reviewed whether controls over these processes have been adequately designed and implemented in a greater number of cases
- ▶ Provided increased challenge of aspects of how you derive managements accounting estimates. For example considering both supportive and contradictory evidence
- ▶ Made more focused requests for evidence and carried out more targeted procedures relating to components of accounting estimates, including regarding the methods or models used, assumptions and data chosen and how disclosures (for instance on the level of uncertainty in an estimate) have been made
- ▶ Asked for new or changed management representations compared to prior years
- ▶ We have utilised management specialists in order to form our own estimate to determine whether management's estimates are reasonable.
- ▶ We have also reperformed calculations to assess appropriateness and tested amounts to subsequent third party support when received, e.g. post year-end invoices for accruals testing

What are our conclusions?

We have yet to conclude our review of our audit procedures performed, however based on the work performed to date:

- Our audit testing across management's assumptions over areas of estimation such as PPE, Investment property, Provisions and Pensions were deemed to be reasonable and within our expectations.

We will continue to work on these areas and we will update these findings on completion if any issues arise



03 Audit Report



Audit Report

Draft audit report

Our proposed opinion on the financial statements

INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS OF NORTH WARWICKSHIRE BOROUGH COUNCIL

Opinion

We have audited the financial statements of North Warwickshire Borough Council ('the Council') for the year ended 31 March 2021 under the Local Audit and Accountability Act 2014. The financial statements comprise the:

- Movement in Reserves Statement,
- Comprehensive Income and Expenditure Statement,
- Balance Sheet,
- Cash Flow Statement,
- the related notes 1 to 43,
- Housing Revenue Account Income and Expenditure Statement, the Movement on the Housing Revenue Account Statement and the related notes 1 to 15, and
- Collection Fund and the related notes 1 and 2

The financial reporting framework that has been applied in their preparation is applicable law and the CIPFA/LASAAC Code of Practice on Local Authority Accounting in the United Kingdom 2020/21 as amended by the Update to the Code and Specifications for Future Codes for Infrastructure Assets (November 2022).

In our opinion the financial statements:

- give a true and fair view of the financial position of North Warwickshire Borough Council as at 31 March 2021 and of its expenditure and income for the year then ended; and
- have been prepared properly in accordance with the CIPFA/LASAAC Code of Practice on Local Authority Accounting in the United Kingdom 2020/21 as amended by the Update to the Code and Specifications for Future Codes for Infrastructure Assets (November 2022).

Basis for opinion

We conducted our audit in accordance with International Standards on Auditing (UK) (ISAs (UK)) and applicable law. Our responsibilities under those standards are further described in the Auditor's responsibilities for the audit of the financial statements section of our report. We are independent of the Council in accordance with the ethical requirements that are relevant to our audit of the financial statements in the UK, including the FRC's Ethical Standard and the Comptroller and Auditor General's AGN01, and we have fulfilled our other ethical responsibilities in accordance with these requirements.



Audit Report

Draft audit report (continued)

Our proposed opinion on the financial statements

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Conclusions relating to going concern

In auditing the financial statements, we have concluded that the Corporate Director - Resources' use of the going concern basis of accounting in the preparation of the financial statements is appropriate.

Based on the work we have performed, we have not identified any material uncertainties relating to events or conditions that, individually or collectively, may cast significant doubt on the Council's ability to continue as a going concern for a period of 12 months from when the financial statements are authorised for issue.

Our responsibilities and the responsibilities of the Corporate Director - Resources' with respect to going concern are described in the relevant sections of this report. However, because not all future events or conditions can be predicted, this statement is not a guarantee as to the Council's ability to continue as a going concern.

Other information

The other information comprises the information included in the narrative report set out on pages TBC, other than the financial statements and our auditor's report thereon. The Corporate Director - Resources' is responsible for the other information contained within the narrative report.

Our opinion on the financial statements does not cover the other information and, except to the extent otherwise explicitly stated in this report, we do not express any form of assurance conclusion thereon.

Our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements, or our knowledge obtained in the course of the audit or otherwise appears to be materially misstated. If we identify such material inconsistencies or apparent material misstatements, we are required to determine whether there is a material misstatement in the financial statements themselves. If, based on the work we have performed, we conclude that there is a material misstatement of the other information, we are required to report that fact.

We have nothing to report in this regard.



Audit Report

Draft audit report (continued)

Our proposed opinion on the financial statements

Matters on which we report by exception

We report to you if:

- ▶ in our opinion the annual governance statement is misleading or inconsistent with other information forthcoming from the audit or our knowledge of the Council
- ▶ we issue a report in the public interest under section 24 of the Local Audit and Accountability Act 2014
- ▶ we make written recommendations to the audited body under Section 24 of the Local Audit and Accountability Act 2014
- ▶ we make an application to the court for a declaration that an item of account is contrary to law under Section 28 of the Local Audit and Accountability Act 2014
- ▶ we issue an advisory notice under Section 29 of the Local Audit and Accountability Act 2014
- ▶ we make an application for judicial review under Section 31 of the Local Audit and Accountability Act 2014
- ▶ we are not satisfied that the Council has made proper arrangements for securing economy, efficiency and effectiveness in its use of resources for the year ended 31 March 2021.

We have nothing to report in these respects.

Responsibility of the S151 Officer/ Corporate Director - Resources

As explained more fully in the Statement of the Corporate Director - (Resources) Responsibilities set out on pages 137 to 138, the Corporate Director - (Resources) is responsible for the preparation of the Statement of Accounts, which includes the financial statements, in accordance with proper practices as set out in the CIPFA/LASAAC Code of Practice on Local Authority Accounting in the United Kingdom 2020/21 as amended by the Update to the Code and Specifications for Future Codes for Infrastructure Assets (November 2022), and for being satisfied that they give a true and fair view and for such internal control as the Corporate Director - (Resources) determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Corporate Director - (Resources) is responsible for assessing the Council's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the Council either intends to cease operations, or has no realistic alternative but to do so.

The authority is responsible for putting in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources, to ensure proper stewardship and governance, and to review regularly the adequacy and effectiveness of these arrangements.



Audit Report

Draft audit report (continued)

Our proposed opinion on the financial statements

Auditor's responsibilities for the audit of the financial statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with ISAs (UK) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

Irregularities, including fraud, are instances of non-compliance with laws and regulations. We design procedures in line with our responsibilities, outlined above, to detect irregularities, including fraud. The risk of not detecting a material misstatement due to fraud is higher than the risk of not detecting one resulting from error, as fraud may involve deliberate concealment by, for example, forgery or intentional misrepresentations, or through collusion. The extent to which our procedures are capable of detecting irregularities, including fraud is detailed below. However, the primary responsibility for the prevention and detection of fraud rests with both those charged with governance of the entity and management.

We obtained an understanding of the legal and regulatory frameworks that are applicable to the Council and determined that the most significant are:

- ▶ Local Government Act 1972,
- ▶ Local Government Finance Act 1988 (as amended by the Local Government Finance Act 1992),
- ▶ Local Government Act 2003,
- ▶ The Local Authorities (Capital Finance and Accounting) (England) Regulations 2003 as amended in 2018 and 2020,
- ▶ Business Rate Supplements Act 2009,
- ▶ The Local Government Finance Act 2012,
- ▶ The Local Audit and Accountability Act 2014, and
- ▶ The Accounts and Audit Regulations 2015.

In addition, the Council has to comply with laws and regulations in the areas of anti-bribery and corruption, data protection, employment Legislation, tax Legislation, general power of competence, procurement and health & safety.



Audit Report

Draft audit report (continued)

Our proposed opinion on the financial statements

We understood how North Warwickshire Borough Council is complying with those frameworks by understanding the incentive, opportunities and motives for non-compliance, including inquiring of management, head of internal audit and those charged with governance and obtaining and reading documentation relating to the procedures in place to identify, evaluate and comply with laws and regulations, and whether they are aware of instances of non-compliance. We corroborated this through our reading of the Council's committee minutes, through enquiry of employees to confirm Council policies, and through the inspection of employee handbooks and other information. Based on this understanding we designed our audit procedures to identify non-compliance with such laws and regulations. Our procedures had a focus on compliance with the accounting framework through obtaining sufficient audit evidence in line with the level of risk identified and with relevant legislation.

We assessed the susceptibility of the Council's financial statements to material misstatement, including how fraud might occur by understanding the potential incentives and pressures for management to manipulate the financial statements, and performed procedures to understand the areas in which this would most likely arise. Based on our risk assessment procedures, we identified manipulation of reported financial performance through improper recognition of expenditure and revenue, inappropriate capitalisation of revenue expenditure and management override of controls to be our fraud risks.

To address our fraud risk around the manipulation of reported financial performance through improper recognition of revenue, we obtained the Council's manual year end income accruals, challenging assumptions and corroborating the income to appropriate evidence.

To address our fraud risk of inappropriate capitalisation of revenue expenditure we tested the Council's capitalised expenditure to ensure the capitalisation criteria were properly met and the expenditure was genuine.

To address our fraud risk of management override of controls, we tested specific journal entries identified by applying risk criteria to the entire population of journals. For each journal selected, we tested specific transactions back to source documentation to confirm that the journals were authorised and accounted for appropriately.

A further description of our responsibilities for the audit of the financial statements is located on the Financial Reporting Council's website at <https://www.frc.org.uk/auditorsresponsibilities>. This description forms part of our auditor's report.

Scope of the review of arrangements for securing economy, efficiency and effectiveness in the use of resources

We have undertaken our review in accordance with the Code of Audit Practice 2020, having regard to the guidance on the specified reporting criteria issued by the Comptroller and Auditor General in April 2021, as to whether the North Warwickshire Borough Council had proper arrangements for financial sustainability, governance and improving economy, efficiency and effectiveness. The Comptroller and Auditor General determined these criteria as those necessary for us to consider under the Code of Audit Practice in satisfying ourselves whether North Warwickshire Borough Council put in place proper arrangements for securing economy, efficiency and effectiveness in its use of resources for the year ended 31 March 2021.



Audit Report

Draft audit report (continued)

Our proposed opinion on the financial statements

We planned our work in accordance with the Code of Audit Practice. Based on our risk assessment, we undertook such work as we considered necessary to form a view on whether, in all significant respects, North Warwickshire Borough Council had put in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources.

We are required under Section 20(1)(c) of the Local Audit and Accountability Act 2014 to satisfy ourselves that the Authority has made proper arrangements for securing economy, efficiency and effectiveness in its use of resources.

We are not required to consider, nor have we considered, whether all aspects of the Authority's arrangements for securing economy, efficiency and effectiveness in its use of resources are operating effectively.

Delay in certification of completion of the audit

We cannot formally conclude the audit and issue an audit certificate until we have issued our Auditor's Annual Report for the year ended 31 March 2021. We have completed our work on the value for money arrangements and will report the outcome of our work in our commentary on those arrangements within the Auditor's Annual Report. Until we have completed these procedures, we are unable to certify that we have completed the audit of the accounts in accordance with the requirements of the Local Audit and Accountability Act 2014 (as amended) and the Code of Audit Practice issued by the National Audit Office.

Use of our report

This report is made solely to the members of North Warwickshire Borough Council, as a body, in accordance with Part 5 of the Local Audit and Accountability Act 2014 and for no other purpose, as set out in paragraph 43 of the Statement of Responsibilities of Auditors and Audited Bodies published by Public Sector Audit Appointments Limited. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the Council and the Council members as a body, for our audit work, for this report, or for the opinions we have formed.

Maria Grindley
Ernst & Young LLP
Reading
Date: XX

The maintenance and integrity of the North Warwickshire Borough Council website is the responsibility of the directors; the work carried out by the auditors does not involve consideration of these matters and, accordingly, the auditors accept no responsibility for any changes that may have occurred to the financial statements since they were initially presented on the web site. Legislation in the United Kingdom governing the preparation and dissemination of financial statements may differ from legislation in other jurisdictions.



04 Audit Differences



Audit Differences

In the normal course of any audit, we identify misstatements between amounts we believe should be recorded in the financial statements and the disclosures and amounts actually recorded. These differences are classified as “known” or “judgemental”. Known differences represent items that can be accurately quantified and relate to a definite set of facts or circumstances. Judgemental differences generally involve estimation and relate to facts or circumstances that are uncertain or open to interpretation.

Summary of adjusted differences

We did not identify any misstatements above our threshold of £50,000 that were then corrected.

Summary of unadjusted differences

There are two areas which we are currently in discussion with Management about which we have identified potential misstatements. They relate to:

- The impact of the Triennial valuation on the IAS 19 Pension Estimates made in the Councils financial statements
- Differences identified in the valuation of the sampled Property, Plant and Equipment and Investment Properties between EY's Internal Specialists and Management's Valuers. EY are in the process of determining the impact of these differences over the population.

Disclosure amendments

In addition to the corrected differences above, we identified a few disclosure differences during the course of our audit procedures which were agreed by management and to be corrected in the final statement of accounts



05

Value for Money



Value for money

The Council's responsibilities for value for money (VFM)

The Council is required to maintain an effective system of internal control that supports the achievement of its policies, aims and objectives while safeguarding and securing value for money from the public funds and other resources at its disposal.

As part of the material published with its financial statements, the Council is required to bring together commentary on its governance framework and how this has operated during the period in a governance statement. In preparing its governance statement, the Council tailors the content to reflect its own individual circumstances, consistent with the requirements set out in the Cipfa code of practice on local authority accounting. This includes a requirement to provide commentary on its arrangements for securing value for money from their use of resources.

Auditor responsibilities under the new Code

Under the 2020 Code we are still required to consider whether the Council has put in place 'proper arrangements' to secure economy, efficiency and effectiveness on its use of resources. However, there is no longer overall evaluation criterion which we need to conclude on. Instead the 2020 Code requires the auditor to design their work to provide them with sufficient assurance to enable them to report to the Council a commentary against specified reporting criteria (see below) on the arrangements the Council has in place to secure value for money through economic, efficient and effective use of its resources for the relevant period.

The specified reporting criteria are:

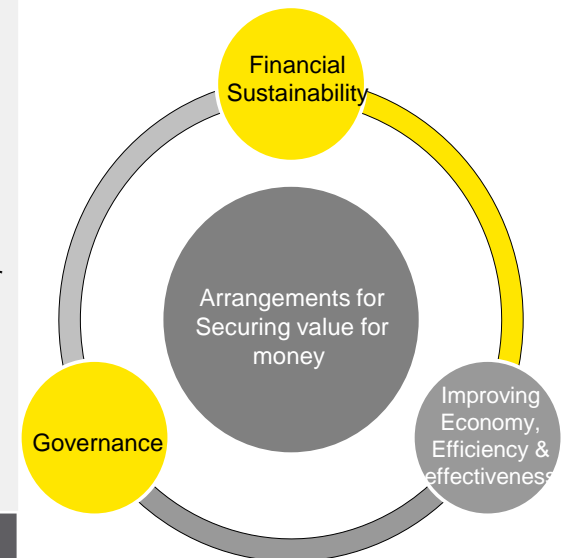
- **Financial sustainability:** How the Council plans and manages its resources to ensure it can continue to deliver its services;
- **Governance:** How the Council ensures that it makes informed decisions and properly manages its risks; and
- **Improving economy, efficiency and effectiveness:** How the Council uses information about its costs and performance to improve the way it manages and delivers its services.

Status of our VFM work

We have completed our planned VFM procedures and have no matters to report by exception in the auditor's report (see Section 3) and have not identified any matters to report by exception.

We did not identify any risks of significant weaknesses in arrangements as part of our planning or any weaknesses in arrangements as a result of our audit procedures.

We plan to issue the VFM commentary within the Auditor's Annual Report.





06 Other reporting issues

Other reporting issues

Consistency of other information published with the financial statements, including the Annual Governance Statement

We must give an opinion on the consistency of the financial and non-financial information in the Statement of Accounts 2020/21 with the audited financial statements.

We must also review the Annual Governance Statement for completeness of disclosures, consistency with other information from our work, and whether it complies with relevant guidance.

Financial information in the Statement of Accounts 2020/21 and published with the financial statements was consistent with the audited financial statements.

We have reviewed the Annual Governance Statement and can confirm it is consistent with other information from our audit of the financial statements and we have no other matters to report.

Whole of Government Accounts

Alongside our work on the financial statements, we also review and report to the National Audit Office on your Whole of Government Accounts return. The extent of our review, and the nature of our report, is specified by the National Audit Office.

We are currently concluding our work in this area and will report any matters arising to the Executive Board.

Other powers and duties

We have a duty under the Local Audit and Accountability Act 2014 to consider whether to report on any matter that comes to our attention in the course of the audit, either for the Authority to consider it or to bring it to the attention of the public (i.e. "a report in the public interest"). We did not identify any issues which required us to issue a report in the public interest.

We also have a duty to make written recommendations to the Authority, copied to the Secretary of State, and take action in accordance with our responsibilities under the Local Audit and Accountability Act 2014. To date, we have not identified any matters requiring a written recommendation.

Other reporting issues (continued)

Other matters

As required by ISA (UK&I) 260 and other ISAs specifying communication requirements, we must tell you significant findings from the audit and other matters if they are significant to your oversight of the Council's financial reporting process. They include the following:

- Significant qualitative aspects of accounting practices including accounting policies, accounting estimates and financial statement disclosures;
- Any significant difficulties encountered during the audit;
- Any significant matters arising from the audit that were discussed with management;
- Written representations we have requested;
- Expected modifications to the audit report;
- Any other matters significant to overseeing the financial reporting process;
- Findings and issues around the opening balance on initial audits (if applicable);
- Related parties;
- External confirmations;
- Going concern; and
- Consideration of laws and regulations;

We have yet to conclude management review over our audit procedures, however based on the procedures performed, we do not have any other matters to communicate.



07

Assessment of Control Environment



Assessment of Control Environment

Financial controls

It is the responsibility of the Council to develop and implement systems of internal financial control and to put in place proper arrangements to monitor their adequacy and effectiveness in practice. Our responsibility as your auditor is to consider whether the Council has put adequate arrangements in place to satisfy itself that the systems of internal financial control are both adequate and effective in practice.

As part of our audit of the financial statements, we obtained an understanding of internal control sufficient to plan our audit and determine the nature, timing and extent of testing performed. As we have adopted a fully substantive approach, we have therefore not tested the operation of controls. Although our audit was not designed to express an opinion on the effectiveness of internal control we are required to communicate to you significant deficiencies in internal control.

We have not identified any significant deficiencies in the design or operation of an internal control that might result in a material misstatement in your financial statements of which you are not aware.



08 Data Analytics



Data analytics

Analytics Driven Audit

What is the risk?

We used our data analysers to enable us to capture entire populations of your financial data. These analysers:

- Help identify specific exceptions and anomalies which can then be the focus of our substantive audit tests; and
- Give greater likelihood of identifying errors than traditional, random sampling techniques.

In 2020/21, our use of these analysers in the Council's audit included testing journal entries and employee expenses, to identify and focus our testing on those entries we deem to have the highest inherent risk to the audit.

We capture the data through our formal data requests and the data transfer takes place on a secured EY website. These are in line with our EY data protection policies which are designed to protect the confidentiality, integrity and availability of business and personal information.

Journal Entry Analysis

We obtain downloads of all financial ledger transactions posted in the year. We perform completeness analysis over the data, reconciling the sum of transactions to the movement in the trial balances and financial statements to ensure we have captured all data. Our analysers then review and sort transactions, allowing us to more effectively identify and test journals that we consider to be higher risk, as identified in our audit planning report.

Payroll Analysis using General Ledger Data

We also use our analysers in our payroll testing. We obtain all payroll transactions posted in the year from the general ledger data and perform completeness analysis over the data, including reconciling the total amount to the General Ledger Trial Balance. We then analyse the data against a number of specifically designed procedures. These include analysis of payroll costs by month to identify any variances from established expectations, as well as more detailed transactional interrogation.



09

Independence

Relationships, services and related threats and safeguards

The FRC Ethical Standard requires that we provide details of all relationships between Ernst & Young (EY) and the Council, and its members and senior management and its affiliates, including all services provided by us and our network to the Council, its members and senior management and its affiliates, and other services provided to other known connected parties that we consider may reasonably be thought to bear on the our integrity or objectivity, including those that could compromise independence and the related safeguards that are in place and why they address the threats.

There are no relationships from 01 April 2020 to the date of this report, which we consider may reasonably be thought to bear on our independence and objectivity.

Services provided by Ernst & Young

The next page includes a summary of the fees that you have paid to us in the year ended 31 March 2021 in line with the disclosures set out in FRC Ethical Standard and in statute. We confirm that none of the services listed in the audit fee table on the previous page has been provided on a contingent fee basis.

As at the date of this report, there are no future services which have been contracted and no written proposal to provide non-audit services has been submitted.

We confirm that we have not undertaken non-audit work. We have adopted the necessary safeguards in our completion of this work and complied with Auditor Guidance Note 1 issued by the NAO in May 2020.

Confirmation and analysis of Audit fees cont.

	Planned fee 2020/21 (£)	Final Fee 2019/20 (£)
	Note 2	Note 1
Total Fee - Code work	32,618	32,618
Scale fee variation	TBC	52,528
Total fees	TBC	85,146

**All fees exclude VAT*

Note 1 - For 2019/20, the additional fees were determined by the PSAA.

Note 2 - The proposed additional fees for 2020/21 comprise:

- Fees to address the changes in work required to meet changes professional and regulatory requirements and the scope associated with risk profile of the Council since the scale fee was originally set by the PSAA.
- Additional procedures to consider the estimation risk in the valuation of Pension Fund assets disclosed in the Council financial statement.
- Additional fees due to delays in provision of audit evidence in the format needed to support an efficient audit process.
- Additional procedures to audit property, plant and equipment valuations including the engagement of EY Real Estate experts to assess the impact of land and building valuations.
- Additional procedures to consider the Council's going concern assessment.
- Additional procedures relating to assessing the recognition of Covid 19 grants accounting.
- Additional procedures to consider the Council's arrangements for securing Value for Money

We will discuss the additional fees for the 2020/21 audit with management and will provide an update once this process has been finalised. The fees will also be subject to approval and determination by the PSAA.

We confirm that none of the services listed in the above have been provided on a contingent fee basis. As at the date of this report, there are no future services which have been contracted and no written proposal to provide non-audit services has been submitted.

Other communications

EY Transparency Report 2022

Ernst & Young (EY) has policies and procedures that instil professional values as part of firm culture and ensure that the highest standards of objectivity, independence and integrity are maintained.

Details of the key policies and processes in place within EY for maintaining objectivity and independence can be found in our annual Transparency Report which the firm is required to publish by law. The most recent version of this Report is for the year October 2022:

[EY UK 2022 Transparency Report | EY UK](#)






10 Appendices




Appendix A

Required communications with the Executive Board

There are certain communications that we must provide to the those charged with governance of UK entities. We have detailed these here together with a reference of when and where they were covered:

		 Our Reporting to you
Required communications	 What is reported?	 When and where
Terms of engagement	Confirmation by the Executive Board of acceptance of terms of engagement as written in the engagement letter signed by both parties.	The statement of responsibilities serves as the formal terms of engagement between the PSAA's appointed auditors and audited bodies.
Our responsibilities	Reminder of our responsibilities as set out in the engagement letter.	Audit planning report
Planning and audit approach	Communication of the planned scope and timing of the audit, any limitations and the significant risks identified. When communicating key audit matters this includes the most significant risks of material misstatement (whether or not due to fraud) including those that have the greatest effect on the overall audit strategy, the allocation of resources in the audit and directing the efforts of the engagement team.	Audit planning report
Significant findings from the audit	<ul style="list-style-type: none"> ▶ Our view about the significant qualitative aspects of accounting practices including accounting policies, accounting estimates and financial statement disclosures ▶ Significant difficulties, if any, encountered during the audit ▶ Significant matters, if any, arising from the audit that were discussed with management ▶ Written representations that we are seeking ▶ Expected modifications to the audit report ▶ Other matters if any, significant to the oversight of the financial reporting process 	Audit results report





Appendix A

		 Our Reporting to you
Required communications	 What is reported?	 When and where
Going concern	<p>Events or conditions identified that may cast significant doubt on the entity's ability to continue as a going concern, including:</p> <ul style="list-style-type: none"> ▶ Whether the events or conditions constitute a material uncertainty related to going concern ▶ Whether the use of the going concern assumption is appropriate in the preparation and presentation of the financial statements ▶ The appropriateness of related disclosures in the financial statements 	Audit results report
Misstatements	<ul style="list-style-type: none"> ▶ Uncorrected misstatements and their effect on our audit opinion, unless prohibited by law or regulation ▶ The effect of uncorrected misstatements related to prior periods ▶ A request that any uncorrected misstatement be corrected ▶ Material misstatements corrected by management 	Audit results report
Subsequent events	<ul style="list-style-type: none"> ▶ Enquiry of the Executive Board where appropriate regarding whether any subsequent events have occurred that might affect the financial statements. 	Audit results report
Fraud	<ul style="list-style-type: none"> ▶ Enquiries of the Executive Board to determine whether they have knowledge of any actual, suspected or alleged fraud affecting the entity ▶ Any fraud that we have identified or information we have obtained that indicates that a fraud may exist ▶ Unless all of those charged with governance are involved in managing the entity, any identified or suspected fraud involving: <ol style="list-style-type: none"> a. Management; b. Employees who have significant roles in internal control; or c. Others where the fraud results in a material misstatement in the financial statements. ▶ The nature, timing and extent of audit procedures necessary to complete the audit when fraud involving management is suspected ▶ Any other matters related to fraud, relevant to Executive Board responsibility. 	Audit results report

Appendix A

		Our Reporting to you
Required communications	What is reported?	When and where
Related parties	<p>Significant matters arising during the audit in connection with the entity's related parties including, when applicable:</p> <ul style="list-style-type: none"> ▶ Non-disclosure by management ▶ Inappropriate authorisation and approval of transactions ▶ Disagreement over disclosures ▶ Non-compliance with laws and regulations ▶ Difficulty in identifying the party that ultimately controls the entity 	Audit results report
Independence	<p>Communication of all significant facts and matters that bear on EY's, and all individuals involved in the audit, objectivity and independence.</p> <p>Communication of key elements of the audit engagement partner's consideration of independence and objectivity such as:</p> <ul style="list-style-type: none"> ▶ The principal threats ▶ Safeguards adopted and their effectiveness ▶ An overall assessment of threats and safeguards ▶ Information about the general policies and process within the firm to maintain objectivity and independence <p>Communications whenever significant judgements are made about threats to objectivity and independence and the appropriateness of safeguards put in place.</p>	<p>Audit planning report</p> <p>Audit results report</p>




Appendix A

		 Our Reporting to you
Required communications	 What is reported?	  When and where
External confirmations	<ul style="list-style-type: none"> ▶ Management's refusal for us to request confirmations ▶ Inability to obtain relevant and reliable audit evidence from other procedures. 	Audit results report
Consideration of laws and regulations	<ul style="list-style-type: none"> ▶ Subject to compliance with applicable regulations, matters involving identified or suspected non-compliance with laws and regulations, other than those which are clearly inconsequential and the implications thereof. Instances of suspected non-compliance may also include those that are brought to our attention that are expected to occur imminently or for which there is reason to believe that they may occur ▶ Enquiry of the Executive Board into possible instances of non-compliance with laws and regulations that may have a material effect on the financial statements and that the Executive Board may be aware of 	Audit results report
Significant deficiencies in internal controls identified during the audit	<ul style="list-style-type: none"> ▶ Significant deficiencies in internal controls identified during the audit. 	Audit results report
Written representations we are requesting from management and/or those charged with governance	<ul style="list-style-type: none"> ▶ Written representations we are requesting from management and/or those charged with governance 	Audit results report
Material inconsistencies or misstatements of fact identified in other information which management has refused to revise	<ul style="list-style-type: none"> ▶ Material inconsistencies or misstatements of fact identified in other information which management has refused to revise 	Audit results report
Auditors report	<ul style="list-style-type: none"> ▶ Key audit matters that we will include in our auditor's report ▶ Any circumstances identified that affect the form and content of our auditor's report 	Audit results report

Appendix B

Outstanding matters

The following items relating to the completion of our audit procedures are outstanding at the date of the release of this report:




Item 	Actions to resolve 	Responsibility 
Outstanding Investment confirmation	Management have recently provided authority to the investment broker to release the confirmation of the investment balance. We have issued a request for the confirmation and are awaiting a response	Investment broker and EY
Completion of audit procedures over IAS 19 - assessment of Triennial valuation over the IAS 19 Estimate	EY to complete assessment	EY
Conclusion and assessment of differences identified via EY Real Estate specialist over sample of PPE and Investment Property valuations	EY to assess the impact of the differences identified over the valuation of the sample of items of PPE and Investment Property by our Internal specialists	EY
Completion of outstanding queries regarding trade receivables	Management have responded to queries over trade receivables. EY to complete the testing	EY
Final Annual Report and Accounts	Review of the Final Annual Report and associated support for disclosures Incorporation of EY review comments on disclosure notes	EY and Management
Whole of Government Accounts	EY to conclude on WGA procedures once audit is close to completion	EY
Management representation letter	Receipt of signed management representation letter	Management and Executive Board
Subsequent events review	Completion of subsequent events procedures to the date of signing the audit report	EY and Management

...continued on next page

Appendix B

Outstanding matters (continued)

The following items relate to areas which are yet to be reviewed by EY and may be subject to further queries or variances

Area 	Area 	Area 
Cash and Bank & short term investments	Property Plant and Equipment & Investment Valuations	NDR Appeals Provisions
Covid-19 Grant income	Property, Plant and Equipment Additions and Disposals	Other Income and Expenditure
Government grants (other)	Procedures over completeness of Payables and Provisions	Trade receivables existence & completeness
Journal Entry Testing and estimates	IAS 19 Pension Procedures	Collection Fund expenditure and income
Reserves - Capital Adjustment account, MRP, Capital financing, Revaluation reserve	WGA procedures	Value for Money Procedures
Officers Remuneration	Going Concern Procedures	Related Party Procedures

Until all our audit procedures are complete, we cannot confirm the final form of our audit opinion as new issues may emerge or we may not agree on final detailed disclosures in the Annual Report. At this point no issues have emerged that would cause us to modify our opinion. A draft of the current opinion is included in Section 3.

Management representation letter

Management Rep Letter

Ernst & Young
No.1 Colmore Square
Birmingham
B4 6HQ

This letter of representations is provided in connection with your audit of the financial statements of North Warwickshire Borough Council “the Council” for the year ended 31/03/2021. We recognise that obtaining representations from us concerning the information contained in this letter is a significant procedure in enabling you to form an opinion as to whether the financial statements give a true and fair view of the Council financial position of North Warwickshire Borough Council as of 31/03/2021 and of its income and expenditure for the year then ended in accordance with CIPFA/LASAAC Code of Practice on Local Authority Accounting in the United Kingdom 2020/21.

We understand that the purpose of your audit of our financial statements is to express an opinion thereon and that your audit was conducted in accordance with International Standards on Auditing (UK), which involves an examination of the accounting system, internal control and related data to the extent you considered necessary in the circumstances, and is not designed to identify - nor necessarily be expected to disclose - all fraud, shortages, errors and other irregularities, should any exist.

Accordingly, we make the following representations, which are true to the best of our knowledge and belief, having made such inquiries as we considered necessary for the purpose of appropriately informing ourselves:

A. Financial Statements and Financial Records

1. We have fulfilled our responsibilities, under the relevant statutory authorities, for the preparation of the financial statements in accordance with the Accounts and Audit Regulations 2015 and CIPFA LASAAC Code of Practice on Local Authority Accounting in the United Kingdom 2020/21.
2. We acknowledge, as members of management of the Council, our responsibility for the fair presentation of the financial statements. We believe the financial statements referred to above give a true and fair view of the financial position, financial performance (or results of operations) and cash flows of the Council in accordance with the CIPFA LASAAC Code of Practice on Local Authority Accounting in the United Kingdom 2020/21, and are free of material misstatements, including omissions. We have approved the financial statements.
3. The significant accounting policies adopted in the preparation of the financial statements are appropriately described in the financial statements.

Management representation letter (continued)

Management Rep Letter

4. As members of management of the Council, we believe that the Council has a system of internal controls adequate to enable the preparation of accurate financial statements in accordance with the CIPFA LASAAC Code of Practice on Local Authority Accounting in the United Kingdom 2020/21, that are free from material misstatement, whether due to fraud or error.
5. There are no unadjusted audit differences identified during the current audit and pertaining to the latest period presented
6. We confirm that the Council does not have securities (debt or equity) listed on a recognized exchange.

B. Non-compliance with law and regulations, including fraud

1. We acknowledge that we are responsible to determine that the Council's activities are conducted in accordance with laws and regulations and that we are responsible to identify and address any non-compliance with applicable laws and regulations, including fraud.
2. We acknowledge that we are responsible for the design, implementation and maintenance of internal controls to prevent and detect fraud.
3. We have disclosed to you the results of our assessment of the risk that the financial statements may be materially misstated as a result of fraud.
4. We have no knowledge of any identified or suspected non-compliance with laws or regulations, including fraud that may have affected the Council (regardless of the source or form and including without limitation, any allegations by "whistleblowers"), including non-compliance matters:
 - ▶ involving financial improprieties;
 - ▶ related to laws and regulations that have a direct effect on the determination of material amounts and disclosures in the Council's financial statements;
 - ▶ related to laws and regulations that have an indirect effect on amounts and disclosures in the financial statements, but compliance with which may be fundamental to the operations of the Council's activities, its ability to continue to operate, or to avoid material penalties;
 - ▶ involving management, or employees who have significant roles in internal controls, or others; or
 - ▶ in relation to any allegations of fraud, suspected fraud or other non-compliance with laws and regulations communicated by employees, former employees, analysts, regulators or others.

C. Information Provided and Completeness of Information and Transactions

1. We have provided you with:
 - ▶ Access to all information of which we are aware that is relevant to the preparation of the financial statements such as records, documentation and other matters;
 - ▶ Additional information that you have requested from us for the purpose of the audit; and
 - ▶ Unrestricted access to persons within the entity from whom you determined it necessary to obtain audit evidence.

Management representation letter (continued)

Management Rep Letter

2. All material transactions have been recorded in the accounting records and all material transactions, events and conditions are reflected in the financial statements, including those related to the COVID-19 pandemic.
3. We have made available to you all minutes of the meetings of the Executive Board and Executive Board held through 15/06/2020 to the most recent meeting 20/06/2023.
4. We confirm the completeness of information provided regarding the identification of related parties. We have disclosed to you the identity of the Council's related parties and all related party relationships and transactions of which we are aware, including sales, purchases, loans, transfers of assets, liabilities and services, leasing arrangements, guarantees, non-monetary transactions and transactions for no consideration for the period ended, as well as related balances due to or from such parties at the 31/03/2021 year end. These transactions have been appropriately accounted for and disclosed in the financial statements.
5. We believe that the methods, significant assumptions and the data we used in making accounting estimates and related disclosures are appropriate and consistently applied to achieve recognition, measurement and disclosure that is in accordance with the Accounts and Audit Regulations 2015 and CIPFA LASAAC Code of Practice on Local Authority Accounting in the United Kingdom 2020/21.
6. We have disclosed to you, and the Council has complied with, all aspects of contractual agreements that could have a material effect on the financial statements in the event of non-compliance, including all covenants, conditions or other requirements of all outstanding debt.
7. From the date of the last opinion through the date of this letter we have disclosed to you, to the extent that we are aware, any (1) unauthorized access to our information technology systems that either occurred or to the best of our knowledge is reasonably likely to have occurred based on our investigation, including of reports submitted to us by third parties (including regulatory agencies, law enforcement agencies and security consultants), to the extent that such unauthorized access to our information technology systems is reasonably likely to have a material impact to the financial statements, in each case or in the aggregate, and (2) ransomware attacks when we paid or are contemplating paying a ransom, regardless of the amount.

D. Liabilities and Contingencies

1. All liabilities and contingencies, including those associated with guarantees, whether written or oral, have been disclosed to you and are appropriately reflected in the financial statements.
2. We have informed you of all outstanding and possible litigation and claims, whether or not they have been discussed with legal counsel.
3. We have recorded and/or disclosed, as appropriate, all liabilities related to litigation and claims, both actual and contingent, and have disclosed all guarantees that we have given to third parties.

E. Going Concern

1. Note 41 to the financial statements discloses all the matters of which we are aware that are relevant to the Council's ability to continue as a going concern, including significant conditions and events, our plans for future action, and the feasibility of those plans.

Management representation letter (continued)

Management Rep Letter

F. Subsequent Events

1. There have been no events including events related to the COVID-19 pandemic subsequent to period end which require adjustment of or disclosure in the financial statements or notes thereto, and including events related to the conflict and related sanctions in Ukraine, Russia and/or Belarus, subsequent to period end which require adjustment of or disclosure in the financial statements or notes thereto.

G. Other information

1. We acknowledge our responsibility for the preparation of the other information. The other information comprises of the Narrative Report.
2. We confirm that the content contained within the other information is consistent with the financial statements.

H. Climate-related matters

1. We confirm that to the best of our knowledge all information that is relevant to the recognition, measurement, presentation and disclosure of climate-related matters has been considered and reflected in the financial statements.
2. The key assumptions used in preparing the financial statements are, to the extent allowable under the requirements of the Accounts and Audit Regulations 2015 and CIPFA LASAAC Code of Practice on Local Authority Accounting in the United Kingdom, aligned with the statements we have made in the other information or other public communications made by us (see section G).

I. Reserves

1. We have properly recorded or disclosed in the financial statements the useable and unusable reserves.

J. Use of the Work of a Specialist

1. We agree with the findings of the specialists that we engaged to evaluate the valuation of PPE, Investment and the Pension Liability and have adequately considered the qualifications of the specialists in determining the amounts and disclosures included in the financial statements and the underlying accounting records. We did not give or cause any instructions to be given to the specialists with respect to the values or amounts derived in an attempt to bias their work, and we are not otherwise aware of any matters that have had an effect on the independence or objectivity of the specialists.

Management representation letter (continued)

Management Rep Letter

K. Estimates

We identified the following estimates as higher risk:

- NNDR Appeals Provision
- Pensions Liability
- PPE and Investment Property Valuations

1. We confirm that the significant judgments made in making the estimates listed above have taken into account all relevant information and the effects of the COVID-19 pandemic of which we are aware.
2. We believe that the selection or application of the methods, assumptions and data used by us have been consistently and appropriately applied or used in making the estimates.
3. We confirm that the significant assumptions used in making the estimates appropriately reflect our intent and ability to carry out procedures on behalf of the entity.
4. We confirm that the disclosures made in the financial statements with respect to the accounting estimate(s), including those describing estimation uncertainty and the effects of the COVID-19 pandemic, are complete and are reasonable in the context of the Code of Practice on Local Authority Accounting 2020/21.
5. We confirm that appropriate specialized skills or expertise has been applied in making the estimates.
6. We confirm that no adjustments are required to the accounting estimate(s) and disclosures in the financial statements including due to the COVID-19 pandemic.

L. Retirement benefits

1. On the basis of the process established by us and having made appropriate enquiries, we are satisfied that the actuarial assumptions underlying the scheme liabilities are consistent with our knowledge of the business. All significant retirement benefits and all settlements and curtailments have been identified and properly accounted for.

Appendix C

Management representation letter (continued)

Management Rep Letter

Approval

This letter of representation was approved by the Council's Executive Board on XX Month XX.

Yours faithfully,

(Corporate Director - Resources)

(Chairman of the Executive Board)

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ED None

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Agenda Item No 7

Executive Board

19 July 2023

Report of the Chief Executive

Transformation Team Updates

1 Summary

- 1.1 This is the annual report that provides Members with an update to the work that the Transformation team is undertaking.

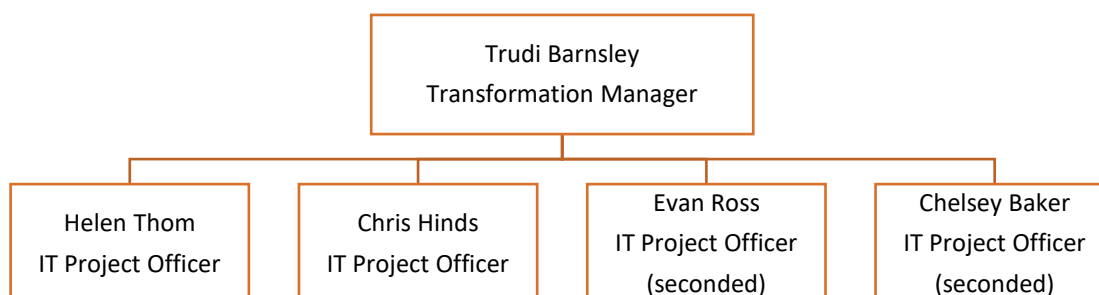
Recommendation to the Board

- a That the report is acknowledged; and
- b That the report be noted.

2 Background

- 2.1 The Transformation Team is managed by the Transformation Manager who reports directly to the Head of Corporate Services and works closely with the Chief Executive and Management Team. The team are having an extremely busy year with implementing new systems.

- 2.2 The team structure is as shown below:



- 2.3 Several of the IT systems have been in place for a number of years (over 15 years). It has become evident that where a system no longer matches service needs or has become outdated, our processes are consequently inefficient and provides a negative impact on services' ability to change.

3 **Reviewing Processes**

3.1 When we review processes, we always understand the current process end to end before making any changes. Whatever we review, we take into consideration several elements. Our staff: what they do and what impact it may have on them, the process, and the technology we use. Our aim is always to work with colleagues and want them to embrace the change as much as we do.

4 **Cost Considerations**

4.1 Our Microsoft tenancy agreement gives us access to some applications that are included within our annual maintenance, so where possible we will utilise 'free' applications providing they are fit for purpose.

4.2 Members have already approved the financial commitment for four new systems, they are:

Dept.	Approved budget
Environmental Health	£115,000
Planning and Local Land Charges	£ 75,850
Financial Management System	£300,000
Website	£ 50,000

5 **Conclusion**

5.1 There are several ways in which efficiencies can be measured, they are:

- Being more productive,
- Reducing the cost of the service,
- Generating income,
- Providing a better service,
- Reducing errors and getting things right first time,
- Reducing demand; and
- Removing duplication and hand-offs.

5.2 Our role in transformation will be to lead on service or process reviews and system implementations. See the work programme in Appendix 1 for more details.

5.3 It's important to know what good looks like. We measure the success by realising the benefits, embedding change, increasing income, or requiring less resources.

6 **Report Implications**

6.1 **Finance and Value for Money Implications**

6.1.1 None arising from this report.

6.2 Legal and Data Protection Implications

- 6.2.1 Legal Services will be consulted before entering any new contracts and in relation to whether any intended changes to processes are legally compliant or expose the Council to legal risk. Specific legal advice on compliance and risk will be included in any reports made to the Council or its Boards recommending major changes to processes or acquisition of systems as part of the transformation process.
- 6.2.2 It is legal obligation to consult the Council's Data Protection Officer (DPO) early in relation to any matters which relate to the protection of personal data and to ensure that they are properly involved in such matters and are therefore able to contribute accordingly. It is also a statutory requirement to provide the DPO with the necessary resources to undertake their role, together with access to all relevant information required. In turn the DPO must advise the Council as to its obligations under data protection legislation. The Head of Legal Services is the Council's DPO.
- 6.2.3 Where any changes are anticipated in relation to processes, systems or software which will relate to data protection it is therefore essential to engage the DPO at the outset of the process so that appropriate steps can be taken to comply with those obligations.

6.3 Environment, Climate Change and Health Implications

- 6.3.1 Improvements in the performance and quality of services will contribute to improving the quality of life within the community.

6.4 Risk Management Implications

- 6.4.1 There are several risks that could prevent progress being made, they are:
- Resources
Having insufficient resources available. For example, not having the right people available at the right time, either within the Transformation Team and/or other key areas of the Council.
 - Benefits
Not being captured and clearly defined, delivered, or communicated.
 - Lack of Buy-In, commitment and support
From Senior Management or colleagues.
 - Late and/or inadequate engagement with the DPO or a complete failure to engage them.

6.5 Links to Council's Priorities

- 6.5.1 The work that the Transformation Team undertake contributes towards the Council's Corporate Plan in progressing to become a more efficient organisation. This will be supported by having a robust transformation programme to ensure our services and processes are as lean as possible, consider new models of working and providing services, and develop our staff in the new skills needed, whilst being supported by IT.

The Contact Officer for this report is Trudi Barnsley (719388).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date
1	Transformation Manager	Transformation Team Updates Agenda Executive Board 13 June 2022 (4).pdf (pages 50 -59)	June 2022
2	Transformation Manager	Increase of Charges for Street Naming and Numbering Community and Environment Board Agenda 25 July 2022 (4).pdf (pages 7-10)	July 2022
3	Transformation Manager	Website Upgrade Executive Board 21 March 2023 (1).pdf (pages 12 – 17).	March 2023
4	Transformation Manager and Environmental Health Manager	Fly Tipping Safer Communities 16 March 2023.pdf (pages 5-10)	March 2023

Systems

Description	Notes	Status	Target date	Efficiency gain
Implementation of new Environmental Health System	Working with Environmental Health, the new system was awarded to Idox. System go live is planned for end of June. As part of the new system, there is a customer portal which we will aim to launch later in the year. The portal will allow residents to apply and pay for EH services for example, apply for a licence and report fly tipping. This will be much more efficient than the way we are currently working as we are aiming to have electronic end to end processes as much as we can.	In progress	June 2023 & Sept 2023	Being more productive and Removing duplication and hand-offs and providing a better service
Implementation of new Planning and Local Land Charges System	Working with Development Control, the new system was awarded to Idox. However, there are a numbers of concerns that we are addressing with the supplier currently. Therefore, go live date has been delayed under later in the year.	In progress	Oct 2023	Being more productive and Removing duplication and hand-offs and providing a better service
Implementation of new Financial Management System	Working with Finance a system was procured via a framework and awarded to Embridge Consulting; the system is a well-known Finance system called Unit 4 which is used by over a 1/3 of Councils. We're investigating extracting the data from the incumbent system, in preparation for go live which is planned for April 2024.	In progress	April 2024	Being more productive and Removing duplication and hand-offs
Implementation of web-based GIS module	We hold a lot of data but it's mainly textual not spatial. Land registry will require information to be spatial therefore there will be more reliance on our GIS software. We have purchased the web-based product and are currently looking at what data we need to capture that would benefit the authority as well as the Land registry. This project is linked to the Planning system.	In progress		Removing duplication and hand-offs and providing a better service
New Website	A new website will be launched later in the year. Work has begun on reviewing content, the next stage will be the design.	In progress	Oct - Dec 2023	Providing a better service
BACS system	Our payment transmissions is end of life in December 2023, so discussions and negotiations are ongoing with our supplier, we are hoping to stay with the existing supplier but have the system hosted.	In progress	Dec 2023	
Pay360 (payment manager)	Our current payment system will be end of life in June 2024 so also needs replacing.	Not started	June 2024	
Gov delivery	We've implemented a new digital email marketing solution. It allows us to send personalised bulletins to our subscribers. It proved incredibly successful for emailing residents' about VoterID for the Borough elections in May 2023 and encouraging them to subscribe to further Council communications. We have carried out several targeted email bulletins for specific services, for example: a forward planning consultation, consultation on changes to the housing lettings scheme and annual green bin subscriptions. To date we have 27,000 across subscribers over 15 categories.	Ongoing	n/a	Providing a better service
Incab	Working with Streetscape to implement Incab. Still a lot to do but the crews are using the devices in the cab daily.	In progress	Dec 2023	Being more productive

Processes

Description	Notes	Status	Target date	Efficiency gain
Administrative services review	A service review which was started pre-covid by external consultant. We lead on the review from the summer 2021. The central services team was disbanded, six colleagues took voluntary redundancy and new teams were set-up and processes were reviewed.	Complete	Nov 2021	Reducing the cost of the service with a saving of £140,000 after 10 months
Incoming and outgoing post service	Streamlined what we are logging at the post opening procedure and reduced the number of people involved in the process. Staff trained who open the post are now trained to spot fake passports, etc. These valuable items are then posted back to the resident same day.	Complete	Nov 2021	Being more productive and Removing duplication and hand-offs and providing a better service
Trade waste	Businesses can now sign up for the Trade waste service electronically. As part of the application the intelligence in the form design works out how much the emptying will cost based on out/in area, schools, size of bin, etc. automatically. Improvements have been made in the Streetscape support team and Finance.	Complete		Being more productive and providing a better service
Street name plates	Ordering Street Name plates has been handed over to Streetscape division as they arrange for signs to be erected.	Complete	Nov 2021	Removing duplication and hand-offs
Housing homelessness	Applying for council house/accommodation online, the process has been designed to 'carry out' the initial assessment by intelligent form design.	Complete	Sept 2022	Being more productive and providing a better service
Licensing	Forms designed and applying for a taxi vehicle and person licence online including card payments. Reviewed internal process, removed duplication and streamlined process.	Complete	Feb 2023	Being more productive and providing a better service
Freedom of information requests	Reviewed the internal process and implemented a change. New reporting in place for MT.	Complete		Being more productive
Play area inspections	Removed paper form for the crew, form now completed on a mobile device, managers, and parishes (If applicable) notified automatically once forms completed.	Complete	Feb 2023	Being more productive and Removing duplication and hand-offs
Hybrid mail	Hybrid mail allows us to send letters and/or correspondence to any postal address without printing them. Our supplier will print and post for us, which is a far more efficient way of working. Currently used by some areas and we are continuing with the roll out across the authority. We will be sending out Housing end of year rent letters in February 2024 by this method.	Ongoing	n/a	Being more productive and Removing duplication and hand-offs
Sickness returns	Manager's now complete and online form now, this information is automatically collated for Finance in order to process sickness returns.	Complete		Removing duplication and hand-offs
Investigations and interviews under caution	Have stopped using a solution (which was poor and offered a saving), we've looked at different technologies to improve the time it takes for the recordings to be typed.	Complete		Being more productive
Teams' optimisation	Optimised the technology as some colleagues sounded like daleks.	Complete	Mar 2022	Providing a better service
Booking app for residents	Some services will offer a booking service to residents. This includes telephone and face-to-face appointments to suit the resident, these bookings can be made over the phone or on the website, email confirmations are automatically generated, and the resident can also cancel easily.	Ongoing		Providing a better service
Power BI	Power BI is a hugely interactive way of viewing data. We have developed this for Fly Tipping recently. We are now planning on utilising this application for streamlining performance management processes initially looking at Contact Centre.	Ongoing		Being more productive and providing a better service

Compliments and complaints (internal process)		Not yet started		
Street naming and numbering	We reviewed the process and streamlined it. Residents can now apply and pay for SNN online.	Complete	Mar 2023	Being more productive and Removing duplication and hand-offs and providing a better service and generating income
Fly-tipping	The process lacked consistency internally. The improvement to the way fly tipping will be reported and subsequently allocated, collected, and investigated will all improve significantly once we launch the Environmental Health portal. The crew will also have a tablet so once again will be working in a more efficient way. Working with Streetscape we've procured the installation of six AI cameras currently. The solution generates alerts for movement rather than officers trawling through old fashioned CCTV cameras that record everything.	In progress	Sept 2023	Removing duplication and hand-offs and being more productive
Anti-social behaviour		Not yet started		
Review of Monitoring		Not yet started		
Kings' coronation grants	An electronic form was designed, and members received an email to endorse the resident's application.	Complete	May 2023	Being more productive and providing a better service
Housing temporary accommodation payments	Working with Benefits, Housing and Finance we are reviewing the current payment processes to be more efficient with a potential of increasing the income by £10k per year.	In progress	April 2024	Being more productive and providing a better service and generating income
Payments	Working with Finance, Housing, and IT, some of our online payments go to miscellaneous income code which requires manual intervention to balance. The aim will be to assign the payment to the correct code at source.	In progress	April 2024	Being more productive and providing a better service and reducing errors
Fire Safety	We are working with the Health and Safety Officer, to automate the fire safety checks.	In progress	July 2023	Being more productive
Council Tax Relief Visits	Devised an electronic form for the Visiting Officer to complete when carry out visits for the service.	In progress	July 2023	Removing duplication and hand-offs and being more productive

Agenda Item 8

Executive Board

19 July 2023

Report of the Corporate Director - Resources

Budgetary Control Report 2023/24 Period Ended 30 June 2023

1 Summary

- 1.1 The report covers revenue expenditure and income for the period from 1 April 2023 to 30 June 2023. The 2023/24 budget and the actual position for the period, compared with the estimate at that date, are given, together with an estimate of the out-turn position for services reporting to this Board.

Recommendation to Council

To consider if any further information is required.

2 Introduction

- 2.1 Under the Service Reporting Code of Practice (SeRCOP), services should be charged with the total cost of providing the service, which not only includes costs and income directly incurred, but also support costs relating to such areas as finance, office accommodation, telephone costs and IT services. The figures contained within this report are calculated on this basis.

3 Overall Position

- 3.1 Net expenditure for those services that report to the Executive Board as of 30 June 2023 is £138,936 compared with a profiled budgetary position of £138,706; an overspend of £230. Appendix A to this report provides details of the profiled and actual position for each service reporting to this Board, together with the variance for the period.

- 3.2 Where possible, the budget to date figure has been calculated with some allowance for seasonal variations, to enable a better comparison with actual figures.

4 Risks to the Budget

- 4.1 The key risks to the budgetary position of the Council from services under the control of this Board are:-

	Likelihood	Potential impact on Budget
The Local Plan requires regular analysis and updating in line with changing circumstances and changes in national guidance.	High	Medium
The Emergency Planning budget may be insufficient to cover the costs of any major local emergency.	Low	High

5 Estimated Out-turn

- 5.1 Members have requested that Budgetary Control Reports provide details on the likely out-turn position for each of the services reporting to this Board. The anticipated out-turn for this Board for 2023/24 is £655 330, the same as the Original Budget.
- 5.2 The figures provided above are based on information available at this time of the year and are the best available estimates for this Board and may change as the financial year progresses. Members will be updated in future reports of any changes to the forecast out turn.

6 Report Implications

6.1 Finance and Value for Money Implications

- 6.1.1 Income and Expenditure will continue to be closely managed and any issues that arise will be reported to this Board for comment at future meetings.

6.2 Environment and Sustainability Implications

- 6.2.1 The Council must ensure that it adopts and implements robust and comprehensive budgetary monitoring and control, to ensure not only the availability of services within the current financial year, but in future years.

The Contact Officer for this report is Nigel Lane (719371).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date
Executive Board – Agenda item 10	Corporate Director - Resources	General Fund Revenue Estimates and Setting the Council 2023-24	13 th Feb 2023

North Warwickshire Borough Council

Executive Board

Budgetary Control Report 2023/24 as at 30 June 2023

Cost Centre	Description	Approved Budget 2023/24	Profiled Budget June 2023	Actual June 2023	Variance	Comments
		£	£	£	£	
2000	Housing Strategic Service Review	38,870	9,718	9,718	-	
2001	Outreach and Access to Services	-	-	-	-	
2002	Corporate Communications	71,990	16,906	14,980	(1,926)	
2003	Community Strategy	143,010	35,322	35,323	0	
2007	Emergency Planning	58,370	13,800	15,414	1,614	
2009	N.Warks Local Development Framework	339,960	62,178	62,720	542	
5050	Support to Parishes	3,130	783	783	-	
	Total Expenditure	655,330	138,706	138,936	230	

Agenda Item No 9

Executive Board

19 July 2023

Report of the Chief Executive

**The West Midlands Combined
Authority**

1 Summary

- 1.1 This report seeks to update Members with regard to some recent developments concerning the West Midlands Combined Authority ('WMCA').

Recommendation to Board

- a That the report be noted;**
- b That the Council confirms their opposition to the timescale proposed for the decision with regard to the Warwickshire County Council joining the WMCA;**
- c That the Leader be authorised to convey the Council's very serious concerns about the prospect of joining the WMCA and in particular the shortened timescale for the proper consideration of this decision;**
- d That the Council opposes any proposal that would or could lead to the abolition of North Warwickshire Borough Council and the creation of a unitary council for Warwickshire; and**
- e That the Chief Executive be given delegated powers in consultation with the Leader of the Council and the Leader of the Opposition should any action be needed to be taken prior to the next meeting of this Board and/or Council and to take part in the exercise being undertaken by Warwickshire County Council and the WMCA.**

2 Report

- 2.1 As set out in the reply to a public question to Council on the 28 June, this Council became aware in the week commencing the 19 June of discussions taking place between the Warwickshire County Council ('WCC'), the WMCA and others about the possibility of WCC joining the WMCA as a full constituent member. WCC, and the District and Borough Councils in Warwickshire, are currently non-constituent members (with the exception of Warwick District which has observer status).

2.2 In summary, there is the potential for more powers to be given to constituent members on certain service issues but with greater oversight and governance of those issues taking place on a larger geographical footprint than is currently the case. In particular, the remit of the WMCA Mayor will expand to include Warwickshire in this scenario.

2.3 On 13 July WCC's Cabinet will consider a report to authorise their Chief Executive to explore the option of WCC becoming a constituent member of the WMCA. The Cabinet report is Appended to this report and sets out a lot of the background detail with regard to current Government thinking on further devolution to those areas that do not current have deals.

2.4 The report also highlights that if WCC resolve to join as constituent members then the District and Borough Councils will automatically join on the same basis. There are clearly a number of issues, of principal and practice, that stem from such a scenario regarding the role of the democratically elected Borough and District Councillors in this decision, the financial implications and the effect on the governance of the WMCA.

2.5 What is not made explicit in WCC's report is that, at the moment, the consent of the existing constituent members (Coventry, Solihull, Birmingham, Dudley, Walsall, Wolverhampton and Sandwell) would be required. That position may change if the Levelling Up and Regeneration Bill completes its passage through Parliament, as the Bill as currently drafted gives the Secretary of Sate powers to direct Councils with regard to their membership of Combined Authorities. It is suggested that this power will not be available until November at the earliest, which puts further pressure on the timetable set out in WCC's report (which is commented on further below). Even if such a power becomes available, it is generally acknowledged that directing Councils to accept a revised geographical footprint is unlikely to prove conducive to productive partnership working arrangements, something relevant also to the points raised in paragraph 2.4 above.

2.6 Whilst the Council should reserve its final position on the merits of joining until further information is made available, particularly on the test set out in WCC's report:

- i) extension of membership will be at no detriment to the existing constituent members; and
- ii) the joining authority will enjoy the same benefits as existing constituent members

it is suggested that the timetable for this decision is too tight and there is a material risk that insufficient time will be available to consult properly and consider all reasonable options. This is a decision with very far reaching implications, both directly regarding devolution and democracy relating to the WMCA, but also indirectly regarding what other non constituent areas/Councils may wish to follow the same path as Warwickshire and the

implications for a very large Combined Authority area, together with any implications for the future structures of local government in those areas.

- 2.7 In that context therefore consultation for only 8 weeks when partners in Warwickshire are committed to consultation periods being usually 12 weeks is a concern, as is the suggestion that this shorten period take place during a holiday period (or even starts prior to the scheme being consulted upon has been drafted – paragraph 5.1 of the WCC report). Whilst the stated aim of implementing this work in time for next May’s Mayoral elections is noted, it is a generally accepted principle that reduced time from when consideration of a decision starts to when a decision is needed should not prejudice proper decision making.

3 **Report Implications**

- 3.1 These are dealt with in the main body of the report.

The Contact Officer for this report is Steve Maxey (719438).

Cabinet

13 July 2023

West Midlands Combined Authority & Devolution for Warwickshire

Recommendation(s)

That Cabinet authorises the Chief Executive to undertake such work as she considers necessary, in consultation with the Leader, including the completion of a governance review and consideration of a draft Scheme, to explore the option for Warwickshire County Council to become a constituent member of the West Midlands Combined Authority.

1. Executive Summary

- 1.1 Warwickshire County Council has been a non-constituent member of the West Midlands Combined Authority (WMCA) since 2016. The WMCA comprises 7 constituent members (Birmingham City Council, Coventry City Council, Solihull Metropolitan Borough Council (MBC), City of Wolverhampton Council, Sandwell MBC, Dudley MBC, Walsall MBC) with full voting rights and a number of non-constituent members, with reduced voting rights, of which Warwickshire County Council is one. During that time, the Council has enjoyed positive relations with the WMCA, with the Leader of the Council being a portfolio holder on the WMCA executive and has continued to engage constructively with the WMCA as it has entered into subsequent devolution deals with Government, the most recent being the Deeper Devolution Deal which was announced in March 2023.
- 1.2 Warwickshire County Council has continued to be a key contributor to the WMCA over the period of its membership, not least due to its shared economic footprint with Coventry (a constituent member) and the significant contribution Warwickshire makes to the wider regional economy. A testament to the strength of our relationship with the WMCA has been the engagement we have had from the WMCA on the Transforming Nuneaton programme, the inclusion of the Gigafactory site in the proposed West Midlands Investment Zone and the inclusion of Coventry & Warwickshire as a potential Levelling Up Zone that could benefit from enhanced and targeted fiscal measures. To this end, the consideration of devolution and the potential benefits to Warwickshire of a devolution deal, whether for Warwickshire alone or arising from the WMCA devolution deal(s), have been kept under continual review and sets the context for this report and the position now reached.
- 1.3 On 2 February 2022 the Government published the Levelling Up White Paper, followed by the Levelling Up and Regeneration Bill in May 2022 which is making its way through Parliament. The White Paper outlines the Government's strategy to "spread opportunity and prosperity to all parts of the country" by

2030, through twelve national missions, one of which is focused on devolution – *‘By 2030, every part of England that wants one will have a devolution deal with powers at or approaching the highest level of devolution and a simplified, long-term funding settlement’*.

- 1.4 On 10 March 2022 Cabinet considered the content of the White Paper and supported the development of a devolution deal for Warwickshire. The Leader of the Council subsequently wrote to the Secretary of State expressing the Council’s interest in being invited to commence negotiations on a Devolution Deal for Warwickshire.
- 1.5 A further update was provided to Cabinet in May 2022. This was followed by the establishment of a cross-party group of Members which explored options for each of the different themes and elements of a potential devolution deal for Warwickshire.
- 1.6 The outcome of this detailed cross-party work was considered by Cabinet on 11 May 2023. At this meeting, Cabinet agreed to engagement with partners on a potential future county devolution deal for Warwickshire and continued engagement with the West Midlands Combined Authority to maximise the opportunities for Warwickshire (as a non-constituent member) from the West Midlands Combined Authority (WMCA) ‘Deeper Devolution’ Deal.
- 1.7 Since the May Cabinet meeting it has become more apparent that negotiations with Government around a devolution deal for Warwickshire are unlikely to progress in the short to medium term due to the number of local authorities nationally which are already progressing, or in line to progress a deal, and the capacity for negotiation within Government. As set out previously, Level 3 deals, which offer greater freedoms and flexibilities, and which require a directly elected Mayor or a directly elected Leader, appear to remain the priority for Government, which is reflected in their priorities for negotiation to date. In light of Warwickshire’s preference to date not to pursue a directly elected Leader or elected Mayor, as discussed with the District and Borough Councils, it is recognised that negotiation of a Level 2 deal would be a lower priority for Government.
- 1.8 In addition, through discussions with the West Midlands Combined Authority, it is recognised that, understandably, their current focus is on finalising the Deeper Devolution Deal with constituent authorities, expected in the Autumn, with dialogue around the opportunities for non-constituent members following on from that later in the year and likely into next year. Currently, it is equally uncertain as to what opportunities from the Deeper Devolution Deal may be open to non-constituent members. Understandably, due to Warwickshire County Council’s status as a non-constituent member, the opportunity for access to benefits from the Deeper Devolution Deal will be proportionately less, in comparison to those accessible to a full constituent member of the WMCA. For Warwickshire this means that we are some distance from being able to either secure our own deal or benefit fully from the WMCA Deeper Devolution Deal.

- 1.9 This, coupled with uncertainty over future fundings streams (such as the Levelling Up Fund), and the reduction of external funding available to Warwickshire via the UK Shared Prosperity Fund (a reduction in funding of c. 60% for employment & skills activities, and 67% for business support programmes compared to the previous European Structural and Investment Funds allocation), leaves Warwickshire with a challenge as to how best to secure our longer-term ambitions for the County around important issues such as economic growth, skills, transport connectivity, net zero, fiscal devolution, housing, land and regeneration, all of which are key aspects of the WMCA Deeper Devolution Deal, and also support the Countywide Approach to Levelling Up. The added pressure is to ensure that Warwickshire secures the maximum benefits from devolution and is not 'left behind' given the timeframe of opportunity.
- 1.10 This report sets out the options available to the Council and proposes that the Council undertakes work to explore the option of becoming a constituent member of the WMCA.

2. Financial Implications

- 2.1 Devolution deals are fundamentally based on the devolution of either funding, powers, or both.
- 2.2 With the agreement with Government of the Deeper Devolution Deal, the WMCA has secured its third devolution deal, each one building on and strengthening its predecessor. We envisage that any expansion of the WMCA area to include Warwickshire would be based on the existing functions devolved to WMCA in addition to the benefits contained in the Deeper Devolution Deal which has been agreed with Government and is in the process of being implemented.
- 2.3 The WMCA Deals 1 and 2 offer a number of freedoms and flexibilities including;

Deal 1 – Creating the WMCA (2015)

- Control of a new additional £36.5 million a year funding allocation over 30 years, to be invested to drive growth.
- Responsibility for chairing area-based reviews of 16+ skills provision, and devolved control over 19+ adult skills funding from 2018/19, estimated at £128m pa
- Joint responsibility with the government to co-design employment support for the hardest-to-help claimants
- Responsibility to work with the Government to develop and implement a devolved approach to the delivery of business support programmes from 2017 and deliver more integrated working together on investment and trade.

Deal 2 – To promote growth (2017)

- Created a Mayoral Housing Delivery Team supported by a £5m investment to expand construction skills.

- £250m for transport infrastructure used for the extension of the Midland Metro from Wednesbury to Brierley Hill.
- Established new Skills Advisory Panels to create new local partnerships to plan investment in skills around local labour market needs.
- £5m over 3 years for local construction training programme.
- The creation of a digital hub in Birmingham as part of the TechNation programme and a share of a £2m pilot for Coventry and Warwickshire for ultra-fast broadband roll-out.
- Approval for a Housing First pilot to take place.
- £250m over 4 years from Transforming Cities Fund for local transport priorities.
- Approval for the £250 million West Midlands bid into the Housing Infrastructure Fund
- A Land Fund of £100M to buy and ‘clean up’ land around priority sites
- Commitment from Government to work with Housing Associations on new ways to finance and build affordable housing
- A new Joint Delivery Team with Homes England.

2.4 However, it is recognised that the Deeper Devolution Deal comprises significant additional financial benefits for the WMCA area as summarised below, which Warwickshire would seek to negotiate benefit from to ensure parity of benefit as a Constituent Member of the WMCA:

- Through its ‘Single Settlement’, a Government commitment to giving WMCA single capital and revenue funding certainty, in a way that is equivalent to Government Departments’ annual spending allocations for revenue and capital.
- Fiscal devolution, including the continuation of the pilot allowing 100% retention of business rates growth (rather than the usual 50%) for the next 10 years – worth an estimated £45 million a year to the WMCA and local authorities.
- A £100m Single Regeneration Fund will be deployed flexibly across the region, and for the first time, brownfield land funding will support commercial, employment land and mixed-use development, as well as delivering 4,000 homes.
- A housing deal worth up to £500 million, offering greater flexibility to drive brownfield regeneration and unique powers and funding to deliver affordable housing at pace.
- Inclusion of the Gigafactory and surrounding sites (known collectively as the GigaPark) as part of the proposed West Midlands Investment Zone, enabling initial grant investment into the site, business rates retention, and tax incentives for future occupants – constituent membership would enable greater influence and sharing in expected returns from this investment
- Up to six Levelling Up Zones, backed by 25-year business rate retention, with an expected total value to the region of at least £500 million, to target investment and encourage jobs and regeneration in areas agreed between the WMCA and Government.

- Measures to tackle digital exclusion including greater influence over high-speed broadband investment across the region and a £4 million fund for devices and data to get more people online.
- 2.5 Warwickshire would seek to adopt the principles set out in paragraph 4.10 in its negotiations (i.e. no detriment to existing constituent members and equal benefit for Warwickshire joining). What this means financially for Warwickshire in the context of the current WMCA devolution deal and the Deeper Devolution deal would need to be worked up in negotiation with Government, however it leaves open the possibility that the financing elements of the Deeper Devolution deal could be increased to factor in Warwickshire's inclusion, whilst still respecting the guiding principles that have been applied to previous deals.
- 2.6 In terms of operating costs, non-constituent members of the WMCA (of which Warwickshire County Council is one) pay an annual contribution of £30,000 since 2022/23. Constituent members of the WMCA contribute an annual sum relative to their size, ranging from Birmingham at £1.08m to Solihull at £0.55m, which includes a standard membership fee for all constituent Local Authorities. Should Warwickshire County Council become a constituent member of the WMCA, then an increased contribution would be required. This would need to be factored into the refresh of the Council's MTFs from April 2024 onwards and considered alongside the financial benefits that would arise from full membership.
- 2.7 A change in membership status to 'constituent member' for Warwickshire County Council would also have implications for the five District and Borough Councils in the County who would automatically be admitted as constituent members. It is recognised that the level of financial contribution as a constituent member could be challenging for the District and Borough Councils and if levied at the current 'constituent member' level would mean Warwickshire Councils as a whole contributing a disproportionate amount compared to other members. This would therefore need to be a matter for local agreement as part of the negotiations.

3. Environmental Implications

- 3.1 Although not featured in the White Paper as one of the 12 specific Levelling Up missions, the local definition of Levelling Up adopted for Warwickshire highlights the importance of climate change and net zero as a key element of Levelling Up and therefore devolution.
- 3.2 The West Midlands Combined Authority 'Deeper Devolution Deal' contains a number of workstreams focused on net zero and the environment. These include the following:
- From 2025, Government will pilot with the West Midlands the devolution of housing retrofit funding. This will remove uncertainty and inefficiencies in the existing funding system and inform future models for Government net zero funding.

- Recognition of the region’s involvement in wider energy system management and planning, and responsibility for heat zone designation, energy efficiency advice and attracting private sector finance.
- Funding from the £25m capital pot is anticipated for industrial decarbonisation programmes for regional businesses, natural environment finance models and air quality monitors to support the region’s wider environment and net zero ambitions.

3.3 A number of these would be of particular interest to Warwickshire. Not only would they complement and support the County Council’s ongoing work on our Sustainable Futures Strategy, but it would also be difficult to replicate or recreate them to the scale, extent and pace required on a Warwickshire only footprint. In addition, the housing retrofit workstream also has the potential to offer tangible benefits to Warwickshire residents should Warwickshire progress proposals to become a constituent member of the WMCA. This would be a particularly tangible benefit for Warwickshire’s District and Borough Councils and could play a significant role in our Levelling Up activities, working with partners across the County, on issues such as housing standards, cost of living and healthy living conditions.

4. Supporting Information

Devolution Options for Warwickshire

- 4.1 The options available, which are not mutually exclusive (with the exception of Option 1), are set out below.
- 4.2 Options 2 and 3 are not necessarily binary choices and could be part of the same option.

		Pros	Cons
Option 1	Pause pursuit of a Warwickshire Level 2 devolution deal	Frees up officer time to focus on other priorities May be advantages of letting others go ahead of us – learning from other deals	Warwickshire is potentially ‘left behind’ with no imminent devolution benefits Potential negative impact on Warwickshire’s ambitions for economic growth, skills, transport, climate change etc Lose the benefit of the significant work already undertaken, especially that of the member working group
Option 2	Continue to pursue with Government a	Any deal negotiated would be for the benefit of Warwickshire only	Government is not currently prioritising Level 2 deals – so

	standalone Level 2 Devolution Deal for Warwickshire	Frees up officer time to focus on other priorities in the shorter term until Government has capacity to negotiate	likely to take significant time to deliver Level 2 deals offer significantly less benefits than Level 3 (directly elected mayor/leader) deals Warwickshire's ambitions for economic growth, skills, transport, climate change etc would not be realisable in the shorter term Lose the benefit of the significant work already undertaken, especially that of the member working group
Option 3	Continue to pursue the benefits of the WMCA Deeper Devolution Deal as a non-constituent member	Simpler to identify areas from the Deeper Devolution Deal that would be of interest to Warwickshire Negotiation on defined aspects would be less complex and time consuming	Relies on WMCA capacity to progress benefits for non-constituent members Risk that access to benefits for non-constituent members is more limited than full members The extent of Government involvement in negotiations and impact on current Deeper Devolution deal not clear
Option 4	Explore Warwickshire's addition to the WMCA Devolution Deal(s) as a result of Constituent Membership of the WMCA	Speedier access to benefits from an existing Devolution Deal Potential for significant benefits from the existing WMCA deal(s) Supports Warwickshire's ambitions for economic growth, skills, transport etc and potential for delivery at pace Potentially less complex process of negotiation	Financial contribution greater than currently (annual fee), and would require bespoke fee arrangement for Warwickshire councils given two tier structure Some functions (to be agreed) would transfer to the control of a third party (WMCA) Will require dedicated resource to progress in the timeframe required

- 4.3 Option 1 would see the Council pausing work on a Level 2 devolution deal. Options 2 and 3 would see the Council continue on the current mid to longer-term trajectory. Option 4 would see the Council accelerate its consideration of becoming a constituent member as, any decision for the Council to join the WMCA would need to align with the WMCA Mayoral elections which are due to take place in May 2024. If this timeframe were not met, Warwickshire would need to await the next cycle of Mayoral elections (May 2028) before it could reconsider its membership status.

Considerations around a Devolution Deal

- 4.4 Devolution is critical to the wider work and commitments of the Levelling Up agenda. Whilst 'Levelling Up' is a new policy term, it has been a long-held driver within Warwickshire to raise the levels of aspiration and achievement across the whole of the County and reducing inequalities. This levelling up mission is also crucial to realising the ambitions of key related strategies for Warwickshire such as Economic Growth, Sustainable Futures, Transport and Skills.
- 4.5 The direction of travel on devolution from the Government is clear, and Mayoral Combined Authorities are increasingly seen as the vehicles of choice for significant levels of funding and responsibility. The most recent "deeper devolution deal", and agreement for a Single Funding Settlement for the WMCA area are clear evidence of this.
- 4.6 The county of Warwickshire enjoys a strong and diverse functional economic geography, on a shared footprint with Coventry. We are recognised as something of an economic 'powerhouse' and a key contributor to the regional economy, particularly in sectors such as automotive technology and battery development, advanced technology, digital & creative and logistics. As a county Warwickshire is delivering significant economic benefits for residents and businesses. Similarly, our thriving heritage, culture and tourism offer across Warwickshire enjoys a worldwide reputation which successfully competes at a national and international level. However, our reach and impact for Warwickshire is somewhat held back by the lack of access to a devolution deal which would provide greater freedoms and flexibilities at a local level to ensure stronger alignment with our particular needs and opportunities, helping to drive greater economic advantage for the whole of Warwickshire.
- 4.7 Access to the WMCA Deeper Devolution deal has the potential, through access to funding and greater freedoms, to accelerate growth, promote sustainable development and reduce inequalities in Warwickshire. By virtue of the scale and strength of the wider West Midlands, there is scope to create more and enhanced opportunities for residents and businesses, both within Warwickshire and the WMCA area. The potential opportunities and considerations are set out in more detail at **Appendix 1**.
- 4.8 Extending membership to Warwickshire would also strengthen the West Midlands Combined Authority, generating strong growth faster for local people and reinforcing the West Midlands place, firmly at the heart of the UK's economic prosperity.

- 4.9 These potential benefits need to be considered alongside the potential risks to Warwickshire, such as the powers in relation to key functions (transport, housing, skills) being taken at a regional rather than a local level and the risk that Warwickshire is unable to access an appropriate share of the funding being devolved from Government.
- 4.10 This has been addressed in other devolution deals through a series of fundamental guiding principles which underpin the development of the proposals such as:
- i.) extension of membership will be at no detriment to the existing constituent members; and
 - ii.) the joining authority will enjoy the same benefits as existing constituent members.
- 4.11 The guiding principles for Warwickshire and the extent of the benefits and/or risks to Warwickshire, with particular reference to the statutory test set out at paragraph 4.13, would need to be developed and tested through the work on the Governance Review.

Legislative Process

- 4.12 The process to consider becoming a constituent member of the WMCA commences with the County Council undertaking a governance review pursuant to Section 111 of the Local Democracy, Economic Development and Construction Act 2009 (the 2009 Act). This report seeks authority to undertake such review. As this is an initial first step and at an early stage in the Council's consideration of the issue, it is not considered to be a key decision as defined in the Council's Constitution.
- 4.13 Under the Act, the Council would initiate a governance review which would consider the expansion of the WMCA area and its functions to include Warwickshire. The statutory test for consideration is whether the *proposals for expansion would be likely to 'improve the exercise of statutory functions in relation to an area of a combined authority or a proposed area of a combined authority.'* In undertaking a governance review officers would consider those produced for other areas creating or joining a combined authority. An indicative outline of the format that could be applied to a governance review is set out at **Appendix 2.**
- 4.14 If having concluded the governance review the Council concludes the test is met, the Council would:
- i.) Publish a Scheme under Section 112 of the 2009 Act. The Scheme would contain details of the proposed expanded area of the WMCA, its proposed membership, voting and other constitutional arrangements, its proposed functions (to be exercised by the WMCA or shared with the constituent authorities), the way it will be funded and any property, rights and liabilities that would be transferred to the WMCA;

- ii.) Undertake a public consultation, the proposals for which would need to be worked up, across the area of the expanded WMCA in connection with the proposals contained in the Scheme; and
 - iii.) Provide the Secretary of State with a summary of the consultation responses.
 - iv.) The Secretary of State would then consider whether the statutory requirements are met and whether or not to make an Order to implement a Scheme.
- 4.15 The statutory requirements include that the Secretary of State:
- i.) considers that no further consultation is needed
 - ii.) considers that the proposed changes would be “likely to improve the exercise of statutory functions in the area or areas”
 - iii.) must have regard to the need to reflect identities and interests of local communities and to secure effective and convenient local government.
 - iv.) must have regard to the likely effect of the change to the WMCA area and its function on each adjoining local government area.
- 4.16 If the Secretary of State decides to proceed, an Order would be made which would:
- i.) expand the area of the Combined Authority;
 - ii.) provide for an election of a Mayor for the expanded area of the combined authority (on the same dates as the current WMCA election date in 2024 and every four years thereafter);
 - iii.) specify the powers conferred on the Combined Authority for the expanded area, together with any transitional arrangements; and
 - iv.) provide for constitutional arrangements (including membership and decision taking) which are made as a result of the expansion of the area; all six Councils in Warwickshire would be specified as “constituent members” of the Combined Authority, joining the current constituent council members and the Mayor, and the Statutory Instrument would specify the number of representatives from each constituent Council.
- 4.17 All required local consents to the Order would be required by December 2023 / January 2024 to allow for the Parliamentary process to conclude in advance of the timeframes for commencement of the Mayoral electoral process.
- 4.18 In respect of the Council’s public sector equality duty under the Equality Act 2010, it is considered unlikely that the decision proposed and the matters contained in the report will have any material impact and as such there are not considered to be any specific equalities implications arising from this report. It may be possible that such implications arise if this matter proceeds, but they will be assessed and considered as appropriate at that time.

5. Timescales associated with the decision and next steps

5.1 Following Cabinet's decision, the following next steps would be taken, in line with the indicative high-level timetable set out below:

- July 2023 – undertake governance review;
- July/August 2023 – report outcome of governance review and consider consultation on draft Scheme;
- July/August/September 2023 – if agreed, public consultation period;
- October 2023 – consider application / summary of consultation responses for submission to the Secretary of State;
- November 2023 - Government draft legislation produced enabling admission to the WMCA;
- December 2023 – Local consents required;
- January 2024 – Legislation laid in Parliament (requires approval of each House); and
- May 2024 – Mayoral elections for expanded area.

5.2 Government has indicated that should Warwickshire wish to proceed, it would be imperative that the Council is in a position to submit an application, including a summary of consultation responses in early October. This tight timeframe is required to enable relevant legislative drafting and orders to be made before the statutory deadlines for the Mayoral elections. Working backwards and taking into account a public consultation period of 8 weeks, this timeframe may require consideration of urgent decisions being made during the process.

Appendices

Appendix 1 – Summary of potential opportunities and considerations

Appendix 2 – Outline governance review document

Background Papers

Developing a Devolution Deal for Warwickshire – Cabinet, March 2022

Levelling Up and Devolution for Warwickshire, - Cabinet, May 2022

A Countywide Approach to Levelling Up in Warwickshire, - Cabinet, July 2022

Developing Devolution Deal for Warwickshire – May 2023

	Name	Contact Information
Report Author	Gereint Stoneman - Head of Policy and Strategy	gereintstoneman@warwickshire.gov.uk
Director	Sarah Duxbury - Director of Governance and Policy	sarahduxbury@warwickshire.gov.uk
Chief Executive	Monica Fogarty – Chief Executive	monicafogarty@warwickshire.gov.uk
Leader of the Council	Cllr Izzi Seccombe	isobelseccombe@warwickshire.gov.uk

The report was circulated to the following members prior to publication:

Local Member(s): N/a – county wide matter

Other members:

APPENDIX 1 – OPPORTUNITIES & CONSIDERATIONS

Thematic Area	Opportunities	Considerations
Transport	<ul style="list-style-type: none"> • Integration into Transport for West Midlands, enabling investment in bus routes and operations and cheaper cross-boundary and multi-modal ticketing. For instance, a day unlimited bus ticket across the WMCA conurbation is currently £4.20, compared to £5.50 for Warwickshire urban areas, and £10.10 for urban + peri-urban areas in Warwickshire. Cross subsidisation of income across the whole geography enables lower price ticketing. • Utilisation of TfWM back-office systems to enable multi-modal ticketing (to include bus, rail, metro, cycle/e-scooter), and lowest price guarantees. • Ability to access greater funding settlements for transport. WMCA secured £87.857m of Bus Service Improvement Plan (BSIP) funding (£29.88 per resident) compared to £2.072m by Warwickshire (£3.55 per resident). The WMCA has also secured £1.328bn of funding via the City Region Sustainable Transport Settlement over the 2022/23-2026/7 period. • Opportunity to proactively engage and benefit from transport innovation activity and funding, particularly around infrastructure for connected and autonomous vehicles – important component to support our automotive sector going forward. • More effective strategic planning and consideration of cross-boundary transport infrastructure connections – critical to support the functional economic geography of Coventry & Warwickshire. 	<ul style="list-style-type: none"> • Warwickshire would contribute to the WMCA Transport Levy on a pro-rata basis linked to population. • Increasingly limited transport funding coming from “normal” DfT routes. With limited capacity for WCC capital funding, question where significant funding for transport schemes will come from in the future outside of the CA model and developer contributions. • Importance of improved connectivity with urban areas for economic growth (improves agglomeration effects)
Economic development	<ul style="list-style-type: none"> • Opportunity to access potentially significant funding for economic development activity via the new Single Funding Settlement. • Double devolution of UK Shared Prosperity Fund (UKSPF) to constituent members for delivery of business support activity. Warwickshire would secure both more funding and more control over the use of this to support businesses. 	<ul style="list-style-type: none"> • At present, Warwickshire likely to see a significant reduction in funding (c. 67%) as a result of end of European Funding Streams and the availability of funding for economic development.

Thematic Area	Opportunities	Considerations
	<ul style="list-style-type: none"> • Extension of 100% retention of business rates growth pilot for 10 years. • Secure and maintain clear C&W business support infrastructure, avoiding differential offering across the functional economic area • Stronger relationship with Government departments on innovation, trade and investment through the devolution deal. • Look to capitalise on wider strengths and scale linked to our key priority sectors – particularly automotive, future mobility and digital creative industries. Warwickshire (with Coventry) have clear strengths in these areas, but opportunity to link with wider sectors across the WMCA and secure funding to support. • Enhanced opportunities to utilise Single Investment Fund to support employment land development (see housing & regeneration below) • Access to equity, grant and loan funding to support business growth 	<ul style="list-style-type: none"> • Could reduce reach of business support programmes and have implications for the CW Growth Hub. • Tourism is an emerging area of interest for the WMCA, with Warwickshire offering a range of assets. Opportunity for us to strongly shape and influence going forward.
Employment & Skills	<ul style="list-style-type: none"> • WMCA have devolved control over c£128m annual adult skills funding and can make strategic choices for use of funding to support skills and training activity to support local priorities and identified sectors. Increased scope to significantly shape adult skills activity in Warwickshire to support local growth opportunities and re-training/up-skilling to meet business needs. • Increasing control and influence over careers activity, taking on powers and responsibility from Careers England & Careers & Enterprise Company. Opportunity for Warwickshire to benefit from this, and enable more focused and resourced approach in key geographic areas (e.g. Nuneaton and Bedworth). • Single funding source and approach for our FE and training providers in Warwickshire who operate across wider geography or who support residents in the WMCA area. Will enable improved efficiency, focus and alignment of activity. • Through latest devolution deal, greater influence over national employment support programmes. Can tailor support more closely to local economic need and 	<ul style="list-style-type: none"> • Local control over skills funding is recognised as a key lever to support economic growth and improve employability of residents. • Would be a key priority ask of any Warwickshire devolution deal • Significant reduction in funding for Employment & Skills (c. 60%) through shift from European Funding to UKSPF. Unclear where funding to fill this gap would come from outside of the WMCA.

Thematic Area	Opportunities	Considerations
	<p>improve support to unemployed. Opportunity for better targeted interventions in Warwickshire in key areas of need (linked to Levelling Up agenda). Important given significant reduction in funding for this work following end of European Programmes and limited investment via UKSPF.</p>	
Housing and Regeneration	<ul style="list-style-type: none"> • Full access to the range of land and development investment funds that can be used flexibly to bring forward housing, regeneration and employment land schemes. While technically there are opportunities for non-constituents to access this funding, scope and scale is limited and progress to date difficult. • Access to £400m Affordable Housing Programmes to help significantly increase the quantum of affordable housing across the WMCA area. • Opportunity to engage more fully with a range of investors that the WMCA are developing strong partnerships with, including L&G, SEGRO and others. • Opportunities to access new and additional funding and support for town centre regeneration plans. • Investment Zone proposal currently progressing for Gigafactory site, but governance and financial arrangements to make this work will be complex and complicated with WCC and WDC outside of the WMCA. • Levelling Up Zones also being progressed later in the year by the WMCA, currently unlikely to be available to areas outside of the core WMCA area. Would be an opportunity to engage in this new policy model. 	<ul style="list-style-type: none"> • Opportunities here for WCC and WPDG. Potentially as great an opportunity for the District & Borough Councils to support delivery of Local Plans, housing need and town centre regeneration. • Outside of the Levelling Up Fund, very little recent or proposed new Government funding to support this agenda.

APPENDIX 2 – INDICATIVE HEADINGS FOR GOVERNANCE REVIEW

- Section 1 Executive Summary
- Section 2 Purpose of the Review
- Section 3 Methodology for the Governance Review
- Section 4 Our ambition
- Section 5 Warwickshire and WMCA context
- Section 6 Warwickshire and WMCA Economy
- Section 7 Economic Profile
- Section 8 Challenges
- Section 9 Understanding Current Governance Arrangements
- Section 10 Benefits/ risks assessment
- Section 11 Functions
- Section 12 Financial considerations
- Section 13 Criteria
- Section 14 Options for Warwickshire
- Section 15 Conclusion
- Section 16 Next steps

Agenda Item No 10

Executive Board

19 July 2023

Report of the Chief Executive

**North Warwickshire Local Plan –
Process for Review**

1 Summary

- 1.1 This report brings to Members information on the process for review of a Local Plan which was considered by the Local Development Framework Sub-Committee on 4 July 2023.

<p>Recommendation to the Board:</p> <p>a That the Local Development Scheme be updated to reflect the continued production of the Employment and Gypsy and Traveller Development Plan Documents; and</p> <p>b Following the publication of the AMR 2022/23 a further report be brought to Board to consider the next steps in terms of plan making.</p>

2 Local Development Framework Sub-Committee

- 2.1 Attached as Appendix A is the report considered by the Local Development Framework Sub-Committee at its meeting on 4 July 2023. Members of the Sub-Committee voted unanimously in support of the above recommendations.

The Contact Officer for this report is Dorothy Barratt (719250).

Agenda Item No 5

**Local Development Framework
Sub-Committee**

4 July 2023

Report of the Chief Executive

**North Warwickshire Local Plan –
Process for Review**

1 Summary

- 1.1 The report explores the various timelines and options for taking forward a review of the North Warwickshire Local Plan.

Recommendation to Executive Board:

- a That the Local Development Scheme be updated to reflect the continued production of the Employment and Gypsy and Traveller Development Plan Documents; and**
- b Following the publication of the AMR 2022/23 a further report be brought to Board to consider the next steps in terms of plan making.**

2 Consultation

- 2.1 Consultation has taken place with the relevant Members and any comments received will be reported at the meeting.

3 Background

- 3.1 The report explores possible options for reviewing the current Local Plan against current and emerging national guidance. It explores when a Local Plan should be reviewed before looking at the emerging changes to the plan making process being proposed through the Levelling Up and Regeneration Bill. It then offers a recommended approach to plan-making.

4 When should a Local Plan be reviewed?

- 4.1 A Local Plan should be reviewed within five years of adoption. The *Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017* state:

“Review of local development documents

10A. - (1) A local planning authority must review a local development document within the following time periods—

- (a) in respect of a local plan, the review must be completed every five years, starting from the date of adoption of the local plan, in accordance with section 23 of the Act (adoption of local development documents);
- (b) in respect of a statement of community involvement, the review must be completed every five years, starting from the date of adoption of the statement of community involvement, in accordance with section 23 of the Act.”.

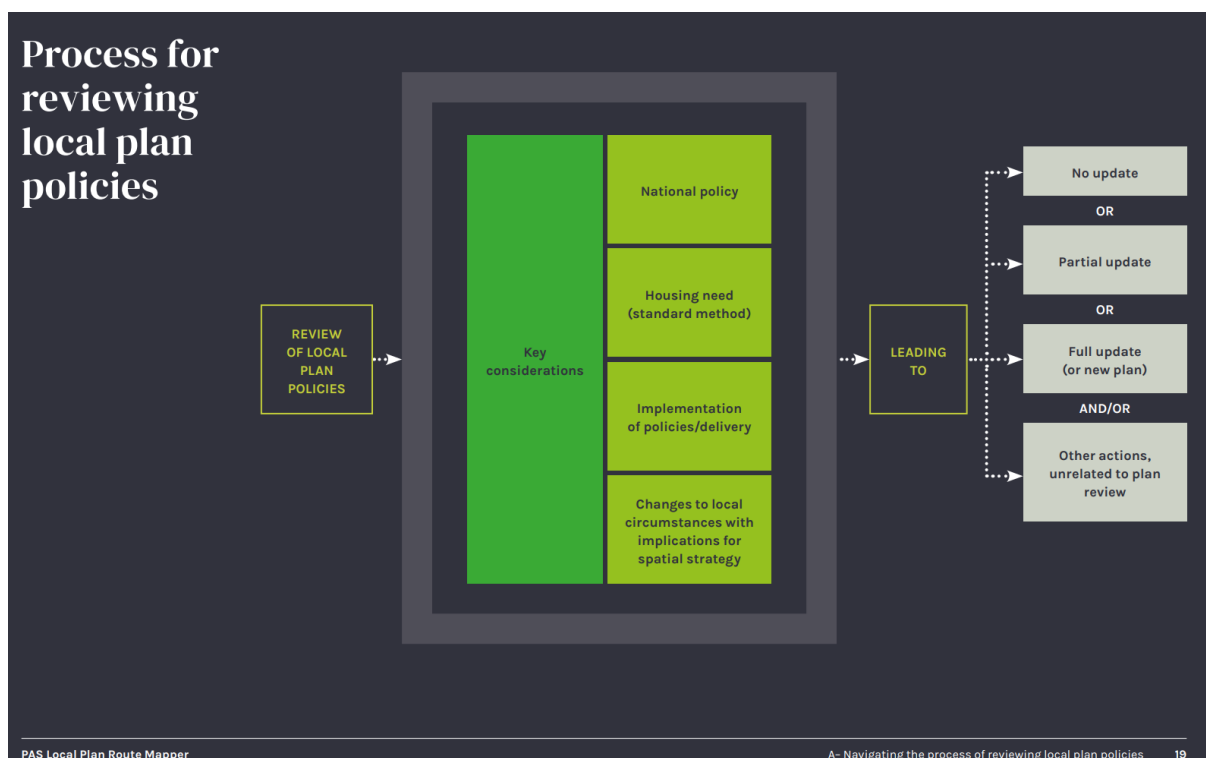
4.2 Additional advice is provided through Planning Policy Guidance notes which are provided by Government and supplement the above regulations. An extract from these are attached as Appendix A.

4.3 As can be seen from the regulations there is a requirement for the review to have been completed before the expiry of 5 years. But what does a review mean in practice? This is explored further below.

Review

4.4 To review a local plan it is necessary to step back and consider the latest evidence and engagement to assess what it is saying about the local plan, including its strategy and objectives, whether it is being delivered and if it remains relevant in the context of national policy and local circumstances (see Diagram 1 below). Each policy in the local plan needs to be examined as well as looking at the Local Plan as a whole.

Diagram 1: Process for Reviewing a Local Plan



Source: PAS (Planning Advice Service) Local Plan Route Mapper 2021.

AMR

4.5 One of the main ways of looking at how well the current Local Plan is performing is to look at the Annual Monitoring Report (AMR). The first AMR was prepared last year and was reported to the Local Development Framework (LDF) Sub-Committee on 28 November 2022. The AMR looked at each Local Plan policy and, where information was available not only considered the present situation but look back to the base date of the Local Plan of 1st April 2019. The next AMR for the monitoring year 2022/23 will be published later this year. The AMR mainly showed positive progress in the delivery of the Local Plan.

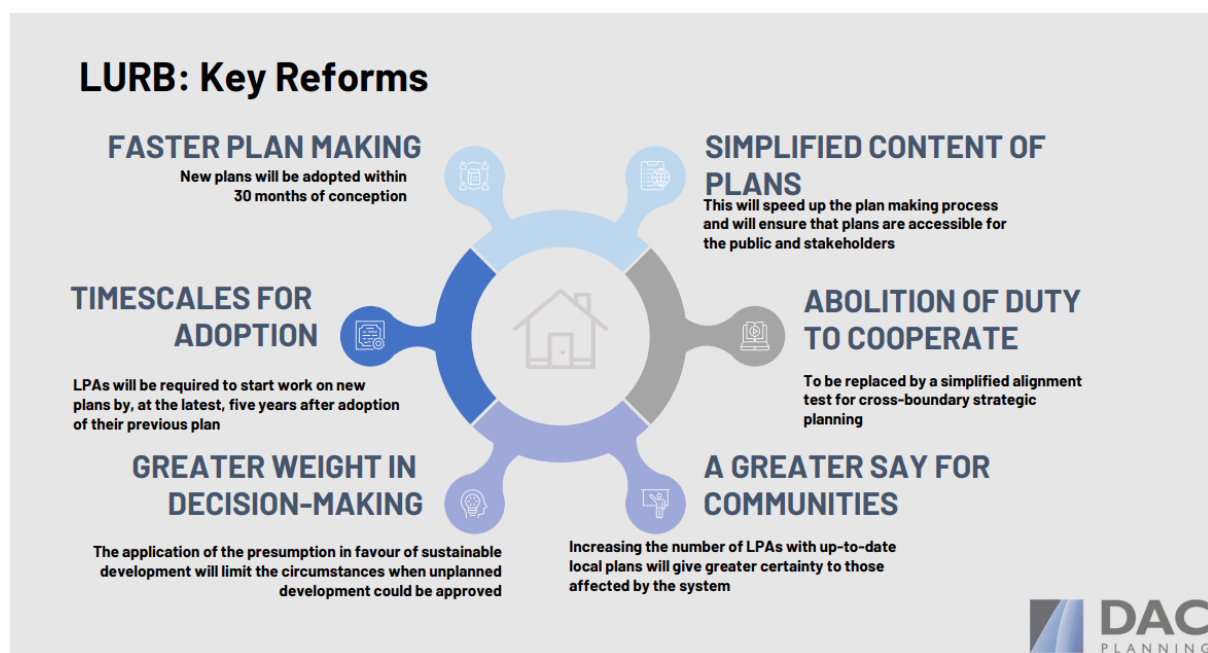
Outcome of Review

4.6 As can be seen in Diagram 1 above the outcome of a review can lead to four main conclusions: no review; partial review; or, full review; and/or another action unrelated to a review of the Local Plan. These are very broad conclusions and until a review is undertaken and completed it will be difficult to see which option best suits our situation. Whatever decision is taken this must be put into the public domain with a record of the outcomes of the assessment. It should provide clarity on, 1, whether there is a need to update the local plan policies, and 2, if there is a need to update, what the scope and extent of that update will be.

5 New Planning System

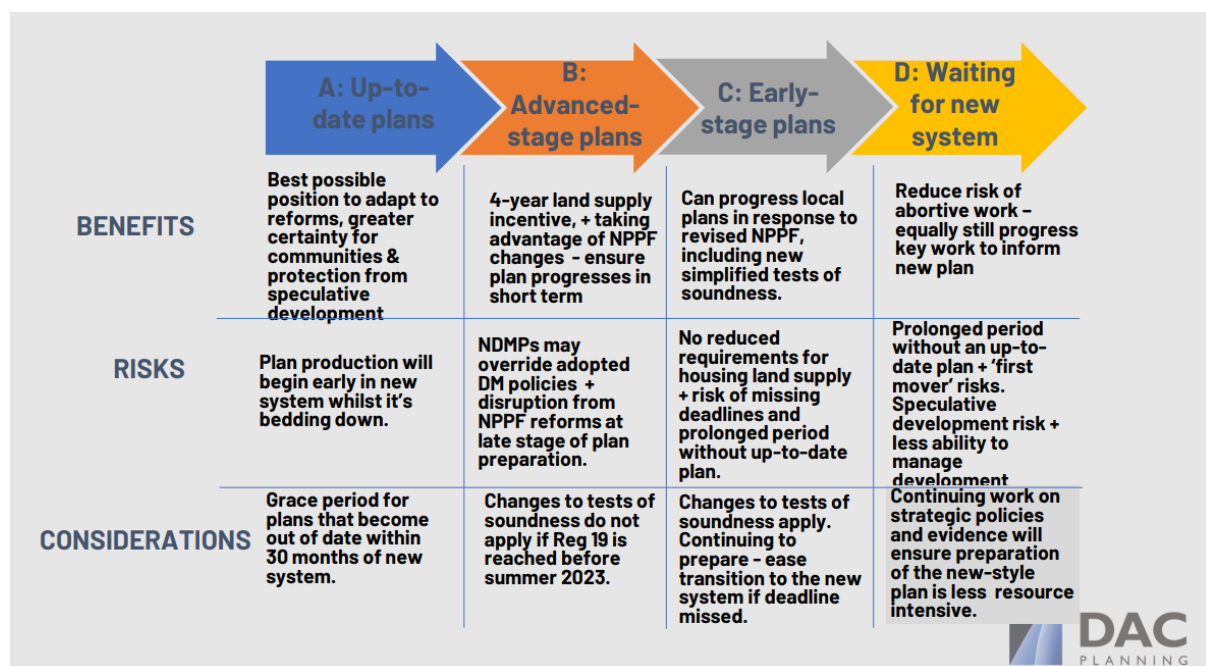
5.1 As members are aware the Government is reviewing the planning process through the Levelling Up and Regeneration Bill (LURB). This will lead to changes to both regulations and the NPPF (National Planning Policy Guidance). The key reforms are shown on Table 1 below.

Table 1: Levelling Up and Regeneration Bill, Key Reforms



- 5.2 One of the key reforms is to make plan-making faster by introducing a mandatory no more than 30 months to produce a local plan. It is unclear at the present time when the clock would start on the 30-month programme. Further guidance and regulations are expected once the LURB has been enacted. There will be transitional arrangements which will mean for a specified period there will be the opportunity to continue using the present system in producing a local plan if it has reached a certain stage. Confirmation of the transitional arrangements will be announced once the LURB has been enacted, but in the recent consultation documents a local plan must be submitted for examination by June 2025. Both Regulations 18 and 19 stages of plan production in the current system would need to have been reached by early in 2025 to meet the June 2025 timeline.
- 5.3 Local authorities are considered to fall into one of four categories in terms of plan-making as shown in Diagram 2 below. It is considered that at the present time the Borough Council sits within Category A for the NWLP 2021 as we have an up-to-date Local Plan. Diagram 3 below then highlights some of the implications of which category of plan making a local authority falls within.

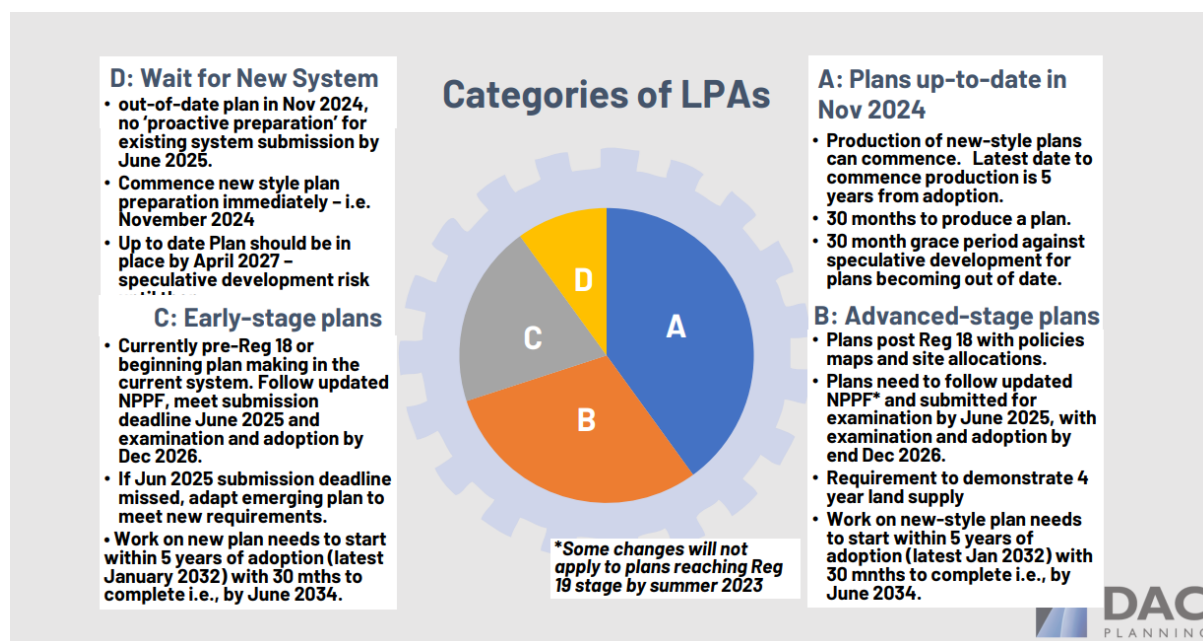
Diagram 2: Categories of Current Plan-making



Source: PAS May 2023

- 5.4 At the present time the advice from government is new style plans should not be started until November 2024. By then it is expected there is clear advice and guidance as to what the new style plan should involve/cover. Therefore, it is expected that work would not start on a new style plan until November 2024.

Diagram 3: Categories of Local Authorities



6 Previous Production time

- 6.1 In terms of the 30-month suggested programme for the production of a new local plan the best way to see if this is possible is to look back at the production time for the current Local Plan and the Core Strategy as these can provide a guide to possible production timelines one could expect moving forward with a new full Local Plan within the proposed new plan making system.
- 6.2 A new local plan is not necessarily starting from scratch as there is a history of previous planning policy both locally and nationally that provides a context and background. This was the position with the current Local Plan, where it incorporated the Draft Site Allocations and Draft Development Management Plans as well as updating the Core Strategy, where necessary, which had been adopted in 2014. The timeline of stages of production for both the Local Plan and Core Strategy are shown below in Table 1.
- 6.3 As can be seen in Table 1 from the decision to combine the Draft Site Allocations and Draft Development Management Plans as well as updating where necessary the Core Strategy policies took 31 months to submit the Local Plan, with a further 42 months from submission to adoption.
- 6.4 The Examination for the Local Plan took substantially longer than expected. There were two main reasons. The first was convincing the Inspector the Local Plan was deliverable. This was dependent on evidence and support from Warwickshire County Council and National Highways. Additional work was needed as well as a bid for funding followed by an announcement of funding in the Government's March Budget 2020. The second issue however came at the end of March 2020 with lockdown due to the covid pandemic. The final set of hearings did not take place until December 2020 which were

held virtually following guidance by Pins on the way virtual hearings could take place.

Table 1: Timeline of Local Plan Production

Year	Stage	Date		
2009	First discussion of issues to be addressed in Core Strategy	Sept 2009	42 months	71 months
2012	Draft Development Management Plan – issues and options	31 st May – 23 rd Aug 2012		
2013	Submission of Core Strategy	Feb 2013		
2014	Draft Site Allocations - draft Pre-Submission version	26 th Jun – 21 st Aug 2014	29 months	
	Core Strategy	Adopted 9 Oct 2014		
2015	Meaningful Gap Consultation CIL Draft Preliminary Charging Schedule	29 th Jan –12 Mar 2015	31 months	73 months
	Decision to look at incorporating Draft Site Allocations and Draft Development Management Plans into one document and update the Core Strategy where necessary.	LDF in Sept 2015 with updated LDS in Feb 2016		
	Development Management Plan Draft policies	1 st Oct – 12 th Nov 2015		
2016	Growth Options	April 2016		
	Draft Local Plan (Reg 18)	Approved for consultation Aug 2016		
	Draft Local Plan (Reg 18)	10 Nov 2016 to 31 March 2017	42 months	
2017	Draft Submission Local Plan (Reg 19)	Dec 2017 to 16 Mar 2018		
2018	Submission	27 Mar 2018		
	Examination	Mar 2018 to Jul 2021	42 months	
	Examination hearings were held between:	25 to 27 Sept 2018 26 Feb to 11 Apr 2019 15 to 17 Dec 2020 (virtual)		
2021	Modifications	4 Mar - 14 Apr 2021		
	Inspector's Report	20 Jul 2021		
	Adoption	Sept 2021		

7 Observations

7.1 If work on a new Local Plan for North Warwickshire were to start it would not start from nothing. It would have some background and context that it can build upon. In North Warwickshire there has been a history of proactive and constructive policy planning work. It is interesting to note that the Core Strategy and Local Plan took similar overall amounts of time – 71 and 73 months. However, the Local Plan did not take as long to get to submission as it incorporated much of the Core Strategy as well as the Draft Site Allocations Plan and the Draft Development Management Plan. The biggest issue by far was the inclusion of site allocations both in terms of responses to consultations as well as the amount of work needed to support those allocations especially infrastructure delivery.

7.2 The NWLP 2021 would currently sit under A in Diagram 2 above. However, if a decision was taken to review the Local Plan today it is unclear if this means that we would move to category C. To avoid this the reasons for the review need to be clearly set out and it is clear what remains in force until the new Local Plan takes shape, and moves through the various stages where the emerging plan would gather more weight as it passes the various production stages.

7.3 Any process of Plan production carry out between now and June 2025 will be in current system. In the current suggested transitional arrangements a plan must be submitted to the Secretary of State by June 2025. In Appendix B a table has been produced to show the various timelines of the LURB, NPPF changes and if a full review of a local plan were to be started in July 2023. If the submission deadline is missed the plan will need to morph into the new system, once the details of the new system are available. It is expected Nov 2024 will be the date when new style plans can officially start production and be the start of the 30-month clock. Both the June 2025 and November 2024 dates could change as these were suggested in the LURB and it is not progressing through Parliament as quickly as originally expected. The LURB is currently within the House of Lords.

7.4 At the present time it is estimated that a full local plan would not make the submission deadline of June 2025, especially as evidence would be needed especially on highways and other infrastructure requirements. However, work could start in the current system knowing it will move to the new system expecting that all the work would be useable in the new local plan process. Officers could start to scope out the plan, start a call for sites as well as prepare issue and options. A decision can then be taken at each step of the step rather than assuming the process will go from start of production to adoption in the same system. It is the next steps after Issue and Options that may well give rise to the greatest need to change.

7.5 As Members are aware the Local Development Scheme (LDS) sets out the overarching work programme for the Forward Planning Team in terms of Development Plan Documents. Within the latest version, which was approved in October 2022, two main documents are to be prepared. These are the Employment DPD and Gypsy and Traveller DPD. The LDS is the subject of another report at this sub-committee as it needs to be updated. It is suggested in the updated LDS that work continues on these two documents until such time as it is clear what the new arrangements are for plan-making in the new planning system. It is not seen that this work will be abortive but will ensure that sites, where required for such uses will come forward.

8 Next Steps

8.1 The following steps are proposed to be taken at the present, with future work kept under review by the LDF sub-committee with appropriate action recommended to Executive Board.

- 1 Review the Local Development Scheme (LDS) to continue work on the Draft Employment and Gypsy and Travellers Plans.
- 2 Publish in September/October 2023 the Annual Monitoring Report (AMR) for 2022/2023 highlighting any issues that may need further investigation or require changes to the LDS.
- 3 Monitor the changes being introduced by national government on the changes to the plan making process and review the work programme reflecting these changes.

- 4 When consulting on the draft Employment and Gypsy and Traveller Plans issue a “Call for Sites” for all types of developments.

9 Report Implications

9.1 Finance and Value for Money Implications

- 9.1.1 The budget code for the work on planning policy is 2009 Local Plan. The costs of the previous local plan was over £500,000 of which around £125,000 was for the Local Plan Inspector. This excludes staff time. Unlike many other local planning authorities there was very little external legal work required. If this were required, for a future plan, this would increase the costs substantially. Where possible, the team look to share costs with other local planning authorities, which may mean work is carry out at different times, but this is much more cost effective, especially as most studies can cost from around £5k to over £100k. The 2009 budget is reviewed each year to determine what work is likely to come forward in the next three years.

9.2 Legal, Data Protection and Human Rights Implications

- 9.2.1 The process for making and reviewing a Local Plan is set out in a range of Acts, Regulations and Guidance. As explained in the report all of these are being reviewed and are likely to amend the process.. Once the LURB has been enacted the new style plans and the process to produce them should be clearer. However, much of the detail will come through in regulations along with changes to the NPPF which will need to be considered and implemented as made.

9.3 Environment, Sustainability and Health Implications

- 9.3.1 A key part of the local plan process is to ensure that the plan is as sustainable as possible. This means it considers the environmental and social, including health, effects of the policies and proposals. Currently the system is to prepare a Sustainability Appraisal but this will potentially move to an Environmental Outcomes Report as outlined at the Planning & Development Board on 22 May 2023.

9.4 Human Resources Implications

- 9.4.1 A review of a Local Plan is resource hungry, especially in terms of staff time. The Forward Planning team worked almost solidly on the production of the adopted Local Plan for some years. Since the Local Plan was adopted in 2021 there has been a small reduction in hours available of staff from 185 hours per week to 170 hours per week. Although not a large drop of hours it has a knock-on effect on other work especially around consultations.

9.5 Risk Management Implications

- 9.5.1 As explained in this report starting a review of the Local Plan before knowing the full extent of new production process for a Local Plan may lead to abortive

work. However, the team will assess each piece of work to determine, based on the current information available, if it is likely that the piece of evidence would still be required.

9.5.2 In addition, if a Local Plan is formally in a review process this may indicate that the Local Plan is out of date. This can lead to proposals coming forward that are unwanted and out of kilter with the Local Plan. It is therefore important to set out the scope of the review to try and avoid this wherever possible.

9.6 Links to Council's Priorities

9.6.1 Planning policy links to all Council priorities.

The Contact Officer for this report is Dorothy Barratt (01827 719250).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date

Extract from the Planning Policy Guidance

Plan reviews

Paragraph: 061 deleted
Revision date: 23 07 2019

How often should a plan or policies be reviewed?

To be effective plans need to be kept up-to-date. The National Planning Policy Framework states policies in local plans and spatial development strategies, should be reviewed to assess whether they need updating at least once every 5 years, and should then be [1](#).

Under [regulation 10A of The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012 \(as amended\)](#) local planning authorities must review local plans, and Statements of Community Involvement at least once every 5 years from their adoption date to ensure that policies remain relevant and effectively address the needs of the local community. Most plans are likely to require updating in whole or in part at least every 5 years. Reviews should be proportionate to the issues in hand. Plans may be found sound conditional upon a plan update in whole or in part within 5 years of the date of adoption. Where a review was undertaken prior to publication of the Framework (27 July 2018) but within the last 5 years, then that plan will continue to constitute the up-to-date plan policies unless there have been significant changes as outlined below.

There will be occasions where there are significant changes in circumstances which may mean it is necessary to review the relevant strategic policies earlier than the statutory minimum of 5 years, for example, where new cross-boundary matters arise. Local housing need will be considered to have changed significantly where a plan has been adopted prior to the standard method being implemented, on the basis of a number that is significantly below the number generated using the standard method, or has been subject to a cap where the plan has been adopted using the standard method. This is to ensure that all housing need is planned for as quickly as reasonably possible.

Paragraph: 062 Reference ID: 61-062-20190315
Revision date: 15 03 2019

What documents does the requirement to review apply to?

The requirement to review applies to all development plan documents, including local plans (which would include those containing strategic or non-strategic policies) and in addition, to Statements of Community Involvement. While not a statutory requirement, the National Planning Policy Framework expects the same approach to be taken with spatial development strategies.

Paragraph: 063 Reference ID: 61-063-20190315
Revision date: 15 03 2019

Are policies considered out-of-date if they are not updated after 5 years?

The National Planning Policy Framework is clear that strategic policies should be prepared over a minimum 15 year period and a local planning authority should be planning for the [full plan period](#). Policies age at different rates according to local circumstances and a plan does not become out-of-date automatically after 5 years. The review process is a method to ensure that a plan and the policies within remains effective. Applications for planning permission must be determined in accordance with the development plan unless material

considerations indicate otherwise. Due weight should be given to relevant policies in existing plans according to their consistency with the National Planning Policy Framework. It will be up to the decision-maker to decide the weight to give to the policies.

Paragraph: 064 Reference ID: 61-064-20190315
Revision date: 15 03 2019

What can authorities consider when determining whether a plan or policies within a plan should be updated?

The authority can consider information such as (but not exclusively):

- conformity with national planning policy;
- changes to local circumstances; such as a change in Local Housing Need;
- their Housing Delivery Test performance;
- whether the authority can demonstrate a 5 year supply of deliverable sites for housing;
- whether issues have arisen that may impact on the deliverability of key site allocations;
- their appeals performance;
- success of policies against indicators in the Development Plan as set out in their Authority Monitoring Report;
- the impact of changes to higher tier plans;
- plan-making activity by other authorities, such as whether they have identified that they are unable to meet all their housing need;
- significant economic changes that may impact on viability.; and
- whether any new social, environmental or economic priorities may have arisen.

Paragraph: 065 Reference ID: 61-065-20190723
Revision date: 23 07 2019

Source: *Planning Policy Guidance* - [Plan-making - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

Table 2: Possible timelines of Local Plan production shown against possible changes to the plan making process

Year	Changes to Legislation	Changes to National Policy	NWBC	Current system	Transitional Arrangements
2022	May-22	LURB published and introduced to Parliament			
	Dec-22	Amendments to LURB published			
2023	02-Mar-23		Ministerial statement on 6 Dec Consultation on reforms to policy		
	Spring 2023	LURB receives Royal Assent	Consultation closes		
	Jun-23		Initial update to NPPF published	Decision to review all or part of Local Plan	
	Nov-23			Scoping and Call for Site	Regulation 18
2024	Spring 24			Issues and Options	Regulation 18
	Nov-24	Secondary legislation and regulations	Public consultation on further aspects of policy and practice	Preferred Options	Regulation 18 Earliest date new style plans can begin production
2025	Jun 2025			Publication consultation	Regulation 19 <u>Deadline for old style Local Plans to be submitted for examination</u>
	Autumn 2025			Submission to S of S	Regulation 22
	2025/26			Examination	Regulation 24
2026	Oct-26				First date new style Local Plans can be submitted for examination
	2025/26			Consultation on Proposed Modifications	

Appendix B

	31-Dec-26				Latest date for old style Local Plans to be adopted
2027	Apr-27		Adoption	Regualtion 26	Earliest date new style Local Plans are likely to be adopted

Agenda Item No 11

Executive Board

19 July 2023

Report of the Chief Executive

**Local Development Scheme (LDS)
July 2023**

1 Summary

- 1.1 This report brings to Members a revised up to date Local Development Scheme which was considered by the Local Development Framework Sub-Committee on 4 July 2023.

<p>Recommendation to the Board</p> <p>That the Local Development Scheme is approved</p>

2 Local Development Framework Sub-Committee

- ... 2.1 Attached as Appendix A is the report considered by the Local Development Framework Sub-Committee at its meeting on 4 July 2023. Members of the Sub-Committee voted unanimously in support of the above recommendations.

The Contact Officer for this report is Dorothy Barratt (719250).

Agenda Item No 6

**Local Development Framework
Sub-Committee**

4 July 2023

Report of the Chief Executive

**Local Development Scheme (LDS)
July 2023**

1 Summary

1.1 This report brings to Members a revised up to date Local Development Scheme.

Recommendation to Executive Board

That the Local Development Scheme is approved.

2 Consultation

2.1 Consultation has taken place with the relevant Members and any comments received will be reported at the meeting.

3 Local Development Scheme

3.1 This report brings to Members an update of the Local Development Scheme (LDS) to reflect the work that is to be carried out and to ensure that the legal process for the production of the documents is adhered to. It can be altered/updated at any time. The revised document is attached as Appendix A.

3.2 The LDS seeks to produce an Employment and Gypsy and Traveller Development Plan Documents as well as a number of Supplementary Planning Documents (SPDs). The list has been expanded to include an update to the approved Lighting SPD.

4 Report Implications

4.1 Finance and Value for Money Implications

4.1.1 The costs of the programme of work are funded through the Local Development Framework budget.

4.2 Legal and Human Rights Implications

4.2.1 It is a requirement of the Planning and Compulsory Purchase Act 2004 that a Local Development Scheme is prepared and maintained, outlining the work

programme to produce the various Local Development Documents required under that Act and other legislation. The Scheme must also specify the geographical area to which each such document relates, set out those documents which will be prepared jointly with others and give a timetable for preparation of the documents concerned. The revisions to the scheme which are Appended to the report ensure that the Council continues to discharge this responsibility.

4.3 Environment, Climate Change & Health Implications

4.3.1 Sustainability appraisals are required to accompany all Local Development Plan Documents identified by this Local Development Scheme. A Scoping Report for the SA/SEA is a matter for a separate report at this sub-committee. The planning policy work takes into account evidence of housing needs, landscaping appraisal, habitat biodiversity audit, climate change and other assessments to inform future development frameworks. All the various assessments help inform a sustainability appraisal.

4.4 Equality Implications

4.4.1 An equality impact assessment has been carried out on the Local Plan which sets out the overarching spatial vision for the Borough over the next 15 years.

4.5 Links to Council's Priorities

4.5.1 The delivery of the Local Development Framework is linked to all the Council priorities.

The Contact Officer for this report is Dorothy Barratt (719250).

***Local Development
Scheme
for
North Warwickshire***

July 2023



**North Warwickshire
Borough Council**

- 1 North Warwickshire Borough Council is required by the Planning and Compulsory Purchase Act 2004 to prepare and maintain a Local Development Scheme (LDS). An LDS sets out a timetable for the production of new or revised Development Plan Documents (such as a Local Plan) over a three-year period to 2026. It is regularly reviewed to keep it up to date. This LDS version supersedes previous versions.
- 2 The Development Plan Documents for North Warwickshire are:
 - North Warwickshire Local Plan 2021
 - Warwickshire Waste Core Strategy (adopted July 2013)
 - Warwickshire Minerals Local Plan
 - Arley Neighbourhood Plan
 - Austrey Neighbourhood Plan
 - Coleshill Neighbourhood Plan
 - Fillongley Neighbourhood Plan
 - Hartshill Neighbourhood Plan
 - Mancetter Neighbourhood Plan
 - Water Orton Neighbourhood Plan
- 3 The Statement of Community Involvement was adopted in April 2007 and was updated during the lockdown for the pandemic reflecting the difficulties of depositing physical documents at the Council House and other locations. The document will be reviewed in 2023 to see if it requires further updating.
- 4 A further 7 Neighbourhood Plan Areas have been formally designated. These are:
 - Atherstone covering Atherstone Parish and a small part of Grendon Parish
 - Corley Parish
 - Curdworth Parish
 - Dordon Parish
 - Nether Whitacre Parish
 - Polesworth Parish
- 5 This LDS confirms the latest work programme which is attached as Appendix A.
- 6 The Government is seeking changes to the plan-making process as well as introduce an Infrastructure Levy. These changes may lead to changes in the work programme contained in this LDS. As further details and regulations are brought forward the work programme will be reassessed.
- 7 The Borough Council adopted the Local Plan in September 2021. The evidence underpinning the Local Plan will be reviewed over the next few years to assess as and when a review will be required.
- 8 The needs of the Gypsy & Traveller community have been incorporated into the new Local Plan. However, consideration needs to be given to updated evidence which may require additional sites/pitches being brought forward so a separate development plan document will be prepared.
- 9 The Local Plan has a policy dealing with Strategic Employment Sites - LP6. The Borough Council will start to prepare an Employment Development Plan Document which will look, if it is found to be necessary, to allocate a site for such purposes.

- 10 The Minerals and Waste Documents are the responsibility of Warwickshire County Council. The County Council adopted Minerals Plan in July 2022. Further information can be found on the County Council's website: www.warwickshire.gov.uk.
- 11 With the adoption of the Local Plan the focus of the Forward Planning team will move to the implementation of the Local Plan and the progression of the two dpd's referred to above. A number of Supplementary Planning Documents (SPD's) will also be prepared to assist with the interpretation of policy. These are also outlined in Appendix A.

Appendix A

Development Plan Document

Document Title	Subject matter and geographical area	Chain of Conformity	Consultation	Publication of Submission Draft DPD & Public Consultation	Submission and Examination of DPD	Adoption and Publication of DPD	Policies it will replace
Gypsy and Travellers DPD	It will look to allocate sites for the Gypsy and Traveller community.	Local Plan and NPPF	Autumn 2023	Summer 2024	Late 2024/early 2025	2025	May replace LP10
Employment DPD	It will look to allocate sites if necessary	Local Plan and NPPF	Autumn 2023	Summer 2024	Late 2024/early 2025	2025	LP6

Supplementary Planning Documents

Document Title	Geographical area	Chain of Conformity	Consultation	Adoption of SPD
Affordable Housing SPD	Whole Borough	Local Plan	Spring 2024	Winter 2024
Developer Contributions	Whole Borough	Local Plan	Spring 2024	Winter 2024
Residential Design SPD	Whole Borough	Local Plan	Winter 2023	Summer 2024
Design Principles SPD (Site H4)*	Land East of Polesworth and Dordon	Local Plan	Winter 2023	Summer 2024
Design Principles SPD (Site H2)*	Land to north-west of Atherstone	Local Plan	Winter 2023	Summer 2024
Parking SPD	Whole Borough	Local Plan	Spring 2024	Summer 2024
Shop Fronts SPD	Whole Borough	Local Plan	Spring 2024	Autumn 2024
Lighting	Whole Borough	Local Plan	Spring 2024	Autumn 2024

* SPD production will be reviewed depending on progression of Master Plan for site.

Further Information Sources

Below are links to websites which will assist should you require further information:

- The Council's website:
www.northwarks.gov.uk/info/20002/planning/1357/new_local_plan
- National Planning Policy Framework
www.gov.uk/government/publications/national-planning-policy-framework--2
- Planning Practice Guidance
www.gov.uk/government/collections/planning-practice-guidance
- The Planning and Compulsory Purchase Act 2004:
www.legislation.gov.uk/ukpga/2004/5/contents
- The Town and Country Planning (Local Planning) (England) Regulations 2012:
[/www.legislation.gov.uk/uksi/2012/767/contents/made](http://www.legislation.gov.uk/uksi/2012/767/contents/made)
- Neighbourhood Plan Act
www.legislation.gov.uk/ukpga/2017/20/contents/enacted
- Planning Advisory Service:
www.local.gov.uk/pas
- Planning Portal:
www.planningportal.co.uk/

Further assistance:

If you require any further information, please contact the Forward Planning Team:

Email: planningpolicy@northwarks.gov.uk;
Write to: Forward Planning Team, The Council House,
South Street, Atherstone, CV9 1DE
Ring: 01827 719499 / 719451 / 719250

Agenda Item No 12

Executive Board

19 July 2023

Report of the Chief Executive

**Food and Health and Safety
Enforcement Plan**

1 Summary

- 1.1 This report seeks Members approval for the Food and Health and Safety Enforcement Plan

Recommendation to the Board

That the Food and Health and Safety Enforcement Plan be adopted.

2 Report

- 2.1 In accordance with the Council's constitution, the Food and Health and Safety Enforcement Plan is reported to this Board for consideration and approval.

- ... 2.2 The Plan is appended to this report and the Environmental Health Manager will be in attendance at the meeting to answer any questions Members have.

3 Report Implications

- 3.1 These are dealt with in the Enforcement Plan appended to this report.

The Contact Officer for this report is Sharon Gallagher (01827 719292).



**Environmental Health
Food and Health and Safety Enforcement
Service Delivery Plan 2023/2024
May 2023**

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1. Introduction

This service delivery plan outlines how North Warwickshire Borough Council (NWBC), through its Environmental Health Services, intends to fulfil its statutory obligations to enforce food safety and health and safety legislation.

The plan brings together into one document a service plan for food safety enforcement and health and safety enforcement.

The formats of the enforcement service delivery plans are prescribed by each of the central government agencies responsible for policy in these areas. For food safety, the Food Standards Agency prescribes the contents of a service delivery plan in their 'Framework Agreement on Local Authority Food Law Enforcement', the Health and Safety Executives is prescribed in Section 18 Health and Safety at Work etc. Act 1974 Mandatory Guidance.

2. Equal opportunities statement

In developing this plan, the council has recognised its responsibility under the Equality Act 2010 to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
- Advance equality of opportunity between people who share a protected characteristic and those who do not
- Foster good relations between people who share a protected characteristic and those who do not

The Act and the council seek to outlaw unlawful discrimination against a person or group of people because of their:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnerships (in respect of the requirement to have due regard to the need to eliminate discrimination)
- Pregnancy and maternity
- Race
- Religion
- Sex
- Sexual orientation

The council will not be affected by improper or undue influence from any source. To assist in this:

- The policy and associated documents will be available on the Internet, and in other formats upon request
- Multi-language sections may be included in all leaflets upon request
- Support will be offered to individuals who are socially excluded to assist in their understanding of legislation and legal requirements
- Action will be taken to ensure that all enforcement action, particularly against those individuals from disadvantaged groups or who share protected characteristics, is dealt with fairly

3. Service aims and objectives

3.1 The corporate planning framework

NWBC recognises it has to balance what it can do against the resources at its disposal in order to achieve good quality and good value. Therefore the council has to focus its activities and resources on priority areas. In choosing its activity areas the council uses different plans and strategies at all levels of the organisation. The framework for these plans and strategies is detailed below with an explanation given to each element.

3.2 The Corporate Plan

The Corporate Plan, 2021 - 2023 sets out in more detail how our vision will be delivered for each of the underpinning priority ambitions. This enables everyone to know what the council will be focusing on to provide the right opportunities and services and provide them in the best way to improve the quality of life for everyone who lives and works in the borough of North Warwickshire. For each of the priority ambitions a set of overarching statements of what the council will achieve is given in the Corporate Plan along with further explanation as to `what`'s is going to happen` to achieve these statements. A full copy of the Corporate Plan 2021 to 2023 can be obtained at: [Corporate Plan | North Warwickshire \(northwarks.gov.uk\)](http://northwarks.gov.uk)

3.3 Service improvement plans

Service improvement plans set out how each service area in the council contributes to the achievement of the ambitions set out in the corporate plan. They set out a series of actions with progress monitored against these actions throughout the year.

3.4 Environmental Health's objectives

In working towards achieving the council's vision the Environmental Health Services has the objectives of:-

- a) Ensuring the food and drink intended for human consumption, which is produced, stored, distributed, handled or consumed within the borough is without risks to health and safety of the consumer and satisfies the requirements of the Food Safety Legislation
- b) Identifying and investigating where necessary all infectious diseases and food poisoning to prevent the spread, where possible, of such infections in the community
- c) Carrying out the necessary inspections to enable us to licence or register the various premises, for which we are responsible and to ensure that they comply with all legal requirements for which we are the enforcing authority
- d) Securing the workplace health, safety and welfare for both employees and the public in the borough
- e) Disseminating information to the public and commercial organisations in the district to promote a healthier life style

Within Environmental Health Services, these objectives are the responsibility of officers employed in the Food Safety, Health and Safety and Licensing Section. This plan sets out how the section intends to work towards achieving the objectives in 2023/24, through education, training and enforcement

3.5 Links to strategic aims

This service plan supports the Corporate Plan and the council's Vision, Values and Priorities and objectives by setting out in detail the actions the council intends to take, in relation to food safety and health and safety.

The council is well aware of the importance of involving staff, at all levels in the organisation, as part of performance management. Staff involved in the plan's implementation, have been consulted on its contents.

The service plan and supporting budgets form the basis of the council's work programme on food safety and health and safety for the year.

3.6 Continuous improvement

The council is committed to continually improving its services to the public. A number of improvement techniques within its performance management framework are used to keep its services under review to ensure they reflect the right balance between quality and cost, and also that they show continuous improvement. The Commercial Section is committed to strive continually to improve service delivery and provides training to staff to improve their performance and knowledge. The Commercial Section has used this concept and the advice given within the framework agreement on Local Authority Food Law Enforcement and Health and Safety Executive's Section 18 Guidance to look at the ways our work is carried out.

4. Background

4.1 Profile

North Warwickshire Borough Council is one of five District Councils in Warwickshire set within the West Midlands region.

There are two market towns in the borough, Atherstone and Coleshill with 30 parishes. Over 64000 people live in the borough, and it covers an area of 284.4 km².

The council is part of a two tier arrangement for local government in Warwickshire. Food Standards and Animal Feeding Stuffs enforcement is therefore the responsibility of Warwickshire County Council's Trading Standard's Team.

The council is also part of the national two tier arrangement for enforcement of health and safety legislation along with the Health and Safety Executive. The allocation for enforcement of health and safety legislation under the Health and safety at work etc. Act 1974 is incorporated in the Health and Safety (Enforcing Authority) Regulations 1998

4.2 Organisational structure

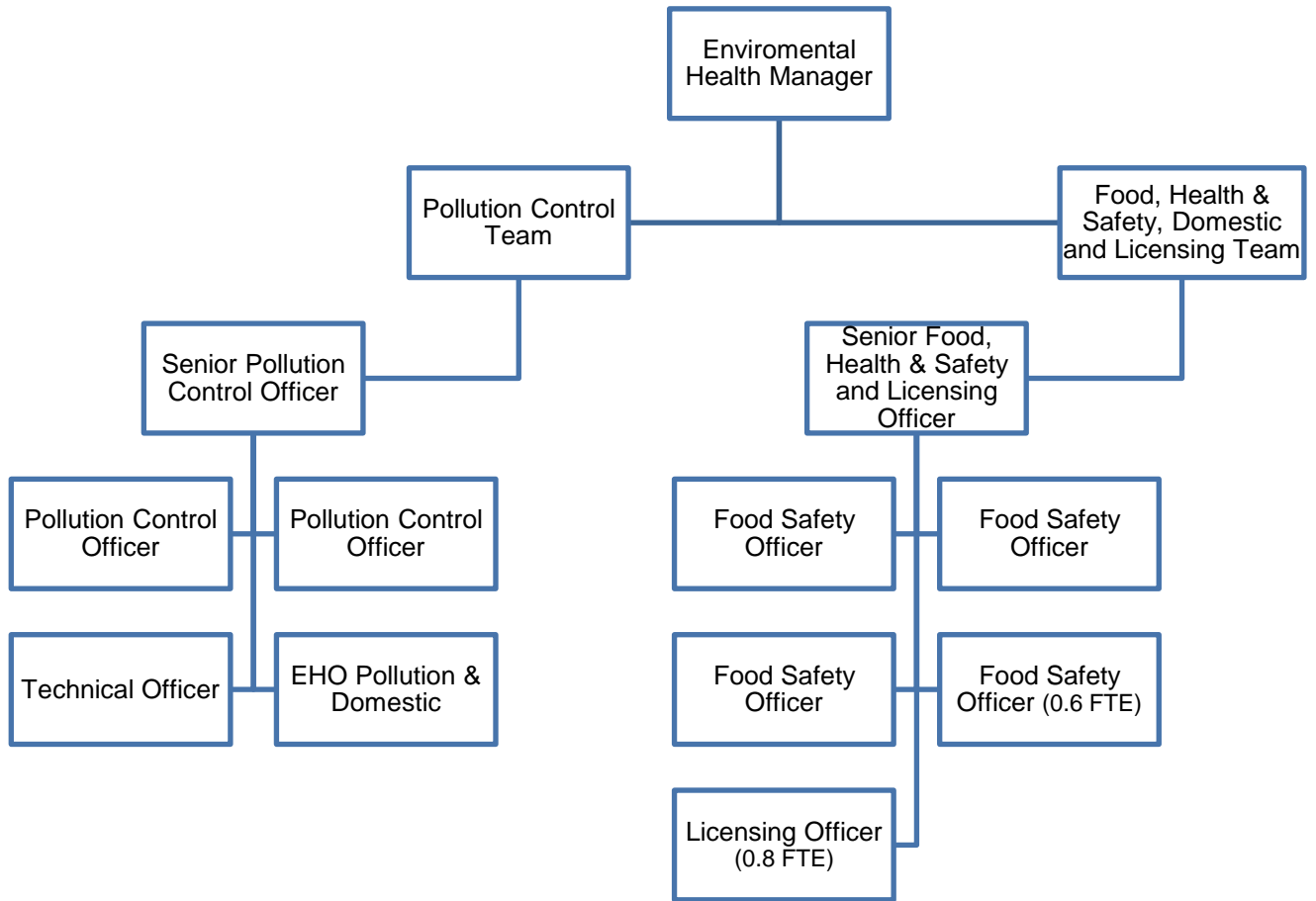
The Environmental Health Manager, whose role includes the management of the section that deals with Food Safety and Health and Safety Enforcement and advice.

Specialist food safety services, that is a food analyst and examiner, are not employed directly by the council. Analytical services will be sought when required from an accredited laboratory.

United Kingdom Health Security Agency (UKHSA) is able to provide food examiner services along with microbiological analysis of routine and formal food and water samples. The Public Analyst service is used for other macroscopic, foreign body and miscellaneous analysis.

In addition the council is able to call upon the specialist services of the Health and Safety Executive where required.

Environmental Health Division



5. Food safety enforcement service delivery plan 2023/2024

5.1 Scope of the food safety service

Food safety enforcement is part of the service provided by the Environmental Health Team. Besides food safety, the section is also responsible for delivering the council's obligations in relation to occupational health and safety, infectious diseases, health promotion, animal welfare and licensing. These activities in general are seen as complementary to food safety as they give a fuller picture of premises standards and therefore combined enforcement benefits both consumers and businesses alike.

Food safety activities mainly revolve around inspection of commercial food establishments in the borough, but are complemented by a food sampling programme, investigation of food complaints and food poisoning incidents, and health promotional activities.

The Team is managed by the Environmental Health Manager who also has lead responsibility for food matters. At 1 April 2023, there were four Food Safety Officers, (representing 3.6 full time equivalents) were in post undertaking the full range of duties of the Food & Health & Safety Section, there is also a vacant food safety officer post. All officers have considerable experience of food safety and therefore competent to inspect all food premises risk categories and to carry out all the duties of the section.

The service is in the process of transferring the Management Information System (MIS) from Civica to Idox.

5.2 Demands on food safety service (as at 1 April 2023)

In the borough there are 1150 premises subject to food hygiene inspection in the following risk categories:

Risk category	Number of premises
A	1
B	36
C	131
D	241
E	251
Unrated	10
Outside scope	161
Approved	9
TOTAL	831

The borough has a large on farm approved food manufacturer, a large scale producer of fresh, chilled sandwiches for national distribution. There is also a premises approved under European legislation as an egg grading establishment. The premises outside the scope of the inspection regime include very low risk premises, but can include some higher risk premises such as childminders. They come under the inspection regime of OFSTED and their visits will look at their food hygiene provision.

There are two large golf courses in the borough, namely The Belfry and The Forest of Arden, which have both hosted major golf tournaments. The Belfry is due to host the BETFRED British Masters again in 2023.

There are also two motorway service areas – one at J.10 of the M42 and the other at J.3 & 3A of the M6.

There is also a large annual family festival which takes place in the borough.

There are several large food storage and distribution premises, 9 of which are External Temporary

Storage Facilities (ETSF's), these are warehouses controlled by Border Force to store goods that are not yet in general circulation

Staff and facilities are located on the first floor at The Council House, which is located at South Street Atherstone. Personal callers are by appointment only as there is no longer a reception area.

A website www.northwarks.gov.uk is used to 'post' information about the services that the team provides for consumers and businesses and also provides direct e-mail addresses for service requests, environmentalhealth@northwarks.gov.uk foodsafety@northwarks.gov.uk and infectiousdisease@northwarks.gov.uk.

5.3 Enforcement policy

On the 6 April 2014 a revised Regulators Code from the Better Regulation Delivery Office, now known as the Office for Product Safety & Standards, came into force. This Corporate Enforcement Policy details the general principles of good enforcement that the service is committed to adhere to and is available on the council website. The council is a signatory to the Enforcement Concordat and The Regulators Code which inter-alia embraces all of the enforcement activities of the Division.

5.4 Service delivery

5.4.1 Intervention programme

All food premises receiving a food hygiene intervention will be risk rated following the intervention. The rating scheme used by North Warwickshire Borough Council is that set out in Chapter 4.4 and Annex 1 to the Food Law Code of Practice (England) (March 2021), produced by the Food Standards Agency. This means that all premises will receive an intervention within a range of six months to three years, depending upon the risk associated with the premises.

Following the suspension of routine food hygiene interventions in March 2020 due to the Covid pandemic the FSA launched on 16 June 2021 its 'COVID-19 Local Authority Recovery Plan: guidance and advice to local authorities for the period from 1 July 2021 to the inspection year 2023/24'. This plan came to an end on the 31 March 2023.

From 1 April 2023 the service will:

Carry out due interventions for establishments that are back in the routine programme of interventions, in accordance with the frequencies set out in the Food Law Code of Practice (the Code). This is in line with the expectation in the Recovery Plan that establishments should revert to Code frequencies once subject to an intervention as part of the Plan.

Work towards realigning with the provisions set out in the Code from 1 April 2023 using the full range of flexibilities already offered by the Code.

Continue to exercise a risk-based approach to the requirements set out in the Code based on available resource.

For 'new businesses', we will continue to give consideration of registration information and intelligence, with appropriate onsite interventions carried out where there are concerns around public health/consumer protection. Where consideration of registration information and intelligence does not raise concerns about public health/consumer protection, initial visits will be prioritised and undertaken in accordance with the Codes of Practice and Practice Guidance taking account of the flexibilities provided. In practice, this flexibility enables us to postpone the initial inspection of low risk establishments beyond 28 days where conducting it would delay planned interventions to higher risk establishments, or to delay initial inspection of an establishment that has registered 28 days or more prior to trading until commencement of operations.

For 2023/24 the current premises profile, as of 1 April 2023, with respect to risk rating is shown below with the number of premises requiring an intervention per category of premises.

Category	Minimum frequency of intervention	No. premises	Interventions due 2023/24
A	at least every six months	1	1
B	at least every year	36	32
C	at least every 18 months	130	79
D	at least every two years	243	106
E	at least every three years	251	17
Unrated		13	
		674	235

It is anticipated in 2023/24 that 2.6 full time equivalent officers will be engaged in food hygiene interventions and, so long as the service is not impacted by any additional serious incidents it is hoped that, besides the 235 interventions programmed for 2023/24, an additional 32 premises, 2 D and 30 E rated and newly registering food businesses during the year will receive an intervention in 2023/24. This will mean that the service target for interventions in 2023/24 is 267 interventions.

In order to manage the inspections in 2023/24 emphasis will be placed on ensuring that all high risk rated food premises (Category A to C) and unrated premises (prospective new businesses or new registrations) will be inspected. Category D premises will also be inspected with priority to premises less than broadly compliant at 1 April 2023, or where intelligence raises concerns on public health/ consumer protection, before carrying out interventions on other D & E rated premises. Alternative Enforcement Strategies will be used in line with The Food Law Practice Guidance (England) (issued March 2021)

The number of revisits required following a programmed inspection is dependent on the level of compliance found and the action taken by the officer. Re-visits to premises following a programmed inspection will be made where significant contraventions of the regulations for food hygiene, processing and/or poor hygiene practices are found. In addition revisits due to proprietors requesting a revisit to improve their Food Hygiene Rating (see 5.6), will also be undertaken. Last year 19 requests were received for this service. In addition 48 revisits to check on progress of remedial works following an inspection were also undertaken.

In addition, other visits will be made to food premises; for instance to follow up poor sampling results, complaint investigations, special surveys.

The activities of the section relating to food hygiene and safety will be affected by the reactive workload as it arises, and this may mean an adjustment to the routine inspection and sampling programmes in order to devote increased resources to higher priority areas of work.

No targeted inspection activity is envisaged in 2023/24 unless requested by the Food Standards Agency. Equally no priorities relating to nationally or locally driven issues are expected or known of for that period.

Previous local performance indicators have been based on the number of food premises by risk bands, A-C (high risk) and D-F as a percentage of those which required inspection in any given year, the target inspection level was 100%. However, it is considered that a more meaningful performance indicator, would be the increasing the numbers of "Broadly Compliant" businesses, this is seen by the Food Standards Agency as a useful measurement as to the continuing performance of local authorities and also to this council as a useful guide as to the overall indicator of food hygiene levels in businesses in the borough. As such it is intended to continually monitor this indicator with the aim of improving further the number of food businesses in the borough who are broadly compliant with legislation. It is therefore pleasing to note that on 1 April 2023, the number of broadly compliant food business is 92% . This year our target for March 2024 we are looking to achieve a level of 94%.

In order to help achieve a level of 94% of food businesses in the borough being broadly compliant, this year, officers will continue to make use of the interventions allowed by the Food Standards Agency, for those businesses which have a high level of compliance and thereby using released resource to increase attention on non-compliant businesses.

Food safety training implements in full, the Food Standards Agency's Code of Practice in respect of the qualifications and experience of authorised officers. All officers in the section are appropriately qualified and trained, and where necessary supervised, to carry out their respective duties in relation to food safety inspections.

5.4.2 Food complaints

Complaints about food will be dealt with in accordance with procedures for the handling of complaints and enquiries to the service. In addition account will be taken of the requirements of Food Law Code of Practice (England) in respect of complaints which may be more appropriately dealt with by the County Council.

In 2022/23 the service received 24 complaints about defective food and 51 other complaints and requests for advice concerning premises or practices, totaling 75 requests for service, with 206 other service requests recorded.

Any foods requiring analysis will generally be forwarded to an appropriate accredited public analyst.

5.4.3 Primary Authority principle

The Primary Authority scheme operates under guidance from the Office for Product Safety & Standards, part of Department for Business, Energy & Industrial Strategy. The scheme places a legal duty upon local authorities to consult with a primary authority (a local authority which has formal arrangements with a business to offer guidance on a company's policies and procedures) where they are considering taking formal enforcement action against a business with such an arrangement.

The service has no formal primary authority relationships with any business in the borough.

The council and the service support and adheres to the principles of primary authority and has in place documented procedures to ensure that staff comply with it when enforcing food hygiene legislation, for example when investigating a food complaint in respect of food manufactured outside of the borough.

5.4.4 Advice to business

The provision of advice to food businesses on food hygiene is an important part of the team's documented enforcement policy and represents the first option when dealing with minor contraventions. Proactive advice is provided to businesses on a routine basis during inspections.

During the year it is also anticipated that a number of telephone calls for advice by businesses will be made and responded to.

In the past targeted information to specific food industry sectors has been sent out from the service, for instance on the Food Information Regulations and to all nursing and residential care homes issuing advice on the prevention of listeria infection. However, no topical issues on food hygiene were subject to any communications during last year. Should a suitable topic arise in 2023/24, consideration will be given to distributing communications in a variety of formats.

5.4.5 Food sampling and inspection

The council has a Service Level Agreement with the UK Health Security Agency (UKHSA), the agreement sets out the terms upon which UKHSA provides a microbiology service to local authorities. There are National Studies and Cross regional studies, each year local authorities are consulted on sampling initiatives for the following inspection year. Each Local authority is allocated credits to use for sampling food, water and environmental samples. The samples are collected by courier and transported to the UKHSA laboratory in Colindale London.

There has been no routine food sampling carried out since the COVID 19 pandemic.

In 2023/24 it is anticipated that we will submit 120 samples to the lab in Colindale London. A resource of 60 officer hours has been allocated to this area of work.

5.4.6 Water sampling

A programme of water samples from private supplies is usually undertaken from commercial businesses within the borough. In 2023/24 it is anticipated that 10 water samples will be taken for microbiological analysis, 30 officer hours have been allocated to this area of work.

The team may also be called upon to take samples from swimming and spa pools, if the premises is implicated in a case of infectious disease or outbreak, or if intelligence raises concerns about the management of the site.

5.4.7 Imported foods

We have 9 ERTS (as described in 5.2). Whilst inspecting food premises checks are occasionally carried out to ensure that there is no illegal imported food used within the premises. If any are found then they will be dealt with in accordance with relevant imported food legislation.

5.4.8 Control and investigation of outbreaks and food related infectious diseases

All formal notifications of food poisoning and food borne illness, except campylobacter (unless in a risk group), are investigated in accordance with the UKHSA Roles and Responsibilities document. During 2022/2023, 58 notifications were received, of these there were, 50 Campylobacter, 3 Salmonella, 3 Cryptosporidium, 2 Legionella

Based on historic rates it is anticipated that approximately 55 cases of food poisoning and food borne illness will be notified and require investigation in 2023/2024. Hence 55 officer hours have been allocated to the investigation of individual cases.

5.4.9 Food safety incidents

A Food incident occurs when concerns around the safety or quality of food may require action to protect consumers. Incidents broadly fall into two categories:

- Contamination of food in processing, distribution, retail and catering.
- Environmental pollution incidents such as fires, chemical/oil spills and radiation leaks.

As a result of a food incident, a food product may have to be withdrawn or recalled. A withdrawal is when unsafe food is removed from the supply chain before it has reached consumers.

A recall is when unsafe food is removed from the supply chain and consumers are advised to take appropriate action, for example to return or dispose of the unsafe food.

Food hazard warnings are unexpected and the resource necessary to respond to each and every warning is difficult to estimate. However, every effort will be made to respond promptly to any food hazard warning that is commensurate with the contents.

5.5 Liaison

The Food Safety Team is represented on the Warwickshire and Coventry Food Liaison Group, this includes representatives from all food enforcement authorities across the county including, Warwickshire County Council Trading Standards, United Kingdom Health Surveillance Agency, and representatives from the Food Standards Agency.

The Environmental Health Manager along with other representatives of the West Midlands Area are usually represented at an annual liaison meeting with Severn Trent Water Authority.

The section has internal liaison with all service areas within North Warwickshire Borough Council but especially the planning service as regards planning applications along with the Licensing Service as regards matters which are being dealt with by the Licensing Committee.

5.6 Food hygiene promotion

5.6.1 Food hygiene rating scheme

The Council operates the national Food Hygiene Rating Scheme operated by the Food Standards Agency. When inspected food businesses are scored against a criteria set out in Guidance for local authorities on implementation and operation-the Brand Standard, Revision 7 – issued May 2021. The subsequent rated results are then posted on a website to provide members of the public, details of the premises' hygiene rating at the last inspection. Each business is also supplied with a sticker displaying their rating which they are encouraged (but not legally required to do) to display either on the entrance door to the premises or adjacent windows. At the beginning of April 2023, the hygiene rating of 644 food premises in the borough were available at <http://ratings.food.gov.uk/>

Where a business requests a revisit for re-rating purposes, where the request is upheld, an officer would carry out a full inspection in order to re-rate the premises. This work is in addition to their statutory duties and the inspection plan, and therefore has cost implications. It was agreed to increase the charge for these revisits in October 2022 from £140 to £175.

5.6.2 Food safety management systems

During inspections of food premises, officers establish if there is in place a documented Food Safety Management System, in effect, documented procedures and checks to ensure that the food safety risks in the business have been assessed and are being controlled. A national model called `Safer Food, Better Business` (SFBB) has been developed by the Food Standards Agency and is the food safety management system used by nearly all independent food businesses in the country, and includes several variations for different sectors including caterers pack, retailers pack, Chinese cuisine, Indian cuisine, and childminders. During interactions with business, the SFBB model is promoted to food business proprietors in the borough, should they not have an alternative system in place. We are able to provide this model at cost to businesses along with the different sector and foreign language versions.

5.6.3 Food safety week

Due to Covid restrictions there has been no Food Safety Week campaigns organised by the FSA or NWBC since 2019.

5.6.4 E.coli 0157

E.coli food poisoning is fortunately a rare occurrence; however when it does occur it is particularly devastating as it takes very few E.coli organisms to cause illness and the effects are usually severe with often kidney failure and death seen in a high percentage.

During interventions officers prioritise examining practices involved in the handling of cooked and raw meats especially if premises in the borough are found to be using one vacuum packaging machine to pack raw and cooked food. Highlighting the principles of preventing E. coli infection to the wider catering trade is done through utilising the Food Standards Agency 'Guidance on the Control of the risk of cross contamination from E.coli 0157', now on its fourth revision. All officers have received training on this guidance and have due regard to its contents during their inspections. The guidance is also given to businesses during inspections and enclosed in correspondence with them.

5.6.5 Future food hygiene strategy

Work to modernize the food hygiene delivery model (FHDM) began in September 2021. The Food Standards Agency (FSA) began consultation on developing a modernized food hygiene delivery model on 3 April 2023, responses are required by 30 June 2023.

Key proposed developments include:

- A modernized food hygiene intervention scheme.
- An updated risk-based approach to the timescales for initial official controls of new

food establishments and undertaking due official controls.

- Increased flexibility as to the methods and techniques of official controls that can be used to risk rate an establishment, including the use of remote official controls.
- Extending the activities that officers such as Regulatory Support Officers, who do not hold a “suitable qualification” for food hygiene can, if competent undertake.

One of the improvements the Council has implemented, is the introduction of a new digitally-enabled approach to make it easier for businesses to register and easier for them to access information and guidance, which will enable them to get things right from the start. Previously a food business registered directly with the Council, since April 2020, a business registers with the FSA, whose systems forward registration details to the local authorities for upload to their Management Information Systems.

6. Resources

6.1 Financial Allocation

The costs for the operation of the section are allocated centrally.

Each professional member of staff will have funding from the Council’s training budget allocated to them for professional and technical updates as well as continuing professional development, and subscriptions to the relevant professional body.

6.2 Staffing allocation to food safety team.

All staff in the section are employed on permanent contracts with the Council. The hours allocated to the food safety function and reproduced below result from analysis of the most recent period of time recording sheets, which are completed by all members of staff of the Division.

Environmental Health Manager	Vacant Senior Food, Health and safety Officer Acting up	1.0 FTE
Senior Food, Health & Safety Officer		1.0 FTE
Food Safety Officer		1.0 FTE
Food Safety Officer		0.6 FTE
Food Safety Officer		1.0 FTE
Food Safety Officer	Vacant	1.0 FTE

6.3 Staff Development Plan

During the forthcoming year, training needs and aspirations of staff will be assessed as part of their annual appraisal. If supported, they will form part of the training plan for the individual in question for the ensuing year.

Additionally, all professional officers have to complete Continuing Professional Development in order to maintain their status. The FSA and UKHSA provide free online training and webinars.

Peer assessment and inter-authority audits through the Warwickshire Food Liaison Group will also feature in staff development.

The authority contributes to both the Health and Safety and Food Safety Liaison group training funds. The funds are used by the relevant groups to buy appropriate training for the enforcement officers across the County.

7. Quality Assessment

The authority's food service has benchmarked its functions against the food service operated by the four other Warwickshire local authorities. It will continue to monitor its performance against national standards. Inter Authority Audits form a key function of the Liaison Groups.

Inspections of premises are rotated to ensure all officers are familiar with all areas/premises, which in turn will provide resilience.

The Section has internal monitoring procedures for capability of inspectors, quality of inspections and food complaints.

The Warwickshire and Coventry Food Safety Liaison Group supports and organises inter authority auditing, currently based on the Food Standards Agency proforma – directed at both policy and procedures.

The service is also the subject of internal audits, the most recent of which focused on Food Hygiene and Inspections, this started in August 2022 and concluded in December 2022, the draft report was issued in February 2023.

8. Health and safety enforcement service delivery plan 2022/23

8.1 Description of service

Health and safety enforcement is part of the service provided by the Food and Health and Safety Teams in Environmental Health. The service:

- The Local Authority Circular (LAC) Inspects places of work and entertainment to ensure high standards of health, safety and welfare in accordance with current enforcement responsibilities
- Carries out accident and complaint investigations
- Provides advice and guidance to businesses, employees and the public

8.2 Aim of health and safety enforcement service

The overall aim of the health and safety enforcement service is:

- To secure the workplace health, safety and welfare for both employees and the public in the borough

8.3 Priorities of health and safety enforcement service

In recent years protecting people in the workplace and in society remained a key health and safety priority for central government; however, the focus of the health and safety regime has moved to a lighter touch approach, concentrating on higher risk industries and on tackling serious breaches of the rules. Consequently, the Health and Safety Executive (HSE) and local authorities have reduced the number of inspections carried out; to have greater targeting where proactive inspections continue; and to increase information provision to small businesses in a form that is both accessible and relevant to their needs.

Guidance produced by the HSE through their National Local Authority Enforcement Code, launched in May 2013 and the Health and Safety Executive/local authorities' enforcement liaison committee revised Local Authority Circular 67/2 (Rev 12) 2023/2024 "Setting Local Authority Priorities and Targeting Interventions," have therefore been used to determine this council's key priorities for 2023/24. [\Nwbc-fs4\tr\H&S\67-2-priorities-targeting-interventions.pdf](#)

The HSE code indicates that local authorities are expected to target proactive inspections on high risk activities in specified sectors or on workplaces where intelligence suggests that risks are not being

effectively managed. A listing of the activities and sectors suitable for inspection is published along with the code.

Based on the code the key delivery priorities of the health and safety service of North Warwickshire Borough Council are:

- To target health and safety interventions on higher risk areas and dealing with serious breaches of health and safety legislation
- Investigating major injury incidents and fatalities. This approach is used to assess and target poor management as part of the better regulation agenda

The service will focus the planned regulatory activity on improved outcomes and continue to keep a watching brief on national developments in health and safety policy.

8.4 Delivery of the health and safety service priorities 2023/24

The following chart illustrates the category profile of the 1164 Health and Safety premises within the borough, for which the council has enforcement responsibilities as at 1 April 2023:

Number of Health and Safety Premises at 01/04/23

Retail Shops	242
Warehouse	87
Offices	193
Catering	328
Accommodation	20
Residential Care	26
Leisure	111
Consumer	130
Total	1137

8.5 Health and safety planned inspections 2023/24

Based on the risk rating scheme, the risk profile of premises whose health and safety enforcement responsibility falls to this council is shown in Table 1 below:

Table 1 – Risk profile of health and safety premises at 1 April 2023

Category	A Highest risk	B1 Medium risk -1	B2 Medium risk - 2	(C) Lowest risk	Unrated / New Premises
Summary of appropriate intervention (LAC 67/2 (Rev 11))	Proactive inspection	Reactive intervention only			Alternative intervention other than proactive inspection
Total number of premises	1	6	52	1066	12
Total number of interventions due	1	0	0	0	12

In accordance with LAC 67/2 (Rev 12) it is proposed in 2023/24 to target the Category A businesses for a proactive inspection, resulting in an inspection target of 1 premise. Inspections of medium risk businesses (categories B1 and B2 premises) will only occur if during a food hygiene inspection a matter of evident concern is seen or reports of accidents, complaints or other intelligence suggests the premises requires an intervention. Any unrated and new premises will receive either an advisory visit or questionnaire and be risk rated following the visit or return of the questionnaire. There will be no proactive interventions to low risk businesses (C rated premises) in 2023/24, however these premises will receive a visit should a reactive visit be required for instance should a service request be made or a serious accident arise.

In summary therefore it is anticipated that the service will in 2023/24 conduct 1 proactive inspection and 12 interventions by questionnaires or advisory visits. In total therefore the health and safety service aims to achieve 13 proactive interventions in 2023/24.

8.5.1 Revisits

Revisits are carried out to confirm that employers and other duty holders have undertaken any necessary measures to comply with their legal obligations identified following an inspection or other intervention such as a complaint or accident investigation.

A revisit will be undertaken following all interventions at which significant contraventions have been identified.

Priority will be given to revisiting those premises where:

- Formal enforcement action such as the service of an improvement or prohibition notice has been necessary to secure compliance with the law
- The premises are rated Category A

8.5.2 Accident investigation

In 2022/23 the council received 101 accidents/dangerous occurrences reported to it under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR).

It is not necessary to investigate all of these notifications. However, we will investigate all accidents, cases of disease and dangerous occurrences that meet the criteria set out in The Health and Safety Executive/Local Authority Enforcement Liaison Committee (HELA) circular 22/13 'Incident selection criteria', which was reviewed and implemented in 2010. A high priority will be given to selecting for investigation slip, trips and fall accidents and incidents involving workplace transport.

8.5.3 Service requests

All service requests relating to standards of occupational health and safety will be investigated and appropriate enforcement action taken. We aim to respond to 100% of requests within 3 working days.

In 2022/23 we received 15 requests for service.

Additionally where we are notified of asbestos removal activities, we will investigate them to ensure removal of asbestos material is being carried out in accordance with the legislation and codes of practice.

8.5.4 Intervention plan 2023/24

- Proactive inspections of any high-risk premises within the specific LA enforced sectors published by HSE where this is considered appropriate in line with HSE guidance.
- To provide health and safety advice to new businesses, particularly small businesses that may have no other access to advice by offering advice and guidance in a format that is most useful to them.
- Intelligence led interventions where there is sufficient weight of intelligence over a period of

time to indicate poor performance and/or potential significant breaches of health and safety law.

- Identified as part of a recognised national priority, selecting the most appropriate intervention appropriate to the individual premises risk rating.
- Identified whilst involved in another primary purpose, for example food safety inspections, where if matters of evident concern and/or significant breaches of health and safety law are identified they are dealt with at the same time.
- To investigate accidents in accordance with established incident selection criteria. Around 10 accident investigations are anticipated.
- To respond to all service requests from employers, employees and members of the public concerning health and safety within three working days.
- Undertake advisory visits or self assessment questionnaires to all unrated and new businesses, to ensure they receive advice at an early stage in order for them to comply with their legal responsibilities and prevent accidents and possible injury, which is part of the “Better Business for all campaign to ensure businesses “get it right first time”
- Continue to work with the County Safety Advisory Group (SAG) to develop consistent policies and processes for large scale public gatherings.

Reactive interventions

Activity	Evidence that identified the concern and set its priority	Planned intervention type	Rationale for intervention	Outcome / output measures
Investigate reports of incidents and ill health using the incident selection criteria	Reporting of injuries, diseases and dangerous occurrences regulations 2013 (RIDDOR) statistics	Incident and ill health Investigation.	To investigate to establish if there are any issues or poor management performance.	Number of incidents reported Number of incidents investigated Number of notices served Number of prosecutions / cautions.
Investigate reports of concern and complaint from employees or members of the public	Reports of complaint	Dealing with Issues of complaint	To investigate to establish if there are any issues or poor management performance.	Number/nature of complaints investigated Number of notices served.
Respond to professional officers concerns on the performance of a business.	Reports of concern	Dealing with Issues of concern	Respond to matters of evident concern / or significant breaches of health & safety law identified during a visit undertaken for another primary purpose for example, a food hygiene inspection or licensing inspection or referred from another regulator for example, Fire Service	Number of referrals from other regulators Number of matters of evident concern / significant breaches Number of notices served

8.5.5 Delivery Mechanisms

In order to deliver our priorities for 2023/24 the mechanisms illustrated in the following table will be utilised.

Priority	Delivery mechanism	Deadline
Section 18 Compliance	Service Plan approved by Senior Leadership Team	30 June 2023
Appropriate enforcement	Continue to ensure enforcement decisions are consistent with our enforcement policy, the Health and Safety Executive's (HSE's) enforcement policy statement and the enforcement management model. This will ensure proportionate, consistent, transparent and accountable enforcement in line with the Better Regulation agenda.	31 March 2024
Staff Training	Have regular 1:1 meetings with staff to assess their progress against targets and any personal development needs Ensure officers attend revision/training on relevant health and safety topics to ensure they are appropriately trained and developed ensuring their competence and credibility with local businesses and encouraging staff retention/recruitment	31 March 2024 31 March 2024

8.6 Performance indicators

Description	2023/24
Local performance indicators	
Number of workplace interventions carried out	
Service Performance Indicators	
Percentage of service requests investigated	
Percentage of service requests responded to within two working days	
Percentage of asbestos notifications investigated	

8.7 Provision of information

A key objective of the council's health and safety enforcement service is to provide advice and guidance to businesses and employees.

In the past targeted information to specific industry sectors has been sent out from the service, for instance on legionella control to all nursing and residential care homes. As we have investigated 2 cases of Legionella this year, we will be targeting other high risk areas with information on legionella control. If any other topical or local issues emerge or legislation changes, we will send out information and guidance in a variety of formats.

8.8 Health and safety enforcement policy

This Corporate Enforcement Policy details the general principles of good enforcement that the service is committed to adhere to and is available on the Council website.

9. Resources

Operational staff all have essential user car status. They are supported with appropriate equipment to carry out their inspections and sampling activities. Specific resources are made available annually for the rolling replacement of equipment, food sampling and analysis, training and other specific aspects of service provision; again these are funded from the general Environmental Health budget.

The CIVICA Management Information System (MIS) is used for planning and recording food safety and health and safety activities. During this inspection year the team will be moving onto the IDOX MIS, which will provide agility to the team and reduce administration.

Formal enforcement action for example, prosecution of a Duty Holder would involve activity by the authority's Legal Services section. Costs incurred by legal services would be included in the annual recharge to the team and as such it is not classed as controllable expenditure.

9.1 Staff Allocation

At the 1 April 2023, Of the 3.6 Food Safety Environmental Health officers 3.6 have the appropriate qualifications and experience to enforce Health and Safety legislation.

All field staff are competent and appropriately qualified, trained and supervised commensurate with The Health and Safety Executive, Section 18 Mandatory Guidance 'The Standard for Health and Safety Enforcing Authorities' (2008).

9.2 Staff development plan

Every member of staff has at least one 1:1 interview with the service manager to draw out any training and personal development needs required annually, usually May, with a six month review.

In addition, the service has a documented Training Policy which is adhered to and stipulates the ongoing training requirements for staff in compliance with the Health and Safety Executive's Section 18 Mandatory Guidance: 'The Standard for Health and Safety Enforcing Authorities' (2008).

Should any staff return to health and safety work after some time out, appropriate structured refresher training in compliance with the 'The Standard for Health and Safety Enforcing Authorities (2008)' will be given.

Training will be given to all staff, either by external or internal means, on any new legislation or HSE requirements.

10. Assurance

The council works with other Warwickshire authorities to assure its service meets its legal obligations and responsibilities flowing from the 'Framework Agreement on Local Authority Food Law Enforcement' and the Health and Safety Executive's (HSE's) Section 18 Mandatory Guidance. This assurance is usually carried out by way of Inter Authority Audits or peer reviews.

11. Review

11.1 Review

Procedures are in place to review the service plan on an ongoing basis and annually.

The plan is regularly monitored during its year of operation by the Environmental Health Manager who subsequently reports progress at management team meetings.

At the end of the year the Environmental Health Manager will review the Section's activities during that year. The review will report through this service plan information on the previous year's performance against the service plan, and any other specified performance target, and performance standards and targeted outcomes. Any identified variance from the service plan and where appropriate the reasons for that variance, will be brought to the attention of the management team.

11.2 Areas of improvement for 2023/24

Key service improvements and objectives for 2023/24 are:

1. Keep a watching brief on the new government policy reviews and initiatives with respect to food safety enforcement and health and safety and assess their implications on the council's enforcement service
2. Review administrative arrangements to improve efficiency and consistency in food safety and health and safety activities.
3. Introduce the use of new technology by officers when in the field
4. Refresh food safety and health and safety procedures and policy documents

Agenda Item No 13

Executive Board

19 July 2023

Report of the Chief Executive

Electoral Review – Local Government Boundary Commission

1 Summary

- 1.1 This is a report to inform members about the Local Government Boundary Commission for England's (LGBCE) review of the Ward Boundaries in North Warwickshire, which will take place from Autumn 2023 until 2025.

Recommendation to the Board

- a That the contents of the report are noted; and**
- b That members recommend to Council the appointment of an Advisory Committee in order to consider the Borough Council's response to the consultations undertaken by LGBCE as part of this review, with the proposed terms of reference set out at Appendix 1 to this report**

2 Background

- 2.1 On a periodic basis, LGBCE undertake reviews of the Ward boundaries of local authorities in England. The last time a review of this type was undertaken in North Warwickshire was in 1999.
- 2.2 This review is compulsory and has been instigated by LGBCE due to the fact that for the following wards, the variance away from the "average ward size" is too great (A map indicating this variance is attached at appendix 2 for illustrative purposes):
- 2.2.1 The following wards are deemed to be too big/too small in terms of electorate:
- Baddesley & Grendon (+21%)
 - Coleshill North (-12%)
 - Dordon (-19%)
 - Polesworth West (-12%)
- 2.3 The remaining 13 wards have an electorate within the +/- 10% tolerance that the LGBCE set for ward sizes.

- 2.4 It is important to note, however that as part of this review, all ward boundaries could change, as the LGBCE effectively start with only the external North Warwickshire Borough Council Boundary and the number and size of wards could change considerably.

3 **The Review process**

- 3.1 The Borough Council is a statutory consultee to the LGBCE review process, however the Council does not control the review or make decisions as part of this exercise. The review operates in 3 stages:
- 3.1.1 **Council Size** – where the Borough Council and others can put forward arguments for the number of councillors that should sit on North Warwickshire Borough Council and officers provide forecasts on what the electorate for each polling district will be in 2030, based on population growth and housing developments;
- 3.1.2 **Draft Ward boundaries** – where the Borough Council and others put forward how many wards there should be, based on the agreed number of councillors and the new “ideal ward size” based on electorate forecasts
- 3.1.3 **Comments on LGBCE ward proposals** – where the Borough Council and others can make comments on the proposed ward boundaries set out by LGBCE.

4 **Implementation and post LGBCE review**

- 4.1 It is anticipated that this review will take place between Autumn 2023 and April 2025, with the first elections on these boundaries to take place in 2027.
- 4.2 It is considered prudent, based on the knock-on effects of changes to ward boundaries and some enquiries from Parish Councils, that a Community Governance Review should be undertaken post LGBCE review, to conclude in time for the Borough and Parish elections in 2027.
- 4.3 A Community Governance Review could review the parish arrangements for the whole borough, just those areas which have requested that boundaries be changed, or to make only consequential amendments following the ward boundary review. This would involve considerable consultation and the terms of reference for any Community Governance Review would be considered by council, post LGBCE review.

5 **Conclusion**

- 5.1 The Borough Council now needs to consider the best mechanism for members to have input into the review process, given the need for officers/members to work collaboratively in response to the LGBCE consultation exercises
- 5.2 Based on the experience of the Head of Elections, who has just completed a similar review of Nuneaton and Bedworth, the proposed way forward is the establishment of an appropriate body to formulate the Borough Council’s response to this review, as per the draft terms of reference at Appendix 1 to this report. It is proposed that any consultation responses would need to be approved by Council before submission.

6 Report Implications

6.1 Finance and Value for Money Implications

6.1.1 There will be a small cost to the Borough Council in responding to the review, which will be managed within existing revenue budgets. There is no external funding available to fund our response to this review.

6.2 Legal Implications

6.2.1 The LGBCE is conducting this review, with the Borough Council being a consultee in the review process. As such, no decisions are made by the Council as part of this process however, the Council needs to ensure that it establishes an appropriate process to consider any such proposals and respond as a consultee.

6.2.2 Due to specific provisions in the Local Government Act 1972 it will be necessary for Full Council to appoint the body which is to undertake this process as it is an Advisory Committee. The Committee may still be 'time limited' i.e., be dissolved once the boundary review is completed.

6.2.3 Any legal implications that arise as part of the Council's submissions on Council size or ward boundaries will be addressed at the appropriate time when reports come forward to Council.

6.3 Environment, Climate Change and Health Implications

6.3.1 There are no foreseen implications

6.4 Risk Management Implications

6.4.1 There are no foreseen implications

6.5 Links to Council's Priorities

6.5.1 Appropriate and equitable arrangements for democratic representation and governance are clearly a very high priority for any Council. The Council's Corporate Plan emphasises the importance of a sense of place for residents, and ensuring our Wards and Parishes reflect that identity and are fair is a key building block in this.

The Contact Officer for this report is Martyn Harris (719222).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date
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North Warwickshire Borough Council – Electoral Review

TASK AND FINISH COMMITTEE (the COMMITTEE) - TERMS OF REFERENCE

The Local Government Boundary Commission have requested that an electoral review of North Warwickshire Borough Council be carried out in 2023/2024/2025. The review is required:

- a) as the Council's boundaries have not been reviewed since 1999;
and
- b) to address the poor levels of electoral equality in North Warwickshire

1. Role and Purpose of the Committee

To review the future electoral requirements of North Warwickshire Borough Council by developing proposals for the total number of Councillors required and any necessary revised warding arrangements.

2. Status

The Committee is to be an advisory group, designed to bring together identified members of the Executive Board and others to make suitable recommendations to Executive Board and ultimately Council.

3. Objectives

- a) To formulate and recommend to Executive Board/Council proposed submissions to the Local Government Boundary Commission for England (LGBCE) relating to the total number of Councillors required and the electoral warding arrangements.
- b) To facilitate, coordinate, involve and consult Borough Councillors, community organisations, and any other relevant stakeholders in the review process to ensure effective consultation and participation in the Council's submissions to the LGBCE.
- c) To coordinate the Council's responses to the LGBCE's review of North Warwickshire Borough Council's electoral arrangements.

4. Membership

The Committee will comprise of 8 members, based on the political balance of the Council.

5. Frequency of Meetings/Timeline

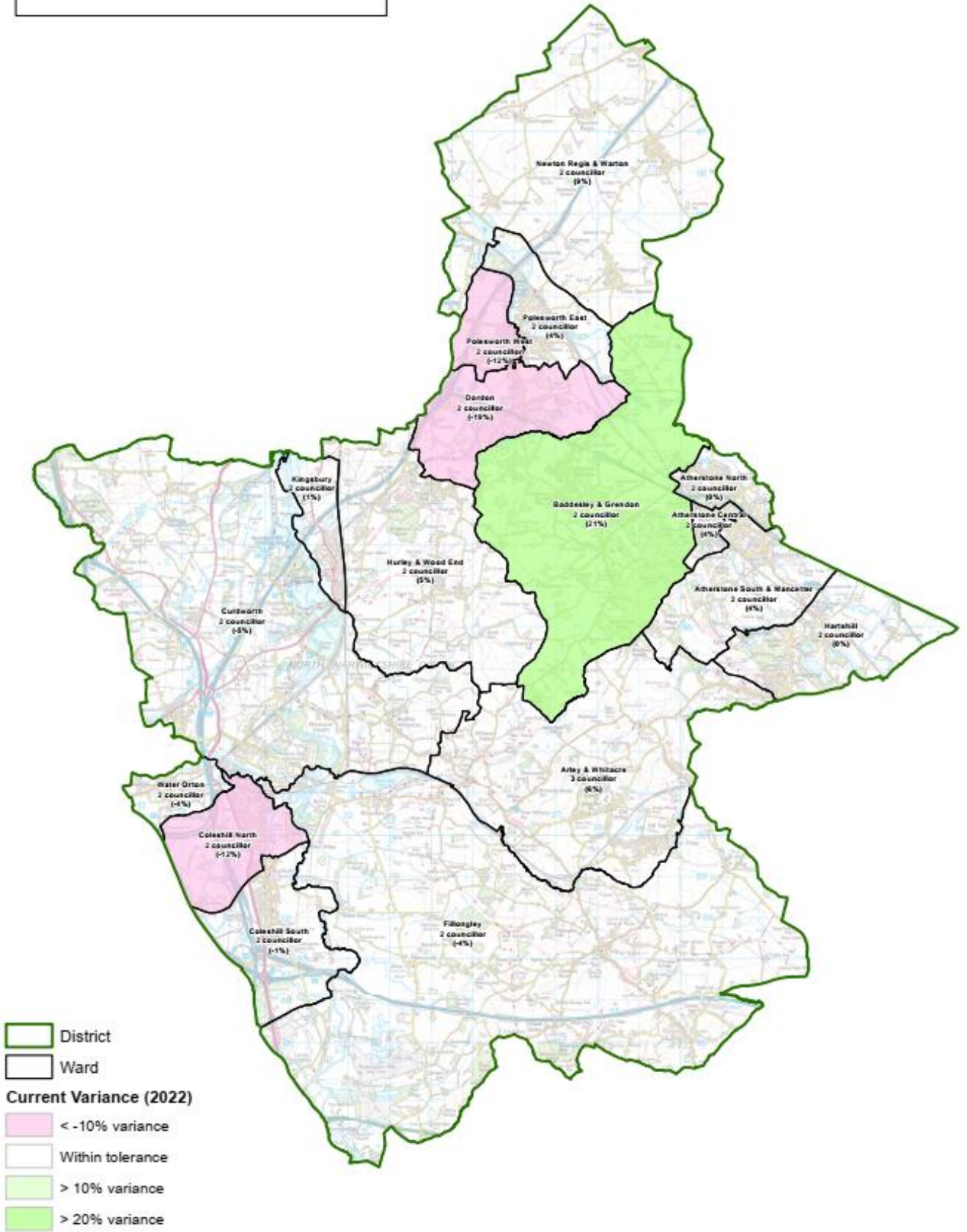
The Committee will meet at dates set out in a timetable. Additional meetings of the Committee may also be required. The Committee will report to Executive Board/Council as required based on the timescales of the LGBCE review.

6. Governance

It is anticipated that the Chair of Executive will be appointed by the Committee at its first meeting and will be supported by the Head of Elections as lead officer.

Appendix 2 – map illustrating electoral variance in North Warwickshire:

North Warwickshire Borough Council: Existing wards by variance
Based on December 2022 ONS electoral data



NORTH WARWICKSHIRE BOROUGH COUNCIL

**MINUTES OF THE SAFER COMMUNITIES
SUB-COMMITTEE**

16 March 2023

Present: Councillor D Humphreys in the Chair.

Councillors, D Clews, Davey, Gosling, Jarvis, Jordan, K Parker and O Phillips.

Apologies for absence were received from Councillors Farrow, Moss and Osborne.

23 Disclosable Pecuniary and Non-Pecuniary Interests

None were declared at the meeting.

24 Minutes of the Meeting of the Safer Communities held on 14 November 2022

The minutes of the meeting held on 14 November 2022, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

25 Fly Tipping Update

The Chief Executive provided Members with an update on the work that the Transformation and Environmental Health Teams had undertaken in order to try and reduce fly tipping across the Borough.

Resolved:

That the report be noted.

26 North Warwickshire Community Safety Partnership Update

The Chief Executive provided Members with an update on recent activities with the North Warwickshire Community Safety Partnership.

Resolved:

That the progress of the North Warwickshire Community Safety Partnership Plan be noted.

Councillor D Humphreys
Chair

Agenda Item No 15

Executive Board

19 July 2023

**Report of the
Chief Executive**

Exclusion of the Public and Press

Recommendation to the Board

To consider, in accordance with Section 100A(4) of the Local Government Act 1972, whether it is in the public interest that the public and press be excluded from the meeting for the following items of business, on the grounds that they involve the likely disclosure of exempt information as defined by Schedule 12A to the Act.

Agenda Item No 16

Staffing Matter – Report of the Chief Executive

Paragraph 1 – by reason of information relating to any individual.

Agenda Item No 17

Exempt Extract of the Minutes of the meeting of the Executive Board held on 20 June 2023.

Paragraph 1 – by reason of information relating to any individual.

In relation to the item listed above members should only exclude the public if the public interest in doing so outweighs the public interest in disclosing the information, giving their reasons as to why that is the case.

The Contact Officer for this report is Julie Holland (719237).