

AGENDA

and

MINUTES of BOARDS and COMMITTEES

**to be considered
at the meeting of the Council
to be held at**

**THE COUNCIL HOUSE
ATHERSTONE**

on

9 DECEMBER 2015

at

6.30pm

Jerry Hutchinson LLB MBA Solicitor
Chief Executive
The Council House
South Street
Atherstone
North Warwickshire CV9 1DE

This matter is being dealt with by
Mr D Harris

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Date : 1 December 2015

To: All Members of the Council

Dear Sir / Madam

You are hereby summoned to attend a meeting of the Council, to be held in the Council Chamber, The Council House, South Street, Atherstone, on Wednesday 9 December 2015 at 6.30pm. Members are invited to join the Mayor for prayers led by the Reverend Marjorie Walton from Nether Whitacre prior to the commencement of business.

After prayer, the following business will be transacted:

- 1 Evacuation Procedure.
- 2 Apologies for absence / Members away on official Council business.
- 3 Disclosable Pecuniary and Non-Pecuniary Interests
- 4 The Mayor to move, in accordance with Standing Order No 6(1):

“That the minutes of the meetings of the Council held on 30 September and 7 October 2015 be approved as a correct record.”
- 5 To receive the Mayor’s announcements.
- 6 To answer Questions from Members and the Public pursuant to Standing Order No. 7.
- 7 To receive and consider minutes, recommendations and notes of the following meetings circulated herewith and to make the necessary Orders thereon:
 - a **Planning and Development Board** – 30 September, 12 October, 3 November and 9 November 2015 (Pages 115-129).
 - b **Community and Environment Board** – 19 October 2015 (Pages 130-132).
 - c **Resources Board** - 16 November 2015 (Pages 133-138).

- d **Area Forum North** - 19 November 2015 (Page 139).
 - e **Executive Board** – 23 November 2015 (140-143).
 - f **Area Forum West** - 26 November 2015 (Pages 144-145).
 - g **Area Forum South** - 1 December 2015 (to follow).
- 8 **Gambling Act 2005 – Review Of Gambling Licensing Statement Of Principles** - Report of the Assistant Chief Executive and Solicitor to the Council

Summary:

The report asks Council to consider giving final approval to the draft Statement of Principles made under the Gambling Act 2005.

The Contact Officer for this report is Stephen Whiles (719326).

- 9 To receive and consider any Notice of Motion under with Standing Order No. 10.
- 10 To authorise the Chief Executive, in accordance with Article 13.05 of the Articles of the Constitution, to Sign and Seal, on behalf of the Council, any Orders, Deeds and Documents necessary to give effect to any resolution of the Council.

Yours faithfully

A handwritten signature in black ink that reads "J. Hutchinson". The signature is written in a cursive style and is positioned above the printed name of the Chief Executive.

Chief Executive

**MINUTES OF THE MEETING OF THE
NORTH WARWICKSHIRE BOROUGH COUNCIL HELD AT THE
COUNCIL HOUSE, ATHERSTONE ON WEDNESDAY 30 SEPTEMBER 2015**

Present: Councillor Davis in the Chair.

Councillors Bell, Chambers, Clews, Davey, L Dirveiks, N Dirveiks, Farrell, Ferro, Hanratty, Hayfield, Henney, Humphreys, Ingram, Jarvis, Jenns, Jones, Lea, Lewis, Morson, Moss, Payne, Phillips, Reilly, Simpson, Singh, Smith, Smitten, E Stanley, M Stanley, Sweet, Waters, Watkins, A Wright and D Wright.

Before the commencement of business, the Reverend Paul Tullett, Vicar of Water Orton Parish Church, led the Council in Prayer.

21 Disclosable Pecuniary and Non-Pecuniary Interests

None were declared by Councillors at the meeting. The Chief Executive left the meeting during the consideration of Minute No 30 of the Executive Board held on 21 September 2015.

22 Minutes

The minutes of the meetings of the Council held on 24 June and 15 July 2015 were approved as a correct record and signed by the Mayor.

23 Mayor's Announcements

The Mayor announced:

- that his Civic Service was being held at St Peter's Church, Mancetter on 4 October 2015;
- that he was holding a charity Bavarian evening on 31 October 2015 at Mancetter Memorial Hall; and
- he thanked all those that had taken part in his charity walk at the Merevale estate on 23 August 2015.

24 Questions Pursuant to Standing Order No. 7

The following question was received from Derek Pickard, 108 Lister Road, Atherstone pursuant to Standing Order No.7

“18 months ago, NWBC sold the Atherstone Arcade to Atherstone Town Council (ATC) as a preferred bidder to put the buildings into community use. Because of this legally covenanted agreement, NWBC heavily discounted the value to 50% of the then estimated market price in light of the stated intent of ATC. The covenanted period was for 5 years only. Since that time, apart from certain necessary health and safety upgrades to the ground floor shops and existing general access area, there still exists no project plan by ATC to consult design expertise, engage local people effectively and to engage an architect and builder for this

important community project. The time prior to the limit of the agreement between NWBC and ATC is passing (There are now only three and a half years of the covenanted period remaining!!)

Can the admin inform me of the progress of interaction/discussion between the two parties to ensure that the spirit and the principle of the legal agreement is properly fulfilled and explain fully the sanctions available should ATC default on its promise?"

The response from Councillor David Wright, Chairman of the Resources Board, was as follows

"The Contract of Sale of the Arcade to Atherstone Town Council includes a covenant which lasts for a minimum of five years but also for as long as the Town Council remains the owner of the property. That covenant requires Atherstone Town Council to make all reasonable efforts to allow and encourage Community use of the building. The Town Council, as required, submits an annual report on Community Use.

In addition, there is a ten year restriction on the sale of the property which protects the Borough Council in relation to the originally discounted sale price.

The Arcade is under the ownership of Atherstone Town Council who are now responsible for the maintenance, upkeep and any future refurbishment of the building."

25 Minutes of Boards/Committees

a) Area Forum South – 25 June and 17 September 2015

It was proposed by Councillor Watkins, seconded by Councillor Hayfield and

Resolved:

That the notes of the meetings of Area Forum (South) held on 25 June and 17 September 2015 be approved and adopted.

b) Planning and Development Board – 13 July, 10 August and 7 September 2015

i) Minute No 16 - Nuneaton and Bedworth and North Warwickshire Building Control

It was proposed by Councillor Simpson, seconded by Councillor Sweet and

Resolved:

That consideration of the renewal of the Partnership Agreement be deferred and a further report be submitted to the next meeting of the Board.

It was then proposed by Councillor Lea, seconded by Councillor Sweet and

Resolved:

That the minutes of the meetings of the Planning and Development Board held on 13 July, 10 August and 7 September 2015, together with the recommendation contained therein as amended at i) above, be approved and adopted.

c) Community and Environment Board – 20 July 2015

i) Minute No 5 - The Future of the Community Hub Task and Finish Group

It was proposed by Councillor Smith, seconded by Councillor Hayfield and

Resolved:

That membership of the Community Hub Task and Finish Group comprise Councillors Jones, Smitten, Davey, Ingram, Farrell and Lewis.

It was then proposed by Councillor Smith, seconded by Councillor Hayfield and

Resolved:

That the minutes of the meeting of the Community and Environment Board held on 20 July 2015, together with the recommendation contained therein as amended at i) above, be approved and adopted.

d) Licensing Committee – 27 July 2015

It was proposed by Councillor Jones, seconded by Councillor Morson and

Resolved:

That the minutes of the meeting of Licensing Committee held on 27 July 2015, together with the recommendations contained therein, be approved and adopted.

e) Resources Board – 11 August and 8 September 2015

i) Minute No 21 – Membership of the Borough Care Task and Finish Group

It was proposed by Councillor D Wright, seconded by Councillor Henney and

Resolved:

That membership of the Borough Care Task and Finish Task and Finish Group comprise Councillors Bell, Davey, Smith, D Wright, Chambers and Phillips.

It was then proposed by Councillor D Wright, seconded by Councillor Smith and

Resolved:

That the minutes of the meetings of the Resources Board held on 11 August and 8 September 2015, together with the recommendations contained therein as amended at i) above, be approved and adopted.

f) Area Forum (North) – 3 September 2015

It was proposed by Councillor Hanratty, seconded by Councillor Humphreys and

Resolved:

That the notes of the meeting of Area Forum (North) held on 3 September 2015 be approved and adopted.

g) Scrutiny Board – 14 September 2015

i) Minute No 14 – Scrutiny Forward Plan – Communications Task and Finish Group

It was proposed by Councillor Payne, seconded by Councillor Farrell and

Resolved:

That Communications Task and Finish Group comprise Councillors Jones, Reilly, Davey, Clews, L Dirveiks and Lewis.

It was then proposed by Councillor Payne, seconded by Councillor Morson and

Resolved:

That, subject to the amendment at i) above, the minutes of the meeting of Scrutiny Board held on 14 September 2015 be approved and adopted.

h) Area Forum (East) – 15 September 2015

It was proposed by Councillor Clews, seconded by Councillor Henney and

Resolved:

That the notes of the meeting of Area Forum (East) held on 15 September 2015 be approved and adopted.

i) Executive Board – 21 September 2015

i) Minute No 27 – Civil Parking Enforcement Task and Finish Group

It was proposed by Councillor Humphreys, seconded by Councillor D Wright and

Resolved:

That membership of the Civil Parking Enforcement Task and Finish Task and Finish Group comprise Councillors Humphreys, D Wright, Reilly, Singh, together with 2 members from the Labour Group.

It was then proposed by Councillor Humphreys, seconded by Councillor D Wright and

Resolved:

That the minutes of the meeting of Executive Board held on 21 September 2015, together with the recommendations contained therein as amended at i) above, be approved and adopted.

j) Area Forum (West) – 22 September 2015

It was proposed by Councillor Jenns, seconded by Councillor Lea and

Resolved:

That the notes of the meeting of Area Forum (West) held on 22 September 2015 be approved and adopted.

26 Notice of Motion under Standing Order No. 10

There were no Notices of Motion received under Standing Order No. 10.

27 The Common Seal

It was proposed by Councillor Morson seconded by Councillor Humphreys and

Resolved:

That the Chief Executive be authorised to affix the Common Seal to any document as necessary to give effect to the decisions of the Council, in accordance with Article 13.05 of the Articles of the Constitution.

**Chairman of the next ensuing meeting
of the Council**

**MINUTES OF THE EXTRAORDINARY MEETING OF THE
NORTH WARWICKSHIRE BOROUGH COUNCIL HELD AT THE
COUNCIL HOUSE, ATHERSTONE ON WEDNESDAY 7 OCTOBER 2015**

Present: Councillor Smitten in the Chair.

Councillors Bell, Davey, L Dirveiks, N Dirveiks, Farrell, Ferro, Hanratty, Hayfield, Henney, Humphreys, Ingram, Jarvis, Jones, Lea, Lewis, Morson, Moss, Payne, Phillips, Reilly, Smith, E Stanley, M Stanley, Sweet, Waters, Watkins, A Wright and D Wright.

Apologies for absence were received from Councillors Chambers, Clews, Davis, Jenns, Simpson and Singh

28 Disclosable Pecuniary and Non-Pecuniary Interests

None were declared by Councillors at the meeting.

29 Devolution and Combined Authorities

At this point in the meeting the Mayor suspended Standing Orders in accordance with Standing Order No 43(1).

The Chief Executive reported on progress since the meeting on 15 July 2015 and the Special Sub-Group on 16 September 2015 and Members were invited to consider the Council's options for Devolution and Combined Authorities.

The following motion was proposed by Councillor Humphreys and seconded by Councillor Hayfield

“That the Council does not seek to join the West Midlands Combined Authority at this time because of uncertainty about its functions and responsibilities, particularly the role that Non-Constituent Members would play in it, including voting rights.

This does not rule out the possibility of joining at some future date, but the Council is of the view that there is insufficient information to reach a conclusion within current timescales.”

Upon being put to the meeting the Deputy Mayor declared the motion to be carried.

**Chairman of the next ensuing meeting
of the Council**

NORTH WARWICKSHIRE BOROUGH COUNCIL

**MINUTES OF THE
PLANNING AND DEVELOPMENT BOARD**

30 September 2015

Present: Councillor Lea in the Chair.

Councillors Bell, L Dirveiks, Humphreys, Jarvis, Jenns, Morson, Moss, Phillips, Simpson, Smitten, Sweet and A Wright.

Councillors Davey, Smith and Waters were also in attendance.

23 Disclosable Pecuniary and Non-Pecuniary Interests

None were declared at the meeting.

24 Planning Applications

The Head of Development Control submitted a report for consideration and determination in respect of Planning Application No 2015/0307 – Lake House, Bakehouse Lane, Nether Whitacre (certificate of lawfulness).

Resolved:

That Planning Application No 2015/0307 (Lake House, Bakehouse Lane, Nether Whitacre) be refused for the following reasons

“The Applicant has not discharged the burden of proof that, on the balance of probabilities, the Lake House has been used continuously as a residence for a period of four years prior to the application date.”

[Speakers: Debra Starkey, Beverley Woolaston and Joanne Russell]

J Lea
Chairman

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

12 October 2015

Present: Councillor Lea in the Chair.

Councillors Bell, Chambers, L Dirveiks, Henney, Humphreys, Jarvis, Jenns, Lewis, Moss, Simpson, Smitten and A Wright

Apologies for absence were received from Councillors Jones, Morson, Phillips (substitute Councillor Lewis) and Sweet (substitute Councillor Chambers).

Councillors Davey, Farrell, Payne, Reilly, Smith and Waters were also in attendance. With the consent of the Chairman, Councillor Payne spoke on Minute No 28 Planning Applications (Application No 2015/0517 - 52, Birmingham Road, Water Orton, B46 1TH).

25 **Disclosable Pecuniary and Non-Pecuniary Interests**

None were declared at the meeting.

26 **Minutes**

The minutes of the meetings of the Board held on 13 July, 10 August and 7 September 2015, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

27 **Budgetary Control Report 2015/16 – Period Ended 30 September 2015**

The Assistant Director (Finance and Human Resources) reported on the revenue expenditure and income for the period from 1 April 2015 to 30 September 2015. The 2015/2016 budget and the actual position for the period, compared with the estimate at that date were detailed, together with an estimate of the out-turn position for services reporting to the Board.

Resolved:

- a That the report be noted; and**
- b That a report be submitted to a future meeting of the Board on staffing in the Planning and Development Division.**

28 **Planning Applications**

The Head of Development Control submitted a report for the consideration of the Board. Details of correspondence received since

the publication of the agenda is attached as a schedule to these minutes.

Resolved:

- a **That in respect of Application No 2014/0339 (Daw Mill Colliery, Daw Mill Lane, Arley, CV7 8HS)**
 - i **That it be agreed that it is no longer necessary to makes a formal visit to the Bescot site; and**
 - ii **That a special meeting of the Planning and Development Board be held on Tuesday 3 November 2015 at 6.30pm to determine the application.**

[Speakers Phillip Mason and Tim Love]

- b **That consideration of Application No 2014/0609 (Fir Tree Inn, Fir Tree Lane, Arley, CV7 8GW) be deferred for a site visit;**

[Speakers Paul Reader and Ben Rayner]

- c **That Application No 2014/0665 (Hollow Oak Farm, Breach Oak Lane, Corley, CV7 8AW) be approved subject to the conditions set out in the report of the Head of Development Control, including Condition No 14 relating to bunding;**

[Speakers John Smith, Joe Brandreth and Marie Stacey]

- d **That provided the applicant first enters in to a Section 106 Agreement relating to the provision of affordable housing, Application No 2015/0144 (Hollybank Farm, No Mans Heath Lane, Austrey, CV9 3EW) be approved subject to conditions and further discussion on condition 5 in consultation with the Chairman, Vice-Chairman and Opposition Planning Spokesperson;**
- e **That consideration of Application No 2015/0149 (The Homestead, Main Road, Austrey, CV9 3EG) be deferred for a site visit;**

[Speaker Anne Wilde]

- f **That Application No 2015/0399 (Allotments, Gun Hill, Arley) be approved subject to the conditions set out in the report of the Head of Development Control;**

[Speaker Campbell McKee]

- g** That subject to there being no objection from the Highway Authority and completion of a Section 106 Agreement to establish the Community Trust as outlined in the report of the Head of Development Control, Application No 2015/0459 (Land South of Pogmore Spinney, Merevale Lane, Merevale be approved subject to the conditions set out in the said report and any conditions required by the Highway Authority;

[Speakers Judy Vero and Nick Leaney]

- h** That consideration of Application No 2015/0517 (52, Birmingham Road, Water Orton, B46 1TH) be deferred for a site visit;

[Speaker Mischeck Hakulandaba]

- i** That Application No 2015/0548 (12, Walnut Close, Hartshill, CV10 0XH)) be approved subject to the conditions set out in the report of the Head of Development Control. Additionally that the appropriate officers be requested to ensure on site monitoring of the works as they progress;
- j** That the receipt of Application No 2015/0550 (Land adjacent to 10 Dog Lane, Nether Whitacre) be noted and that a site visit is organised prior to determination; and
- k** That receipt of Application No 2015/0585 (Hill Top Farm, Church Lane, Corley, CV7 8DA) be noted.

29 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 items of business on the grounds that they involve the likely disclosure of exempt information as defined in Schedule 12A to the Act.

30 Breaches of Planning Control

The Head of Development Control reported on an alleged breach of planning control and the Board was asked to agree a suggested course of action.

Resolved:

That in respect of Lea Marston Sports Ground, Blackgreaves Lane, Lea Marston, the Solicitor to the Council be authorised to issue an Enforcement Notice requiring the cessation of the use of the land

for the siting of residential and touring mobile homes, together with the removal of any associated development. That the compliance period be six months.

31 Tree Preservation Order - Austrey

The Board was invited to consider the making of a Tree Preservation Order in respect of a number of trees on land at The Homestead, Main Road, Austrey.

Resolved:

That a Tree Preservation Order be made with immediate effect, in respect of the groups of trees containing horse chestnut and silver birch (G1), cherry and apple (G3), blue spruce and grand fir (G4) and deodar cedar and spruce (G5), and individual trees – maple (T1), weeping ash (T2), horse chestnut (T3), silver birch (T4), goat willow (T4a), walnut (T5), purple plum (T6), weeping willow (T7), Tibetan cherry (T8), whitebeam (T9), whitebeam (T10), rowan (T11), rowan (T12), Brewer’s spruce (T13), beech (T14), hawthorn (T15), Norway maple (T16), pear (T18), apple (T19), cherry (T20), Norway maple (T21), Scots pine (T22), whitebeam (T23), deodar cedar (T24), corkscrew willow (T25), silver birch (T26), whitebeam (T27), eucalyptus (T29), apple (T30), fir (T31), silver birch (T32), silver birch (T33) and monkey puzzle (T34), all located at Land At The Homestead, Main Road, Austrey, for the reasons given in this report, and that any representations received be referred to the Board for it to consider whether to make the Order permanent.

32 Nuneaton and Bedworth and North Warwickshire Building Control Partnership

Following the recent decision by the Full Council at its meeting on 30 September 2015, the Board was invited to consider Council’s membership and Agreement in respect of the Nuneaton and Bedworth and North Warwickshire Building Control Partnership.

Resolved:

- a That the Borough Council renews its membership of the Partnership and that the Agreement be extended for a twelve month period; and**
- b That an early report be brought to the Board in respect of this service.**

J Lea
Chairman

**Planning and Development Board
12 October 2015
Additional Background Papers**

| Agenda Item | Application Number | Author | Nature | Date |
|-------------|--------------------|------------------------------------|----------------|---------|
| 3/31 | PAP/2014/0065 | R. Hancock | Objection | 31/9/15 |
| | | M Martin | Objection | 30/9/15 |
| | | M Pegg | Objection | 30/9/15 |
| | | M Pegg | Objection | 30/9/15 |
| | | W Bodlin | Objection | 30/9/15 |
| | | J Warner | Objection | 30/9/15 |
| | | D Ravenhall | Objection | 30/9/15 |
| | | D Wilcox | Objection | 30/9/15 |
| | | M Potts | Objection | 6/10/15 |
| | | B Hextall | Objection | 5/10/15 |
| | | J Davies | Objection | 5/10/15 |
| | | J Hill | Objection | 6/10/15 |
| | | J Smith | Objection | 30/9/15 |
| | | P Smith | Objection | 30/9/15 |
| N Russell | Objection | 30/9/15 | | |
| Applicant | Letter | 9/10/15 | | |
| L Smith | Objection | 1/10/15 | | |
| 4/137 | PAP/2015/0144 | Warwickshire County Council | Consultation | 8/10/15 |
| | | North Warwickshire Borough Council | Correspondence | 17/9/15 |
| | | North Warwickshire | Correspondence | 29/9/15 |

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|--|--|---------------------------------------|----------------|---------|
| | | Borough Council | Correspondence | 5/10/15 |
| | | North Warwickshire Borough Council | Correspondence | 5/10/15 |
| | | Mr Edwards | | |

| | | | | |
|-------|---------------|---------------|-----------|---------|
| 5/157 | PAP/2015/0149 | A Wilde | Objection | 30/9/15 |
| | | M & S Collins | Objection | 28/9/15 |
| 6/196 | PAP/2015/0399 | P Reader | Objection | 25/9/15 |

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

3 November 2015

Present: Councillor Lea in the Chair.

Councillors Bell, Chambers, Davey, L Dirveiks, Henney, Humphreys, Jarvis, Jenns, Jones, Morson, Phillips, Simpson, Smitten and Sweet

Apologies for absence were received from Councillors Moss (substitute Councillor Chambers) and A Wright (substitute Councillor Davey).

Councillors Clews, Farrell, Ferro, Hayfield, Ingram, Smith and D Wright were also in attendance. With the consent of the Chairman, Councillors Farrell, Ferro, Hayfield and D Wright spoke on Minute No 34 Planning Applications (Application No 2014/0339 (Daw Mill Colliery, Daw Mill Lane, Arley).

33 **Disclosable Pecuniary and Non-Pecuniary Interests**

None were declared at the meeting.

34 **Planning Applications**

The Head of Development Control submitted a report in respect of Application No 2014/0339 - Daw Mill Colliery, Daw Mill Lane, Arley.

Resolved:

- a **That in respect of Application No 2014/0339 (Daw Mill Colliery, Daw Mill Lane, Arley, CV7 8HS) planning permission be refused for the following reasons:**

- 1. The site is in the Green Belt. The proposals represent inappropriate development which causes substantial harm to the openness of the Green Belt and the purposes of including land within it. There is additional harm caused by adverse impacts on the landscape character, visual amenity, the natural environment and residential amenity of neighbouring occupiers through noise and lighting impacts. There is also considered to be moderate highway impacts as a consequence of whether the mitigation proposed has a reasonable prospect of being implemented. The material considerations put forward by the applicant are not of sufficient weight to amount to the very special circumstances necessary to outweigh the harm caused by the inappropriateness and the other harm caused. Thus is due to**

the generic nature of the proposal; that it contains alternatives and that mitigation measures are not fully advanced. The proposal does not therefore accord with policies NW1, NW2, NW3, NW10, NW12, NW13 and NW15 of the North Warwickshire Core Strategy 2014 and the National Planning Policy Framework 2012.

2. The development is likely to cause disturbance due to noise. Central to this adverse impact is the continuous operation required for the proposed wholly B2 use. Physical measures could provide some mitigation, however a restriction on continuous operation is likely to be necessary to fully resolve this impact. The applicant has re-iterated that continuous operation is essential to the proposal. The use of conditions to restrict operations is therefore not considered to be appropriate. The proposal is not considered to be in accord with policies NW10 and NW12 of the North Warwickshire Core Strategy 2014.
3. There is concern over the impact of the proposals on bio-diversity. The NPPF is clear that if significant harm to bio-diversity cannot be avoided, adequately mitigated or compensated, then planning permission should be refused. The net impact of the development as currently proposed is not clear. A pre-cautionary approach is thus appropriate in determining this application. The proposal is not considered to be in accord with Policy NW15 of the North Warwickshire Core Strategy 2014 or the NPPF.

[Speakers Phillip Mason and Tim Love]

b That officers be asked to commence discussions with Warwickshire County Council in respect of the restoration of the site.

J Lea
Chairman

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

9 November 2015

Present: Councillor Lea in the Chair.

Councillors Bell, Davey, L Dirveiks, Henney, Humphreys, Jarvis, Jenns, Jones, Morson, Phillips, Simpson, Smitten, M Stanley and Sweet

Apologies for absence were received from Councillors Moss (substitute Councillor M Stanley) and A Wright (substitute Councillor Davey).

Councillors Hayfield, Payne, Reilly and Waters were also in attendance. With the consent of the Chairman, Councillor Hayfield spoke on Minute No 37 Planning Applications (Application No 2014/0609 - Fir Tree Inn, Fir Tree Lane, Arley, CV7 8GW and Application No 2015/0370 - Land to the north of, Nuthurst Crescent, Ansley, CV10 9PJ). Councillor Reilly spoke on Minute No 37 Planning Applications (Application No 2015/0517 - 52, Birmingham Road, Water Orton, B46 1TH).

35 **Disclosable Pecuniary and Non-Pecuniary Interests**

Councillor Henney declared a non-pecuniary interest in Minute No 37 Planning Applications (Application No 2015/0017 - Plough Hill Golf Centre, Plough Hill Road, Nuneaton) left the meeting and took no part in the discussion or voting thereon.

Councillor Davey declared a non-pecuniary interest in Minute No 37 Planning Applications (Application No 2015/0153 - Manor Farm, Main Road, Newton Regis, B79 0NA and Application No 2015/0483 - The Brambles, Main Road, Baxterley, Atherstone, CV9 2LW) left the meeting and took no part in the discussions or voting thereon.

36 **Submission of Arley Neighbourhood Plan for Public Consultation**

The Assistant Chief Executive and Solicitor to the Council reported on the progress of the submitted Arley Neighbourhood Plan and sought approval to go out for a formal consultation in accordance with Section 16 of the Neighbourhood Planning (General) Regulations 2012.

Resolved:

That the Arley Neighbourhood Plan be circulated for a 6 week consultation.

37 **Planning Applications**

The Head of Development Control submitted a report for the consideration of the Board. Details of correspondence received since the publication of the agenda is attached as a schedule to these minutes.

Resolved:

- a **That in respect of Application No 2015/0017 (Plough Hill Golf Centre, Plough Hill Road, Nuneaton)**
 - i **the Council objects to this proposal on the grounds that the likely impacts cannot be mitigated without a wider more comprehensive view being taken which takes account of existing commitments and future site allocations; and**
 - ii **officers are requested to contact appropriate officers at Nuneaton and Bedworth Borough Council and the County Council in order look at the need for a wider infrastructure plan for this area.**
- b **That consideration of Application No 2013/0164 (Homer House, Kingswood Avenue, Corley, CV7 8BU) be deferred;**
- c **That Application No 2014/0609 (Fir Tree Inn, Fir Tree Lane, Arley, CV7 8GW) be approved subject to the conditions set out in the report of the Head of Development Control;**

[Speakers Paul Reader and Ben Rayner]

- d **That Application No 2015/0149 (The Homestead, Main Road, Austrey, CV9 3EG) be refused for the following reasons**

“The proposed development is not considered to protect and conserve the local distinctiveness of this part of Austrey. The orchard and garden are part of the setting of The Homestead – a heritage asset. The openness of this area would be lost through this development. This is part of the character of this part of Austrey and is publically accessible with connections to the village church. The proposals would not protect the particular character of the area and thus would not accord with Policies NW12, NW13 and NW14 of the Core Strategy 2014.”

[Speakers Roger Minnett and Ian Ritchie]

- e That Application No 2015/0153 (Manor Farm, Main Road, Newton Regis, B79 0NA) be refused for the reasons set out in the report of the Head of Development Control;

[Speaker David Waithman]

- f That Application No 2013/0597 (Manor Farm, Main Road, Newton Regis, B79 0NA) be approved subject to the conditions set out in the report of the Head of Development Control;

[Speaker David Waithman]

- g That in respect of Application No 2015/0307 (Lake House, Bakehouse Lane, Nether Whitacre, B46 2EB) the Solicitor to the Council be authorised to issue an Enforcement Notice requiring cessation of the use of this building as a C3 dwelling house and that the requirements be to revert to the use permitted under planning permission 1998/4785. The compliance period is six months;

- h That in respect of Application No 2015/0307 (Lake House, Bakehouse Lane, Nether Whitacre, B46 2EB) Officers, in consultation with the Chairman, Vice-Chairman and Opposition Spokesperson, be authorised to undertake further discussions with the Applicant;

- i That in respect of Application No 2015/0348 (Land At Crown Stables, Nuneaton Road, Mancetter, CV9 1RF) a site visit to Arley Lane Farm, Station Road, Arley is organised prior to the determination of the application and that Members be asked to familiarise themselves with the application site and surrounds;

- j That Application No 2015/0370 (Land to the north of, Nuthurst Crescent, Ansley, CV10 9PJ) be refused for the following reasons

“1.The North Warwickshire Core Strategy 2014 through policies NW2, NW4 and NW5 sets out how the distribution of new housing will be achieved over the period to 2028 in a sustainable way in line with the planning principles of the National Planning Policy Framework 2012.

Policy NW2 identifies a settlement hierarchy. Ansley is identified as a category 4 settlement in which development will only be permitted if it is identified through a neighbourhood or other locality plan. The development proposed is not so identified and thus is not in accord with policy NW2.

Policy NW4 identifies the total requirement for new housing and requires sites be brought forward to ensure consistent delivery over the plan period. Through the draft Site Allocations Plan Document the Council has identified sufficient land available for residential development to meet the five year requirement plus 20%. Current land supply is equivalent to provision for seven and a half years.

Policy NW5 identifies the minimum requirement for residential development for individual settlements. This requires a minimum of 40 additional dwellings to be provided for Ansley. The draft Site Allocations Plan Document identifies two sites adjoining the settlement development boundary at the northern end of Ansley village as the preferred options for residential development to meet the requirement for additional dwellings. There is no requirement at this time for additional land for residential development or for the allocation of additional sites at Ansley. The proposal is thus not in accord with Policies NW4 and NW5,

Given the conflict with policies NW2, NW4 and NW5 which are fundamental to the strategic objectives of the plan, the proposal is not considered to be sustainable development for the purposes of policy NW1. Thus overall the proposal is at this time considered to be contrary to the Development Plan.

2. Ansley village is essentially a linear settlement which has developed along either side of Birmingham Road. Later development at St Lawrence Road and Nuthurst Crescent has extended this to the east side however the effect of these has not been to overly obscure the original linear pattern. The proposed development would extend the built envelope along Tunnel Road and result in the concentration of built development at the southern end of the village. This would be a significant alteration to the settlement morphology. The proposed development would result in significant change in the character of the land within the application site and there will be an adverse impact for primary views of the site and on transient views from the public footpath which runs alongside Nuthurst Crescent. The proposed development would thus be harmful to the setting and would not improve the character or appearance of the village and the approach to it. The proposal is thus not considered to accord with Policy NW12 of the Core Strategy 2014.”

[Speakers John Craddock, Brian Martin and Matt Wedderburn]

k That consideration of Application No 2015/0483 (The Brambles, Main Road, Baxterley, Atherstone, CV9 2LW) be deferred;

l That provided the applicant first enters in to a Section 106 Agreement relating to the issues set out in the report of the Head of Development Control, Application No 2015/0510 (9, Woodlands Avenue, Water Orton, B46 1SA) be approved subject to the conditions set out in the said report;

[Speaker Chris Nash]

m That Application No 2015/0517 (52, Birmingham Road, Water Orton, B46 1TH) be approved as set out in the report of the Head of Development Control;

[Speaker Mischeck Hakulandaba]

n That in respect of Application No 2015/0561 (C W Young Limited (Builders Yard), Common Lane, Corley, CV7 8AQ) planning permission be approved subject to the Section 106 Agreement dated 12/12/14 and to all of the conditions as attached to planning permission PAP/2014/0345 dated 16/12/14 as set out in Appendix B to the report of the Head of Development Control, subject to a change in plan numbers to reflect the reduction the number of dwellings, together with those affecting highway matters;

o That in respect of Application No 2015/0614 (Land North Of Stone Cottage, Lower House Lane, Baddesley Ensor, CV9 2QB) Members visit the site and its surroundings prior to determination.

38 **Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April - September 2015**

Members were informed of progress with the achievement of the Corporate Plan and Performance Indicator targets relevant to the Planning and Development Board for April to September 2015.

Resolved:

That the report be noted.

J Lea
Chairman

**Planning and Development Board
9 November 2015
Additional Background Papers**

| Agenda Item | Application Number | Author | Nature | Date |
|-------------|--------------------|------------------|----------------|---------|
| 4/39 | PAP/2015/0149 | Mr & Mrs Collins | Objection | 1/11/15 |
| | | M Briggs | Petition | 6/11/15 |
| 4/93 | PAP/2015/0307 | Barton Wilmore | Letter | 9/11/15 |
| 4/144 | PAP/2015/0517 | J Fox | Objection | 8/11/15 |
| 4/165 | PAP/2015/0561 | J MacDonald | Representation | 8/11/15 |

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE COMMUNITY AND ENVIRONMENT BOARD

19 October 2015

Present: Councillor Smith in the Chair.

Councillors Bell, Chambers, Clews, Farrell, Ferro, Hanratty, Hayfield, Ingram, Jones, Lewis, Phillips and Smitten.

Councillors Davey and M Stanley were also in attendance.

14 **Disclosable Pecuniary and Non-Pecuniary Interests**

None were declared at the meeting.

15 **Minutes of the Meeting of the Board held on 20 July 2015.**

The minutes of the meeting held on 20 July 2015, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

16 **Budgetary Control Report 2015/2016 Period Ended 30 September 2015**

The Assistant Director (Finance and Human Resources) reported on the revenue expenditure and income for the period from 1 April 2015 to 30 September 2015.

Resolved:

That the report be noted.

17 **Leisure and Community Development Division – Proposed Savings 2016/17**

The Assistant Director (Leisure and Community Development) set out proposed areas for revenue budget savings within the Leisure and Community Development Division for inclusion in the 2016/17 revenue estimates.

Recommendation to Executive Board:

- a That the annual contribution of £46,760 to the Play Area Replacement Fund be included in the revenue savings from within the 2016/17 Leisure and Community Development Division revenue estimates and that this Fund contribution be reviewed again for inclusion within future revenue estimates; and**

- b That the proposed saving of £8,750 in respect of the Local Community Projects Fund be agreed and that the remaining £8,750 be used to support projects identified in the North Warwickshire Health Improvement Plan.**

18 North Warwickshire Green Space Strategy Progress Report

Members were provided with an overview of progress in respect of delivery against the priorities set out in the North Warwickshire Green Space Strategy 2008 to 2018.

Resolved:

That the report be noted.

19 Health Improvement Activity Update – Leisure and Community Development

The Assistant Director (Leisure and Community Development) gave an update on the progress being made in respect of the actions identified in the approved three-year Health Improvement Action Plan.

Resolved:

- a That the report be noted; and**
- b That a Health and Well-being Working Party be established in order to identify and structure the corporate contribution to the health and well-being agenda and that a report on the progress of this undertaking be submitted to a future meeting of the Board.**

20 Highway Cleansing Protocol

The Assistant Director (Streetscape) reported on recent improvements in joint-working and partnership arrangements with Highways England and other local authorities in relation to highway cleaning and asked the Board to agree to the Council becoming signatories to a joint highway cleansing protocol.

Resolved:

- a That the report be noted; and**
- b That the Council sign up to the Highways Cleansing Protocol as set out in the report of the Assistant Director (Streetscape).**

21 **Bin Policy**

The Board was informed of some issues which the kerbside recycling service was currently facing and the impact on frontline services of the Council's current approach to the provision of additional and replacement bins. The Assistant Director (Streetscape) sought approval to review the Council's policy on additional recycling bins and a change to the current policy on replacement bins.

Resolved:

That this item be deferred and that a further report be brought back to the next meeting of the Board.

22 **Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April – June 2015**

Members were informed of progress with the achievement of the Corporate Plan and Performance Indicator targets relevant to the Community and Environment Board for April to June 2015.

Resolved:

That the report be noted.

L Smith
Chairman

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE RESOURCES BOARD

16 November 2015

Present: Councillor D Wright in the Chair

Councillors Davey, Davis, N Dirveiks, Henney, Simpson, Smitten, E Stanley and Waters

Councillor Humphreys was also in attendance.

36 **Disclosable Pecuniary and Non-Pecuniary Interests**

Councillor Henney declared a Pecuniary Interest in Minute No 54, Land at Sheepy Road, Atherstone, left the meeting and took no part in the discussion and voting thereon.

37 **Minutes of the Resources Board held on 11 August and 8 September 2015**

The minutes of the meetings of the Board held on 11 August and 8 September 2015, copies having previously been circulated, were approved as a correct record and signed by the Chairman.

38 **Presentation on the Work of the Community Services Division**

Bob Trahern, Assistant Chief Executive (Community Services) gave a presentation on the work of his Division.

39 **Treasury Management Update 2015/16**

The Deputy Chief Executive reported on the Treasury Management activity for the period up to the end of September 2015.

Resolved:

That the Treasury Management report for the period up to the end of September 2015 be noted.

40 **Capital Programme 2015/16 Period 6 Update**

The Assistant Director (Finance and Human Resources) updated Members on the progress of the 2015/16 Capital Programme in terms of expenditure up to the end of September 2015.

Resolved:

That the progress made against the 2015/16 Capital Programme be noted.

41 General Fund Budgetary Control Report 2015/16 Period Ended 30 September 2015

The Assistant Director (Finance and Human Resources) reported on the revenue expenditure and income for the General Fund between 1 April 2015 and 30 September 2015.

Resolved:

That the report be noted.

42 Housing Revenue Account Budgetary Control Report 2015/2016 Period Ended 30 September 2015

The Assistant Director (Finance and Human Resources) reported on the total Housing Revenue Account revenue expenditure and income for the period from 1 April to 30 September 2015.

Resolved:

That the report be noted.

43 Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April – September 2015

The Chief Executive and the Deputy Chief Executive informed Members of the progress with the achievement of the Corporate Plan and Performance Indicator targets relevant to the Resources Board for April to September 2015.

Resolved:

That the progress with the achievement of the Corporate Plan and Performance Indicator targets relevant to the Resources Board for April to September 2015 be noted.

44 Internal Audit – Performance for 2014-15

The Deputy Chief Executive reported on the progress of the Council's Internal Audit function against the agreed plan of work for the year.

Resolved:

That the progress of the Council's Internal Audit function against the agreed plan of work for the year be noted.

45 Housing Revenue Account Business Plan

The Deputy Chief Executive provided an update on recent legislation which would impact on the Housing Revenue Account Business Plan.

Resolved:

That the issues contained within the report of the Deputy Chief Executive be considered again at the January 2016 meeting of the Board.

46 The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 and the Deregulation Act 2015 relating to the Private Rented Housing Sector

The Assistant Director (Housing) provided the Board with information in respect of the Smoke and Carbon Monoxide Alarm (England) Regulations 2015 and the Deregulation Act 2015 relating to the Private Rented Housing Sector and put forward a proposed approach for the Council to take to meeting these new arrangements.

Resolved:

- a That the changes in respect of private rented tenancies set out in the Deregulation Act 2015 be noted;**
- b That with regard to the Smoke and Carbon Dioxide Alarms (England) Regulations 2015:-**
 - 1. The Memorandum of Understanding be approved;**
 - 2. The Fixed fine and variable fee for Penalty Charge Notices is agreed;**
 - 3. The Warwickshire Fire and Rescue Service be appointed as the authorised person to carry out works in default on failure of landlords to comply; and**

Recommended:

- c That delegated authority be given for Environmental Health Officers to carry out enforcement of the new provisions.**

47 Recovery of Council Tax and Non-Domestic Rates – Court Authorisation

The Assistant Chief Executive (Community Services) sought authorisation for John Payne to prosecute or defend on the Council's behalf or appear in proceedings before a Magistrates' Court in relation to the recovery of Council Tax and Non-Domestic Rates in accordance with Section 223 of the Local Government Act 1972.

Resolved:

That John Payne be authorised to appear on the Council's behalf in relation to the recovery of Council Tax and Non Domestic Rates.

48 Proposed Discontinuation of Discretionary Taxi Voucher Scheme

The Assistant Chief Executive (Community Services) provided Members with information to support the proposed removal of the discretionary taxi voucher scheme.

Resolved:

That the discretionary taxi voucher scheme be discontinued from 1 April 2016.

49 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 items of business, on the grounds that they involve the likely disclosure of exempt information as defined by Schedule 12A to the Act.

50 Request to Purchase Land at Willow Walk, Old Arley

The Assistant Director (Housing) detailed a request received from a resident in Old Arley to purchase a piece of land adjacent to their property.

Recommended:

- a That the land at Willow Walk, Old Arley, shown in Appendix A of the report of the Assistant Director (Housing) be declared surplus to the requirements of the Council; and**
- b That the request to purchase the land at Willow Walk, Old Arley be approved.**

51 Request for Licence for Access Over Land in Kingsbury

The Assistant Director (Housing) detailed a request from a resident in Kingsbury to be granted a licence to use the Council's land.

Resolved:

That the request for a licence to use the Council's land in Coventry Road, Kingsbury, as shown at Appendix A of the report of the Assistant Director (Housing) be granted.

52 Request to Purchase Land in Pear Tree Avenue, Kingsbury

The Assistant Director (Housing) detailed a request received from an owner in Pear Tree Avenue, Kingsbury to purchase a grassed area adjacent to their house.

Recommended:

- a That the land at Pear Tree Avenue, Kingsbury, shown in Appendix A of the report of the Assistant Director (Housing) be declared surplus to the requirements of the Council; and**
- b That the request to purchase the land in Pear Tree Avenue, Kingsbury be approved.**

53 Abbey Green Park Sheltered Scheme Communal Room and Sports Pavilion

The Assistant Director (Streetscape), Assistant Director (Housing) and Assistant Director (Leisure and Community Development) highlighted physical, operational and social issues regarding the Housing Sheltered Scheme Communal Room and Sports Pavilion in Abbey Green Park, Polesworth and sought Members' consideration of the permanent closure and demolition of the facility.

Resolved:

- a That the closure and demolition of the Housing Sheltered Scheme Communal Room and Sports Pavilion in Abbey Green Park, Polesworth be approved, subject to consultation with, and the consent of, Fields in Trust and the Council's Planning and Development Board; and**

Recommendation to the Executive Board:

- b That, subject to the required consultation, a supplementary estimate to the capital programme as set out in the report for the demolition of the Community Centre and Sports Pavilion be approved.**

54 Land at Sheepy Road, Atherstone - Update

The Assistant Director (Streetscape) updated Members on the progress at property owned, but not managed and operated, by the Borough Council in Sheepy Road, Atherstone, and the action taken by Officers to date.

Resolved:

- a That the contents of the report of the Assistant Director (Streetscape) be noted;**
- b That in consultation with the Chairman and Vice Chairman of the Board, the Assistant Director (Streetscape) be given delegated authority to take legal advice in relation to the issues identified in the report and arrange to undertake a site visit; and**
- c That a further report be brought back to the Board, as necessary, updating Members on progress and any further action taken or required.**

55 St Helena Road, Polesworth

The Deputy Chief Executive informed Members of action taken, in consultation with the Chairman of the Board and the Leader of the Council under the Council's urgent business protocol relating to land and buildings in St Helena Road, Polesworth.

Resolved:

That the action taken under the Council's urgent business protocol by the Deputy Chief Executive, in consultation with the Chairman of the Board and the Leader of the Council, relating to land and buildings in St Helena Road, Polesworth, be noted.

D Wright
CHAIRMAN

**Notes of the Area Forum North Meeting held at
St Nicholas Church and Community Hall
on Thursday, 19 November 2015**

Present:

County Councillor Parsons in the Chair, Councillors Bell, Chambers, Davey, Humphreys, Smitten, M Stanley, Sweet and A Wright

In Attendance:

Robert Beggs and Emma Humphreys - North Warwickshire Borough Council, Dan Ibeziako and Jenni Northcote – NHS Warwickshire North CCG, PC Kim Stafford, PCSO Mick Harle – Warwickshire Police, Michael Osborne – WPCC Ambassador, Jim Pearson – Baxterley Parish Council, Mark Garratt and Peter Harper – Baddesley Parish Council, John Winter – Dordon Parish Council, Ian Bates - Grendon Parish Council, Jean Ball, Dave Butcher – Polesworth Parish Council, Derek Tattersall – Alvecote Resident, Joan Daniel and Steve Exley – Polesworth Residents.

Apologies for absence were received from Councillors Hanratty, Morson and E Stanley and Dave Hanratty.

1 Safer Neighbourhoods

As part of the Safer Neighbourhoods update the following three priorities were agreed:

- Speeding in Baxterley;
- Anti-Social Behaviour at Abbey Green Recreation Ground, Tithe Barn and Memorial Hall at Polesworth; and
- Parking at Newton Regis Village School.

2 Consultation in connection with Improving Urgent Care Services within North Warwickshire, Nuneaton and Bedworth

Jenni Northcote from NHS Warwickshire North Clinical Commissioning Group (CCG) set out plans to improve urgent and emergency care outlined in the strategy agreed after engagement with the public in 2013. As part of implementing the plan, a public consultation has now been launched on the best place to locate an urgent care walk-in service. The consultation runs from 6 October - 15 December 2015.

Printed copies of the consultation document and questionnaire were circulated at the meeting. Residents and organisation can also have their say online at <https://consult-engage.gemcsu.nhs.uk/ardengem/tell-us-what-you-think-improving-urgent-care> or by calling 0116 295 4183.

3 “Have Your Say” – Questions and Issues

A question from Derek Tattersall, Alvecote Resident, was raised in relation to rubbish dumping at the end of Alvecote Meadow bordering the Travellers’ Site. . A discussion ensued regarding action taken so far and County Councillor Parsons agreed to discuss this with appropriate Officers at Warwickshire County Council and feed back to Mr Tattersall accordingly.

4 Future Meeting Dates

Thursday, 4 February 2016 – Venue to be confirmed.

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE EXECUTIVE BOARD

23 November 2015

Present: Councillor D Wright in the Chair

Councillors Bell, Chambers, Hayfield, Lea, Phillips, Reilly and M Stanley

Apologies for absence were received from Councillors Humphreys (substitute Councillor Bell) and Smith.

Councillor Waters was also in attendance.

32 **Disclosable Pecuniary and Non-Pecuniary Interests**

None were declared at the meeting.

33 **Minutes of the meeting of the Board held on 21 September 2015**

The minutes of the meeting of the Board held on 21 September 2015, copies having been circulated, were approved as a correct record and signed by the Chairman.

34 **2014/15 Annual Audit Letter**

The Deputy Chief Executive submitted the 2014/15 Annual Audit Letter received from the Council's external auditors PricewaterhouseCoopers LLP.

Recommended:

That the contents of the External Auditors' report be noted.

35 **Budgetary Control Report 2015/16 - Period Ended 31 October 2015**

The Assistant Director (Finance and Human Resources) reported on the revenue expenditure and income for the period from 1 April 2015 to 31 October 2015. The 2015/2016 budget and the actual position for the period, compared with the estimate at that date, was given, together with an estimate of the out-turn position for services reporting to this Board.

Recommended:

That the report be noted.

36 Proposed Savings – 2016/17

The Deputy Chief Executive reported on some proposed areas for revenue budget savings within the 2016/17 revenue estimates and Members were asked to agree a suggested course of action.

Recommended:

That the proposed savings set out in the report of the Deputy Chief Executive be noted and considered as part of the budget setting process in February 2016.

37 Memorandum of Understanding – Coventry and Warwickshire

The Board was invited to approve the Coventry & Warwickshire Memorandum of Understanding.

Recommended:

That the Leader of the Council be authorised to sign the Coventry and Warwickshire Memorandum of Understanding.

38 Calendar of Meetings 2016/17

The Chief Executive sought approval for a draft calendar of meetings for 2016/17.

Recommended:

The draft calendar of meetings for 2016/17 as submitted at Appendix A to the Chief Executive's report be approved.

39 Council Tax Support Scheme 2016/17

The Assistant Chief Executive (Community Services) detailed the options for a Council Tax Support Scheme for 2016/17.

Recommended:

a That the retention of an 8.5% reduction in Council Tax Support to all current working age customers, in the 2016/17 Council Tax Support Scheme be approved ; and

b That the Council Tax Support Scheme adopted for 2015/16 be uprated in line with the statutory increases as notified by the Department of Work and Pensions.

40 **Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April – September 2015**

The Chief Executive informed Members of the progress with the achievement of the Corporate Plan and Performance Indicator targets relevant to the Executive Board for April to September 2015.

Resolved:

That the report be noted.

41 **Minutes of the meetings of the Special Sub-Group held on 13 October and 10 November 2015**

The minutes of the meetings of the Special Sub-Group held on 13 October and 10 November 2015 were received and noted.

Recommended:

That in respect of Minute No 3 (Area Forums and Scrutiny) of the meeting of the Special Sub-Group held on 10 November 2015, the proposals for the review of Area Forums and Scrutiny be agreed.

42 **Minutes of the meeting of the Local Development Framework Sub-Committee held on 28 September 2015**

The minutes of the meeting of the Local Development Framework Sub-Committee held on 28 September 2015 were received and noted.

43 **Anti-Social Behaviour, Crime and Policing Act 2014 – New Anti-Social Behaviour Powers**

The Assistant Chief Executive and Solicitor to the Council sought approval to delegate powers to Officers in respect of the new powers under the Anti-Social Behaviour, Crime & Policing Act 2014.

Recommended:

That the delegated powers detailed in the report of the Assistant Chief Executive and Solicitor to the Council be agreed and that the Constitution be amended accordingly.

44 **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 in Schedule 12A to the Act.

45 **St Helena Road, Polesworth**

The Deputy Chief Executive informed Members of action taken, in consultation with the Chairman of the Resources Board and the Leader of the Council under the Council's urgent business protocol.

Resolved:

- a That the action taken under the Council's urgent business protocol by the Deputy Chief Executive, in consultation with the Chairman of the Resources Board and the Leader of the Council, be noted; and**
- b That the increase in the capital programme be agreed.**

Chairman

**Notes of the meeting of Area Forum West
Piccadilly Community Centre, Piccadilly.
Thursday 26 November 2015**

Present: Borough and County Councillor Lea in the Chair.
Borough Councillors Jenns, Payne and Reilley. Borough and County Councillor Moss.

In attendance: J Price - North Warwickshire Borough Council. PC Ramsdell, Sergeant Oakley and PCSO's Beale and Owen - Warwickshire Police. J Moore – PCC. P Simkin – Curdworth Parish Council. D Simkin - resident. C Ayassamy and J McNally – Kingsbury Parish Council. T Hardman and P Bent – NWNW. D McKenzie – resident. I & J Thomas – Piccadilly Community Association.

Apologies: Borough Councillors Phillips, Lewis and Waters. J Rowland – Middleton Parish Council. P Hooper – Warwickshire County Council. M Weatherley and A Rimmer – Curdworth Parish Council.

1 Notes of the meeting held 22 September 2015

The notes of the meeting held on 22 September 2015 were approved as a true record and signed by the Chairman.

2 Safer Neighbourhoods

The following Safer Neighbourhood priorities were agreed.

- Speeding A4097 / A4091 Bodymoor Heath Lane, Marston and Old Kingsbury Road.
- Support 'Operation safe' - boy racers and anti-social behaviour innovative
- Support Neighbourhood Watch to get it back up and running by extending membership and community engagement.

Several issues were raised in connection to road safety and highway maintenance. It was noted that work was being undertaken to look at ways of reducing killed and serious injuries and road accidents and tackling anti-social use of cars and motorbikes and preventing displacement within the Borough. A report would be brought back to a future meeting of the Forum.

It was agreed that a list of highway issues raised at the meeting be forwarded to the County Council for attention.

3 Improving Urgent Care Services within North Warwickshire, Nuneaton and Bedworth Consultation

Jenni Northcote from NHS Warwickshire North Clinical Commissioning Group (CCG) set out plans to improve urgent and emergency care. A public consultation on the best place to locate an urgent care walk-in service was highlighted. The consultation runs from 6 October - 15 December 2015.

Printed copies of the consultation document and questionnaire were available at the meeting. Residents and organisation can also have their say online at <https://consult-engage.gemcsu.nhs.uk/ardengem/tell-us-what-you-think-improving-urgent-care> or by calling 0116 295 4183.

Chairman

Agenda Item No 8

Council

9 December 2015

**Report of the
Assistant Chief Executive and Solicitor to
the Council**

**Gambling Act 2005 – Review Of
Gambling Licensing Statement Of
Principles**

1 Summary

- 1.1 The report asks Council to consider giving final approval to the draft Statement of Principles made under the Gambling Act 2005.

Recommendation to Council

That the draft Statement of Principles made under the Gambling Act 2005 be approved and adopted as Council policy.

2 Consultation

- 2.1 All Councillors and other stakeholders were sent a copy of the draft statement of principles following the meeting of the Licensing Committee on 27th July 2015. The draft statement was also put on the Council's website. The consultation period lasted until 30th September 2015.

3 Report

- 3.1 Section 349 of the Gambling Act 2005 (the Act) requires all licensing authorities to prepare and publish a statement of the principles that they propose to apply in exercising their functions under the Act.
- 3.2 Each statement lasts for a maximum of three years and the current statement expires on 31st January 2016.
- 3.3 The statement has been reviewed and a new draft statement was presented to Licensing Committee at its meeting on 27th July 2015. Committee agreed the draft statement subject to the requirement to go out to consultation.
- 3.4 The period of consultation ended on 30th September 2015 and no responses were received.
- 3.5 Council is therefore requested to approve the draft statement as Council policy.
- 3.6 Subject to approval, the statement must be published by being made available for inspection for a period of at least four weeks before it comes into

effect on 31st January 2016. Once it comes into effect the statement will be in force until 30th January 2019 but can be reviewed as necessary at any time should circumstances require.

4 Report Implications

4.1 Finance and Value for Money Implications

4.1.1 There are no finance or value for money implications contained in the report.

4.2 Safer Communities Implications

4.2.1 Having an effective gambling policy will assist the Council in meeting the licensing objectives of the Gambling Act 2005, namely;

a) Preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime.

b) Ensuring that gambling is conducted in a fair and open way.

c) Protecting children and other vulnerable persons from being harmed or exploited by gambling.

4.3 Legal and Human Rights Implications

4.3.1 There are no material legal implications arising from the adoption of the new policy provided the relevant statutory procedures are followed. The Council would be acting illegally if it did not adopt a policy under the Act.

4.4 Environment and Sustainability Implications

4.4.1 There are no adverse environmental implications in the report. The policy will help maintain the quality of the environment by setting out the Council's expectations of licence holders in terms of promoting the licensing objectives.

4.5 Health, Wellbeing and Leisure Implications

4.5.1 Proper regulation of gambling advances leisure opportunities whilst protecting health and wellbeing.

4.6 Human Resources Implications

4.6.1 There are no human resource implications contained within the report.

4.7 Risk Management Implications

4.7.1 There is a risk that if the Council does not adopt this policy it is more likely that it could face legal challenges over its decisions.

4.8 Equalities Implications

4.8.1 There are no negative impacts of opportunity for any known group.

4.9| Links to Council's Priorities

- 4.9.1 - Creating safer communities
- Improving leisure and wellbeing opportunities
- Promoting sustainable and vibrant communities
- Supporting employment and business

The Contact Officer for this report is Stephen Whiles (719326).

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 |
|---------------------|--------|----------------------------|------|
| | | | |