

**MINUTES OF THE MEETING OF THE  
NORTH WARWICKSHIRE BOROUGH COUNCIL HELD AT THE COUNCIL  
HOUSE, SOUTH STREET, ATHERSTONE ON  
WEDNESDAY 24 FEBRUARY 2016**

Present: Councillor Davis in the Chair.

Councillors Bell, Chambers, Clews, Davey, L Dirveiks, N Dirveiks, Farrell, Ferro, Hanratty, Hayfield, Henney, Humphreys, 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 Dr John White, Priest in Charge of Kingsbury, Baxterley with Hurley and Wood End and Merevale with Bentley, led the Council in Prayer.

**38 Disclosable Pecuniary and Non-Pecuniary Interests**

Councillor Waters reiterated his non-pecuniary interest in the minutes of the meeting of the Planning and Development Board held on 15 December 2015 - Minute No 42 Planning Applications (Application No 2015/0550 - Land Adjacent to 10, Dog Lane, Nether Whitacre).

Councillors Morson, Payne, M Stanley, Sweet and Waters declared a pecuniary interest in the minutes of the meeting of the Executive Board held on 9 February 2016 – Minute No 63 Borough Care Service, left the meeting and took no part in the discussion or voting thereon.

Councillors Morson and Moss declared a non-pecuniary interest in Minute No 43 – Notice of Motion, by reason of being Members of the County Council’s Regulatory Committee, left the meeting and took no part in the discussion or voting thereon.

**39 Minutes of Full Council held on 9 December 2015**

**i Minute No 34c - Minutes of Boards/Committees – Resources  
Board 16 November 2015**

The following amendment was proposed by the Mayor, seconded by Councillor M Stanley and **agreed**.

“i) Minute No 53 – Abbey Green Park Sheltered Scheme Communal Room and Sports Pavilion

It was proposed by Councillor E Stanley, seconded by Councillor M Stanley by way of amendment

**“That Minute No 53 be amended as follows**

**c. Following consultation, a report be brought back to the Resources Board on an appropriate replacement of Abbey Green Pavilion.”**

Following discussion a change to the wording of the amendment was accepted by the proposer and seconder as follows

**“That Minute No 53 be amended as follows**

**c. Following consultation, a report be brought back to the Resources Board on the feasibility of a replacement of Abbey Green Pavilion.”**

The Mayor put the changed amendment to the Council and it was agreed. The Mayor then put the substantive motion to the meeting as follows

**“That Minute No 53 be amended as follows**

**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;**

**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; and**

**c. Following consultation, a report be brought back to the Resources Board on the feasibility of a replacement of Abbey Green Pavilion.”**

The Mayor declared the substantive motion to be carried.”

Subject to the amendment set out above, the minutes of the meeting of the Council held on 9 December 2015 were approved as a correct record and signed by the Mayor.

#### **40 Mayor’s Announcements**

The Mayor reported that a Ladies Luncheon to raise funds for his Charity was to take place on Wednesday 16 March 2016.

#### **41 Questions Pursuant to Standing Order No. 7**

The following questions were received pursuant to Standing Order No 7.

**a The following question was received from Councillor Chambers**

“Does the Chair of C &E Board consider that Arley Sports Centre is a vital resource for local people and that the Council should do everything possible to help it thrive?

In particular, does the Chair agree that:-

- a) Arley Sports Centre benefits the health and fitness of its users
- b) increasing its use by children , young adults , families and older people would be a positive step towards addressing the major problems of obesity and diabetes in the Borough?"

**The response from Councillor Smith, Chairman of the Community and Environment Board, was as follows**

"I would like to start by making it clear that the Administration is going to recommend that Council place the report on the Arley Leisure Centre into the public domain when we get to that part of the agenda shortly.

This Administration acknowledges that Arley Sports Centre is a facility of importance for its users and, indeed, that it has been identified as a "listed asset" within the Arley Neighbourhood Plan. It is also recognised, however, that the Borough Council needs to make savings of almost £1.7 million over the next four years. This represents a real and significant challenge and one that will require all services provided by the Authority to be subject to close scrutiny. The Council's leisure facilities are no exception in this regard.

Many of the Borough Council's services provide health benefits for their recipients. Going forward, it is clear, however, that it will not be possible to avoid impacts on some of these services if the Authority is to implement its key corporate priority to ensure "responsible financial and resource management". This Administration has stated its determination to implement this priority.

Considerable efforts have been made to increase use of Arley Sports Centre over many years. Levels of use, however, are less than for the Authority's other leisure facilities and the budgeted subsidy per user is considerably higher (£3.57 versus £2.99 at Atherstone [a wet and dry facility], £2.48 at Coleshill and £1.78 at Polesworth). Whilst membership of the facility is growing slowly, the number of members stands at 160 (the figure for Atherstone is 782, Coleshill has 823 members and Polesworth 338). The Centre would also require substantial investment if it is to remain fit for purpose into the future. It is for these reasons that the Community and Environment Board has given consideration to the future management and operation of Arley Sports Centre."

**b The following question was received from Andrew Crow of 1 Woodside, Arley, Nr Coventry, CV7 8GH**

"With consideration to the importance of exercise to health and access to local health facilities as highlighted in

- Warwickshire County Council's Health and Well-being strategy
- Clinical commissioner recommendations
- Public Health Obesity strategy
- Increased GP referrals
- Implementation of 'Exercise on Prescription' schemes
- Priorities 4 North Warwickshire Borough Council's Corporate Plan 2015/2016

How can NWBC justify this closure and propose to implement these strategies when access to other centres for most residents, especially for the most vulnerable and those with greatest need, is simply not feasible?"

**The response from Councillor Smith, Chairman of the Community and Environment Board, was as follows**

"The Borough Council, whilst it has identified a preferred option, has not yet determined to close Arley Sports Centre. This matter will be subject to Borough-wide consultation before a decision is made.

The Authority, in conjunction with its partners, including the CCG, Public Health and the voluntary and community sector, undertakes a very proactive and wide ranging role in seeking to improve the health and well-being of its community. The provision of leisure services is only one way in which it seeks to pursue this commitment. It will, however, continue to take an active part in seeking to address health priorities across North Warwickshire."

**c The following question was received from Andrew Williams, Buryfield Cottage, Berryfields, Fillongley, CV7 8EX.**

A review of Spon 2016, a construction industry pricing book gives a typical new build construction cost for a sports hall facility of £1,125 per m<sup>2</sup>. Whilst Sport England's 'Affordable Sports Hall' guide gives a similar new build construction metric of £1,400 per m<sup>2</sup>. This indicates the 600 m<sup>2</sup> Arley facility could be rebuilt in its entirety for between £675,000 and £840,000.

The figure of £1.6m to refurbish Arley sports center as quoted within the Assistant Directors (Simon Powell) Leisure and Community Board report appears astronomically high in comparison.

Can the council advice how the projected required maintenance costs have affected the current decision to proceed with Option 1 as identified within the above report?

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

“In consideration of the future management and operation of Arley Sports Centre, Councillors reviewed a number of issues, including both revenue and potential future capital costs, as well as current levels of use of the facility. Consideration also had to be given to the Authority’s need to save almost £1.7 million over the next four years from a revenue budget of £8.8 million. Details of the issues considered by Councillors, and the reasoning behind their currently preferred option, will be given in the public consultation.

Officers will write to Mr Williams on the specific point of the refurbishment costs associated with Arley Sports Centre.”

**d The following question was received from Jodie Gosling, 92 George St., Gun Hill, CV7 8GP**

“To ensure the public consultation on the closure of Arley Sports Centre is meaningful and transparent please could you specify which areas of ‘Option 1’ as included in the Assistant Director, Simon Powell’s report you will be consulting on; can you now confirm that ‘Option 1’ refers to the full closure of Arley Sports Centre and confirm the purpose and expected effect of the public consultation?”

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

“The Authority will be undertaking Borough-wide consultation on its currently preferred option, Option 1, details of which will be given within the consultation process. The consultation will provide the community with an opportunity to either support or oppose this option and provide any financially viable suggestions about how the facility could be retained. It is, of course, not possible, to determine the outcome, or effect, of the consultation at this time.”

**e The following question was received from Roger Power, 106 Rectory Road, Old Arley, CV7 8FR**

“Will the administration agree to meet with the "Keep Arley Sports Centre Open" group for the purpose of discussing and providing alternative solutions and options.”

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

“Yes the Administration will agree to meet with the "Keep Arley Sports Centre Open" group to discuss this issue.”

**42 Minutes of Boards/Committees**

**a) Area Forum (East) – 10 December 2015**

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

**Resolved:**

**That the notes of the meeting of Area Forum (East) held on 10 December 2015 be approved and adopted.**

**b) Planning and Development Board – 14 December 2015, 11 January and 8 February 2016**

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

**Resolved:**

**That the minutes of the meetings of the Planning and Development Board held on 14 December 2015, 11 January and 8 February 2016, together with the recommendation contained therein, be approved and adopted.**

**c) Community and Environment Board – 18 January 2016**

In moving the minutes for the meeting Councillor Smith, seconded by Councillor Hayfield, gave notice that given the public interest in the Arley Sports Centre matter (Minute No 35), that apart from section 16 of the report that referred to staffing implications, the item no longer be regarded as exempt information under section 100A(4) of the Local Government Act 1972 and could therefore be discussed in the public session. Upon being put to the meeting the Mayor declared the motion to be carried and Councillor Smith confirmed that he would ask Officers to make the report available tomorrow and that the consultation would start as soon as possible.

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

**Resolved:**

**That the minutes of the meeting of the Community and Environment Board held on 18 January 2016, together with the recommendations contained therein, be approved and adopted.**

In accordance with Standing Order No11(3) the recorded vote on the adoption of the Minutes was as follows

**For – Councillors Bell, Clews, Davey, Davis, Hanratty, Humphreys, Jarvis, Jenns, Jones, Lea, Payne, Reilly, Singh, Smith, Smitten, Waters, A Wright and D Wright (18)**

**Against** – Councillors Chambers, L Dirveiks, N Dirveiks, Farrell, Ferro, Henney, Lewis, Morson, Moss, Phillips, E Stanley, M Stanley and Sweet (13)

**Abstentions** – Hayfield, Simpson and Watkins (3)

**d) Licensing Committee** – 25 January 2016

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

**Resolved:**

**That the minutes of the meeting of the Licensing Committee held on 25 January 2016, together with the recommendations contained therein, be approved and adopted.**

**e) Resources Board** – 25 January 2016

In moving the minutes for the meeting Councillor D Wright, seconded by Councillor Humphreys, gave notice that with regard to Minute No 71 - Borough Care Service, the recommendations no longer be regarded as exempt information under section 100A(4) of the Local Government Act 1972 and could therefore be discussed in public session. In addition it was also proposed that the report of the Assistant Director (Housing) be made available apart from the parts that were commercially confidential and those that related to staffing implications. Upon being put to the meeting the Mayor declared the motion to be carried. (For the avoidance of doubt this also took the matter out of the confidential section in the Executive Board minutes referred to later in the meeting)

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

**Resolved:**

**That the minutes of the meeting of Resources Board held on 25 January 2016, together with the recommendations contained therein, be approved and adopted.**

**f) Executive Board** – 9 February 2016

**(1) Minute No 55 - General Fund Revenue Estimates 2016 – 2017 and Setting the Council Tax 2016 – 2017**

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

**“a That the savings of £516,380 be approved (Appendix D);**

- b1** That growth of £20,000 for the defence of the Meaningful Gap Policy (£5,000 relates to 2015/16) and £40,000 for a review of leisure provision in North Warwickshire be approved;
- b2** That a sum of £20,000 be made available for community grants on the occasion of Her Majesty's Ninetieth Birthday and a sum of £10,000 be made available for the Women's International Cycle race, to be funded from earmarked reserves;
- c** That the revised revenue estimate for 2015/16 and the revenue estimate for 2016/17 be approved (Appendix E);
- d** That the preferred Council Tax option for 2016/17 be a 0% increase on Band D;
- e** That the Deputy Chief Executive's comments on the minimum acceptable level of general reserves be noted (Appendix F);
- f** That the manpower estimate for the year 2016/17 be approved (Appendix G)."

It was then proposed by Councillor Farrell, seconded by Councillor Sweet by way of amendment

"That recommendations a, b, and c are replaced by the following:

- a** That the savings of £516,380 in Appendix D are increased by the additional savings of £66,250 set out below;

<b>Additional Savings</b>	<b>2016/17 £</b>
<b>Stop using a Mayoral car</b>	<b>11,250</b>
<b>Remove the Special Responsibility Allowances for Scrutiny Board and Area Forums</b>	<b>8,000</b>
<b>Reduce Councillors allowances by 10%</b>	<b>22,000</b>
<b>Reduce the provision for training</b>	<b>19,000</b>
<b>Reduce the Marketing and Market Research budget</b>	<b>6,000</b>
<b>TOTAL</b>	<b>66,250</b>

- b** That growth of £126,250 as set out below be approved;

<b>Growth</b>	<b>2015/16 £</b>	<b>2016/17 £</b>
<b>Defence of the Meaningful Gap Policy</b>	<b>5,000</b>	<b>15,000</b>
<b>Leisure Review</b>	<b>-</b>	<b>15,000</b>
<b>Leisure Equipment for Arley Leisure Centre</b>	<b>-</b>	<b>40,000</b>
<b>Marketing and Development for Leisure Services</b>		<b>20,000</b>
<b>Increase in the Health Fund</b>		<b>11,250*</b>



<b>Safer Communities</b>		<b>20,000*</b>
<b>Community Grants – Her Majesty’s Birthday</b>		<b>20,000</b>
<b>International Women’s Cycle Race</b>		<b>10,000</b>
<b>TOTAL</b>	<b>5,000</b>	<b>151,250</b>

**\* Ongoing growth**

**c That the revised revenue estimate for 2015/16 and the revenue estimate for 2016/17, as amended by the additional savings and growth, be approved;**

**recommendations d, e and f remain as set out.”**

**Upon being put to the meeting the Mayor declared the amendment to be lost.**

The substantive motion was then put to the meeting as follows

**“a That the savings of £516,380 be approved (Appendix D);**

**b1 That growth of £20,000 for the defence of the Meaningful Gap Policy (£5,000 relates to 2015/16) and £40,000 for a review of leisure provision in North Warwickshire be approved;**

**b2 That a sum of £20,000 be made available for community grants on the occasion of Her Majesty’s Ninetieth Birthday and a sum of £10,000 be made available for the Women’s International Cycle race, to be funded from earmarked reserves;**

**c That the revised revenue estimate for 2015/16 and the revenue estimate for 2016/17 be approved (Appendix E);**

**d That the preferred Council Tax option for 2016/17 be a 0% increase on Band D;**

**e That the Deputy Chief Executive’s comments on the minimum acceptable level of general reserves be noted (Appendix F);**

**f That the manpower estimate for the year 2016/17 be approved (Appendix G).”**

**Upon being put to the meeting the Mayor declared the substantive motion to be approved.**

In accordance with Standing Order No11(3) the recorded vote on the substantive motion was as follows

**For – Councillors Bell, Clews, Davey, Davis, Hanratty, Hayfield, Humphreys, Jarvis, Jenns, Jones, Lea, Payne, Reilly, Simpson, Singh, Smith, Smitten, Waters, Watkins, A Wright and D Wright (21)**

**Against** – Councillors Chambers, L Dirveiks, N Dirveiks, Farrell, Ferro, Henney, Lewis, Morson, Moss, Phillips, E Stanley, M Stanley and Sweet (13)

**(2) Minute No 56 – Labour Group**

Councillor Farrell, Leader of the Labour Group, circulated a number of changes to Board membership following his recent appointment.

**(3) Minute No 63 - Borough Care Service**

It was proposed by Councillor Farrell, seconded by Councillor Chambers by way of amendment

- “a) That the Borough Care Service continue to be available free of charge to all eligible adult residents of North Warwickshire.**
- b) That any changes to the current eligibility criteria should only be considered after:**
  - i. full consultation with users and residents**
  - ii. discussions with commissioners of health and social care and neighbouring authorities about future options for delivering this service**
- c) That the Resources Board be given delegated authority to consider and review responses received from the consultation and asked to review alternative models of early prevention, social care and end of life service provision so that Borough Care remains free at the point of use for its clients.**
- d) That following the consultation there is further communication about the findings and the Council’s intentions for the future delivery of Borough Care.”**

**Upon being put to the meeting the Mayor declared the amendment to be lost.**

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 9 February 2016, together with the recommendations contained therein as amended (1) and (2) above and as set out in Appendix 1 hereto, be approved and adopted.**

**g) Area Forum (North) – 11 February 2016**

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

**Resolved:**

**That the notes of the meeting of Area Forum (North) held on 11 February 2016 be approved and adopted.**

**j) Scrutiny Board – 15 February 2016**

It was proposed by Councillor Reilly, seconded by Councillor Ferro and

**Resolved:**

**That the minutes of the meeting of the Scrutiny Board held on 16 February 2016, be approved and adopted.**

**43 Notice of Motion under Standing Order No. 10**

The following Motion was proposed by Councillor Simpson and seconded by Councillor Bell

- a That this Council records its dismay:
  - i At the decision of Warwickshire County Council to grant planning permission for the travellers' emergency stopping places site at Oldbury, North Warwickshire;
  - ii That the County Council's decision was taken despite the unanimous objection of this Council;
  - iii That the decision is entirely contrary to the local Development Plan, is not supported by Government policies and does not meet the needs of the Gypsy and Traveller communities;
  - iv That the number of pitches agreed far exceeds this Borough's requirement and that no evidence has been submitted as to why other Districts cannot meet their own needs;
  - v That the decision of the County Council does not provide an effective solution given the insufficient conditions and controls on the site; and
- b That this Council requests an urgent meeting between leading Members and Officers from both Councils to discuss the above and seek to resolve any issues that may lead to legal challenge.

**Upon being put to the meeting the Mayor declared the Motion to be carried.**

**44 The Common Seal**

It was proposed by Councillor Davis, seconded by Councillor Ferro 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**