

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

28 SEPTEMBER 2016

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 : 20 September 2016

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 28 September 2016 at 6.30pm.

Members are invited to join the Mayor for prayers led by Father Philip Wells, Polesworth Abbey, 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 Meeting of the Council held on 29 June 2016 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 the Returning Officers report upon the Arley and Whitacre By-election held on 22 September 2016/
- 8 To receive and consider minutes, recommendations and notes of the following meetings circulated herewith and to make the necessary Orders thereon:
 - a **Area Forum South – 21 June 2016 (Pages 75 - 77).**

- b **Planning and Development Board** – 11 July, 8 August and 5 September 2016 (Pages 78 - 94).
 - c **Community and Environment Board** – 18 July 2016 (Pages 95 - 96)
 - d **Resources Board** - 6 September 2016 (Pages 97 - 100).
 - e **Executive Board** – 19 September 2016 (Pages 101 - 105).
- 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 cursive script, appearing to read "J. Hutchinson", is written over a light grey, textured rectangular background.

Chief Executive

**MINUTES OF THE MEETING OF THE
NORTH WARWICKSHIRE BOROUGH COUNCIL HELD AT THE COUNCIL
HOUSE, SOUTH STREET, ATHERSTONE ON
WEDNESDAY 29 JUNE 2016**

Present: Councillor Smitten in the Chair.

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

Apologies for absence were received from Councillors Bell, Hanratty, Jenns and Watkins.

Before the commencement of business the Councillor Patrick Davey led the Council in Prayer.

12 Disclosable Pecuniary and Non-Pecuniary Interests

Councillors Morson, Payne, M Stanley, Sweet and Waters declared a pecuniary interest in the minutes of the meeting of the Resources Board held on 18 April 2016 – Minute No 77 Borough Care Service, left the meeting and took no part in the discussion or voting thereon.

13 Minutes of the meetings of Full Council held on 11 May and 24 May 2016

i 11 May 2016 - Minute No 7 – Numbers and Appointments to Boards/Committees, Sub-Committees and Area Forums

The following amendment was proposed Councillor Humphreys and seconded by Councillor D Wright

“That Councillor Jarvis replaces Councillor Davey on the Community and Environment Board and Councillor Davey replaces Councillor Jarvis on the Licensing Committee.”

Upon being put to the meeting the Mayor declared the amendment to be carried.”

Subject to the amendment set out above, the minutes of the meetings of the Council held on 11 May and 24 May 2016 were approved as a correct record and signed by the Mayor.

14 Mayor’s Announcements

The Mayor reported that he was holding a Charity Golf Day at Atherstone Golf Club on Monday 12 September 2016.

15 **Petition**

The Chief Executive reported on the receipt of a petition containing 3,686 names from the Keep Arley Sports Centre Open Group. Jodie Gosling from the Group spoke to the petition and the Mayor confirmed that the matter would be considered later in the meeting as part of the Community and Environment Board minutes.

16 **Questions Pursuant to Standing Order No. 7**

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

1. Question from Andy Crow, 1 Woodside, Arley, CV7 8GH

“In the light of the required savings to be made over the next four years i.e the much mentioned £1.7million and the fact that this has been known for some considerable time. Also bearing in mind that this enormous figure actually equates to less than 5% of the total budget over this period and that trimming budgets is something that every household in the Borough has been doing for the last 8years, the saving of £5 in every £100 that we spend is not a mammoth task.

What procedures have been put into place by Council Officers to make 5% savings from “ALL” departments budgets, rather than trying to save a quarter of the total from one small vulnerable section of the Community”?

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

The Council needs to save £1.7m by 2019/20 from its current budget of £8.9m as a result of reductions in external funding and inflationary pressures. This is nearly 20% of the Council’s budget and not 5% as stated in the question.

Since 2011/12 the Council has already made savings/generated additional income of around £3.5m, which is 40% of our current budget. Targets were given to all departments reflecting their proportion of the Council’s spending and all departments have contributed to these savings and will be required to contribute to future savings.

The report to Community and Environment Board indicated the potential closure of Arley Sports Centre would save £99,000 pa which is just over 5% of the future savings required and not a quarter as stated in the question.

2. Question from Andy Williams, Burryfield Cottage, Berryfields, Fillongley, CV7 8EX

“The consultation has raised numerous questions regarding the current reasoning on the proposal to close Arley Sports Centre and has made numerous suggestions on how the facility be improved. This along with the fact ASC has been selected ahead of a borough wide assessment of all leisure facilities suggests this decision has been made prematurely and without all the facts.

Can the council explain how a vote to close the centre can be made at this time without the borough wide assessment being undertaken and without exploring feedback from the consultation?”.

The response from Councillor Les Smith, Chairman of the Community and Environment Board, was;

In being mindful of the recommendation made this evening by the Community and Environment Board to Full Council, I am clear on two specific points in answer to the question from Mr Williams. Firstly, and as it promised to do back in January, this Administration has given long and very detailed consideration to the feedback received through the Arley Sports Centre consultation process. The consultation process was open and honest and Councillors are grateful for the level of engagement from users and residents across the Borough. They are also grateful for the opportunity to meet constructively with Arley Parish Council and the Keep Arley Sports Centre Open group. It is the feedback received through the consultation process that informed the recommendation made by the Community and Environment Board this evening.

Secondly, the financial demands placed upon the Authority, and the need to make revenue savings, are immediate. In the best interests

of the whole community of North Warwickshire, they require decisions to be taken and processes to be put in place as soon as possible. They are not matters over which the Borough Council can afford to delay.

3. Question from Helen Billington, 4 Castle Close, Fillongley, CV7 8PB

“Considering the huge support shown for Arley Sports Centre to remain open through the petition and consultation, do you accept that this issue is far more complex than simplistic facts about the usage and membership and recognise that the wider benefits of fitness, health, safer communities and investment in future generations with the long term financial benefits this brings, as outlined in the NWBC corporate plan and the WCC Health and Wellbeing commitments, far outweigh the cost”?

The response from Councillor Les Smith, Chairman of the Community and Environment Board, was;

This Administration has never been of the view that the future of Arley Sports Centre is either simplistic or solely about usage and memberships, although these matters are of obvious relevance to the viability of the facility. The financial demands being faced by the Authority are both acute and complex. The Borough Council cannot afford to operate its entire service portfolio in the manner in which it currently does so. Meeting the needs and demands of all of its residents in a fair and balanced way, against the requirement to save £1.7 million over the next four years, is far from simple. On the contrary, it leads to an extraordinarily challenging climate and one in which it will be necessary to take a number of very difficult decisions.

4. Question from Jodie Gosling, 92 George Street, Gun Hill, CV7 8GP

My eldest son is 11 years old, he is desperate for independence and starts secondary school in September. Arley Recreation ground is not a safe place for our young people – as witnessed by the leader of this house at the big day out (and believe me they were on their best behaviour, with the worst offenders not present); the youth club was

recently described by a visitor as a zoo, they reported that the language would make a sailor blush, with the help of WACAVA it is improving but still not ideal; there were 13 anti-social behaviour, criminal damage and public order offences within a mile of my house in April alone. Now he has passed his cycling proficiency Dylan plans to cycle to ASC and meet friends for tennis and badminton as many young people already do and many have in years gone by. An activity which any parent would wholly support. We know they are safe, we know the staff, we know the other people attending the centre, this is the one place where our young people can constructively, safely spend their time exploring the wider world without fear of bullying, drugs and peer pressure, if it closes it what do they have and what message is this sending to an already challenging youth?

The response from Councillor Les Smith, Chairman of the Community and Environment Board, was;

There are challenges both faced and presented by young people across the Borough and within society more generally. Many of the children and young people of North Warwickshire do not have the ease of access to facilities and services that have been enjoyed within Arley for many years. The Authority is faced with a complex series of competing social, environment and financial demands. Through the delivery of a range of different services, and not only through fixed leisure facility provision, there will be a need to work with our partner agencies, community and voluntary sector organisations and local residents to enable the provision of sustainable opportunities for people who live and work in the Borough, and also tackle those few individuals, young and old alike, whose behaviour makes life difficult for the majority.

5. Question from Karen Birch, 39 Church Lane, Old Arley, CV7 8FW

Nigel Winterburn (footballer – Birmingham City, Arsenal and 2 England caps born in Arley) ‘Local community needs a sports centre, place to meet, keep fit and maybe the next star is born.’ An inspirational statement from an inspirational local man, this area needs inspiration. Arley has the worst health statistics for the entire borough. Above national average on obesity in adults and children; worst survival rates

for cancer under 70 and over 70; worst survival rates for heart attack; worst survival rates for strokes, I could go on, it doesn't get better and the mental health statistics are even more dire. Sports England research indicates that very few people will travel more than 20 minutes (most not more than 10mins) for regular, 'habitual', life changing exercise. This locality needs barriers to healthier living removing not adding. Arley needs inspiring and enabling, is it really fair to be reducing services where the cuts will cut deepest?

The response from Councillor Les Smith, Chairman of the Community and Environment Board, was;

Arley's need for inspiration is consistent with a similar need in many communities across North Warwickshire. On the other hand, the Borough Council needs to make revenue savings of £1.7 million over the next four years. The difficult decisions demanded by this need will impact on a number of services currently provided by the Authority. Some of the recipients of these services may consider the consequent impacts to be unfair. Councillors, however, have the unenviable tasks of trying to be fair to all of the residents of North Warwickshire, many of whom help to pay for facilities like Arley Sports Centre, without having the opportunity to make use of its services. Despite the difficult financial challenges that lie ahead, this Administration will continue to take a fair, balanced and even-handed approach to the delivery of valued services to its residents.

6 Question from Roger Power, 106 Rectory Road, Old Arley, CV7 8FR

Considering the fact that less than 10% of correspondence from residents to councillors concerning Arley Sports centre has received a reply, with one Councillor actually requesting a resident stop contacting him with his concerns, do you feel the residents of Arley and users of Arley Sports Centre have been treated fairly and with respect?

Response from Councillor David Humphreys, Leader of the Council, was;

I believe I replied to everyone, can't answer for others, but many appeared generic. I believe the manner in which the consultation was carried out, Councillors have listened to residents' concerns and taken these on board making our decision, which demonstrates that Arley has been fairly and respectfully treated.

17 Minutes of Boards/Committees

a) Area Forum (East) – 23 February and 7 June 2016

The minutes of Area Forum East held on 7 June 2016 were circulated at the meeting. It was proposed by Councillor Clews, seconded by Councillor Jarvis and

Resolved:

That the notes of the meetings of Area Forum (East) held on 23 February and 7 June 2016 be approved and adopted.

b) Area Forum (West) – 25 February and 9 June 2016

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

Resolved:

That the notes of the meetings of Area Forum (West) held on 25 February and 9 June 2016 be approved and adopted.

c) Area Forum (South) – 3 March 2016

It was proposed by Councillor Hayfield seconded by Councillor Simpson and

Resolved:

That the notes of the meeting of Area Forum (South) held on 3 March 2016 be approved and adopted.

d) Planning and Development Board – 7 March, 11 April, 16 May and 13 June 2016

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

Resolved:

That the minutes of the meetings of the Planning and Development Board held on 7 March, 11 April, 16 May and 13 June 2016, be approved and adopted.

- e) **Community and Environment Board** – 14 March, 17 May and 29 June 2016

The minutes of the meeting of the Board held on 29 June 2016 were circulated at the meeting.

i **Minute No 11 – Arley Sports Centre – Consultation Feedback**

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

a) **That, consequent upon the completion of the community consultation process and the acquisition of additional related information, the Board resolves to include Arley Sports Centre within the previously approved review of leisure, health and well-being provision in North Warwickshire; and**

b) **That recommendations b), c) and d) be deleted.**

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

In accordance with Standing Order No 11(3) the recorded vote was as follows

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

Against – Councillors Clews, Davey, Davis, Hayfield, Humphreys, Ingram, Jarvis, Jones, Lea, Payne, Reilly, Simpson, Singh, Smith, Smitten, Waters, A Wright and D Wright (18)

The substantive motion, proposed by Councillor Smith and seconded by Councillor D Wright, was then put to the meeting

a) **That, consequent upon the completion of the community consultation process and the acquisition of additional related information, the Board resolves to include Arley Sports Centre within the previously approved review of leisure, health and well-being provision in North Warwickshire;**

b) **That, in view of a) above, Arley Sports Centre remains open until the Board and Full Council have had the opportunity to consider the outcome of the review of leisure, health and well-being provision in North Warwickshire, but that the opportunity be taken to amend off-peak opening hours in order to ensure that the level of revenue saving identified in Option 3 of the report to Board in January 2016 is achieved;**

- c) That, in view of b) above, where off-peak opening hours are amended, opportunities are taken to make the Sports Centre available for appropriate alternative / community use, provided that there is no direct increase in cost to the Borough Council in doing so; and
- d) That a report be presented to the Special Sub-group, setting out the staffing implications of the decision to amend off-peak opening hours at Arley Sports Centre, as identified in b) above.

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

In accordance with Standing Order No 11(3) the recorded vote was as follows

For – Councillors Clews, Davey, Davis, Hayfield, Humphreys, Ingram, Jarvis, Jones, Lea, Payne, Reilly, Simpson, 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)

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

Resolved:

That the minutes of the meetings of the Community and Environment Board held on 14 March, 17 May and 29 June 2016, together with the recommendations contained therein, be approved and adopted.

f) **Resources Board** – 18 April and 23 May 2016

i **Minute No 77 Borough Care Service**

It was proposed by Councillor D Wright, seconded by Councillor Humphreys by way of amendment

That recommendation g be added as follows

g That meetings of the Borough Care Task and Finish Group continue to be held to oversee and monitor the implementation of the changes to the Borough Care service.

Upon being put to the meeting the Mayor declared the amendment to be carried.

The substantive motion was then put to the meeting as follows

- a That the consultation feedback be noted;**
- b That the recommendations agreed by the Executive Board at its meeting held on 9 February 2016, as detailed in paragraph 3.2 of the report to this Board of the Assistant Director (Housing) be agreed, subject to the charge for current customers being implemented from 1 September 2016;**
- c That alternative methods of payment to Direct Debit be offered to current customers by agreement and exception on request;**
- d That customers who currently pay for the service be charged the same as other current customers following the Resources Board's decision as proposed in paragraph 6.2 of the report of the Assistant Director (Housing);**
- e That the principle of full cost recovery be used when applying a charge to other organisations for their customers as proposed in paragraph 6.3 of the report of the Assistant Director (Housing);**
- f That the principle of full cost recovery be used when applying a charge to legacy customers who live outside of North Warwickshire as proposed in paragraph 6.4 of the report of the Assistant Director (Housing); and**
- g That meetings of the Borough Care Task and Finish Group continue to be held to oversee and monitor the implementation of the changes to the Borough Care service.**

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

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

Resolved:

That the minutes of the meetings of Resources Board held on 18 April and 23 May 2016, together with the recommendations contained therein as amended at i above, be approved and adopted.

- g) Area Forum (North) – 2 June 2016**

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

Resolved:

That the notes of the meeting of Area Forum (North) held on 2 June 2016 be approved and adopted.

h) Licensing Committee – 6 June 2016

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

Resolved:

That the minutes of the meeting of the Licensing Committee held on 6 June 2016, together with the recommendations contained therein, be approved and adopted.

i) Executive Board – 14 June 2016

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

Resolved:

That the minutes of the meeting of Executive Board held on 14 June 2016, together with the recommendations contained therein, be approved and adopted.

18 Notice of Motion under Standing Order No. 10

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

19 The Common Seal

It was proposed by Councillor Smitten, seconded by Councillor Sweet 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



Area Forum South – Minutes

Tuesday 21 June 2016

Present:- Councillors D Wright (Chair), Fowler, Jones and Ingram.
13 Members of the public and PC Ellen Beaty, Jo Williams (WCC) & Dorothy Barratt (NWBC)

1. Welcome from the Chair

Cllr D Wright welcomed everyone to the meeting.

2. Apologies and Minutes from the meeting held on 3 March 2016

Apologies received from Cllrs Hayfield, Humphreys, Farrell & Simpson
Ansley Parish Council – Cllrs Brian Martin & Derek Greedy

Minutes of the last meeting were agreed as a true record.

3. Police Update and agreeing the Priorities for the next 3 months

Safer Neighbourhoods Team - PC Ellen Beaty presented a summary of the progress and actions that had been undertaken since the last meeting of the Forum.

Following discuss the priorities identified were:

- Parking issues (lorries)– Roman Way, Coleshill
- ASB (Vehicles) Burrow Hill and Rock Lane Corley

4. Questions and Issues from the Parishes

- Increase in Fly Tipping, Corley, Fillongley & Hill Top– request for more CCTV Cameras. Invite Richard Dobbs (NWBC) to attend next meeting to provide an update.
- Speeding Rock Lane/Burrow Hill – Police to investigate
- Cherry Poppers (exhaust) causing noise problems along the A446 – Police to investigate
- Quad bikes Station Road, Coleshill – Police to investigate
- Land ownership, who owns the land Woodland Park, by Corley Rocks? due to ongoing ASB - Cllr D Wright to investigate

PC E Beatty reiterated the need for residents to call 101 to report incidents so they can be recorded and dealt with.

5. Growth Options for Warwickshire

Dorothy Barratt presented on the new Local Plan for North Warwickshire which will address both growth from within and outside the Borough. Residents are encouraged to make their views known through the consultation process which is likely to begin in September 2016. This is the most appropriate time to make changes to the document.



Dorothy will provide a further update on the Local Plan at the meeting on the 15th September 2016.

Presentation to be sent out with the minutes

6. Representation on Outside Bodies – this Item was deferred to the next meeting (15th September 2016).

7. **Updates, Daw Mill, Arley Leisure Centre, WCC Councillor Grants**

Daw Mill

Jeff Brown (NWBC) Reported - Harworth Estates have lodged an appeal with the Planning Inspectorate, against the recent refusal. This will be heard by way of a Public Inquiry probably lasting 7 or 8 days. This is not likely to be until January/February next year. The final decision will be taken by the Secretary of State following a recommendation from the Inspector hearing the appeal.

The Council's case will be handled by a Barrister and the local resident's group - LAW-RAG – will also be formally represented at the Inquiry as full participants.

Once we have dates and more information we will let everyone know. In the meantime all appeal correspondence can either be viewed on the Council's website or that of the Planning Inspectorate.

Arley Leisure Centre

Simon Powell (NWBC) Reported - With regard to Arley Sports Centre, the community consultation process ran from 01 March and closed on 22 May. The feedback from the consultation is being reported back to a special meeting of the Borough Council's Community and Environment Board, which is being held immediately before the next meeting of Full Council on 29 June, at which Members will consider the future of the Centre.

Councillors have held specific meetings with both Arley Parish Council and the Keep Arley Sports Centre Open group. Members have been very grateful for the information exchanged within these meetings, and that acquired through the consultation process, which will help them to determine the future for the Sports Centre.

The outcome of this process will be widely communicated after the two meetings (the Community and Environment Board and Full Council) being held on 29 June.

WCC Councillor Grants



Jo Williams (WCC) Reported that the next round of Councillor Grants will be launched on Friday 22 July 2016. The Grant Fund is mainly aimed at community and voluntary organisations, and each County Councillor is allocated £5,000 to support small-scale community-run projects that meet local needs. This could be through running a project or event, improving a facility, or purchasing equipment.

The application form can be downloaded at

<http://www.warwickshire.gov.uk/fundinglocalprojects>. or by calling the Northern Area Team Tel No: 01926 737 767.

8. Date of next meeting

Thursday 15th September, Coleshill Town Hall,

For general enquiries please contact the Northern Area Team
Tel. 024 7637 5700

or via e-mail northernareateam@warwickshire.gov.uk

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

11 July 2016

Present: Councillor Simpson in the Chair.

Councillors Bell, L Dirveiks, N Dirveiks, Henney, Humphreys, Jarvis, Jenns, Jones, Morson, Moss, Phillips, Reilly, Smitten and A Wright

An apology for absence was received from Councillor Sweet (substitute Councillor N Dirveiks)

Councillors Davey, Smith and Waters were also in attendance. With the consent of the Chairman, Councillor Smith spoke on Minute No 19 Planning Applications – Application No 2015/0253 - Land North Of, Eastlang Road, Fillongley and Councillor Waters spoke on Minute No 19 Planning Applications – Application No 2015/0674 - Former Social Club, 66 Station Road, Nether Whitacre, Coleshill.

16 **Disclosable Pecuniary and Non-Pecuniary Interests**

None were declared at the meeting.

17 **Minutes**

The minutes of the meetings of the Board held on 7 March, 11 April, 16 May and 13 June 2016, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

18 **Budgetary Control Report 2016/2017 Period Ended 30 June 2016**

The Assistant Director (Finance and Human Resources) reported on the revenue expenditure and income for the period from 1 April 2016 to 30 June 2016. The 2016/2017 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:

That the report be noted

19 **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 consideration of Application No 2015/0253 (Land North Of, Eastlang Road, Fillongley) be deferred in order to request legal advice on the background to the case given the recent appeal decision for a similar development on the site;

[Speakers Adrian White and James Cassidy]

- b That Application No 2015/0674 (Former Social Club, 66 Station Road, Nether Whitacre, Coleshill, B46 2EH) be approved subject to the conditions specified in the report of the Head of Development Control;

[Speakers Claire and Michael Goodyear and Chris Fellows]

- c That Application No 2016/0011 (Southfields Farm, Packington Lane, Coleshill, B46 3EJ) be approved subject to the conditions set out in Appendix A to the report of the Head of Development Control, together with an additional condition requiring details of water supplies and fire hydrants as recommended by the Warwickshire Fire and Rescue Service;

[Speakers Gary Stevenson and John Plumb]

- d That Application No 2016/0029 (Southfields Farm, Packington Lane, Coleshill, B46 3EJ) be approved subject to the conditions set out in Appendix A to the report of the Head of Development Control, together with an additional condition requiring details of water supplies and fire hydrants as recommended by the Warwickshire Fire and Rescue Service.

[Speakers Gary Stevenson and John Plumb]

In respect of c and d above the Board resolved not to defer consideration of the Applications pending investigations underway by the objector and, in addition, also resolved that the Chairman should not vacate the chair.

At this point the Chairman adjourned the meeting as a result of disturbance by a member of the public. When order was restored the meeting recommenced.

20 Tree Preservation Order - Fillongley

The Board was invited to consider the confirmation of a Tree Preservation Order relating to a number of trees on land at Hill Top (formerly Timbertops), Mill Lane, Fillongley.

Resolved:

That a Tree Preservation Order be confirmed, in respect of the Weeping Willow (T1), Blue Atlantic Cedar (T2), Birches (T3, T4, T5, T6 and T9, T10 and T11), Crack Willow (T7), Leyland Cyprus (T12), Bird Cherry (T8) and Horse Chestnut (T13); all located at land at Hill Top (formerly Timbertops), Mill Lane, Fillongley.

M Simpson
Chairman

**Planning and Development Board
11 July 2016
Additional Background Papers**

| Agenda Item | Application Number | Author | Nature | Date |
|-------------|---------------------------------------|-------------------------------|----------------------------|------------------------|
| 6/4 | PAP/2015/0253 | WCC Flooding | Consultation | 29/6/16 |
| 6/164 | PAP/2015/0674 | Agent | Representation | 8/7/16 |
| 6/178 | PAP/2016/0011 and PAP/2016/0029 | Mr Stevenson Mr Stibbs | Objection Objection | 10/7/16 11/7/16 |

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

8 August 2016

Present: Councillor Simpson in the Chair.

Councillors L Dirveiks, Henney, Humphreys, Jarvis, Jenns, Jones, Morson, Moss, Phillips, Reilly, Smitten, Sweet, Waters and A Wright

An apology for absence was received from Councillor Bell (substitute Councillor Waters)

Councillors Clews, Davey, Ferro, Ingram and Smith were also in attendance.

21 **Disclosable Pecuniary and Non-Pecuniary Interests**

Councillor Morson declared a non-pecuniary interest in Minute No 22 Planning Applications (Application No 2016/0007 - Land at Hams Hall Distribution Park, Faraday Avenue, Coleshill and Application No 2016/0008 - Marston Fields Farm, Kingsbury Road, Lea Marston, Sutton Coldfield, B76 0DP), left the meeting and took no part in the discussion thereon.

Councillor Humphreys declared a non-pecuniary interest in Minute No 22 Planning Applications (Application No 2015/0344 - Beech House, Market Street, Atherstone, Application No 2015/0284 - Post Office Yard, rear of 100 Long Street, Atherstone, Applications No 2015/0375 and 2015/0283 - Bank Gardens, rear of 94/96 Long Street, Atherstone and Application No 2015/0285 - Land rear of 108 Long Street, Atherstone), left the meeting and took no part in the discussion thereon.

Councillor Reilly declared a non-pecuniary interest in Minute No 22 Planning Applications (Application No 2016/0007 - Land at Hams Hall Distribution Park, Faraday Avenue, Coleshill, Application No 2016/0008 - Marston Fields Farm, Kingsbury Road, Lea Marston, Sutton Coldfield, B76 0DP and Application No 2016/0399 - Former B Station Site, Faraday Avenue, Hams Hall, Coleshill).

22 **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 2016/0007 (Land at Hams Hall Distribution Park, Faraday Avenue, Coleshill) the County Council be advised that this Council objects to this proposal on the grounds of its scale being out of keeping even on this estate and that there are concerns not yet answered about the level of emissions and thus the potential risk of pollution;

[Speaker Andrew Needham]

- b** That in respect of Application No 2016/0008 (Marston Fields Farm, Kingsbury Road, Lea Marston, Sutton Coldfield, B76 0DP) the Council raises no objection but asks Warwickshire County Council to set a realistic time framework for completion of the scheme and that measures are put in place to monitor the work;

- c** That Application No 2015/0253 (Land North Of, Eastlang Road, Fillongley) be refused for the following reasons

“ It is considered that the proposal is not appropriate development in the Green Belt. This is because it does not accord with the exceptions set out in the NPPF. The reason for this is that the relevant exception in this case is conditional on the proposal meeting the content of Development Plan policy. Here Policy NW5 of the Core Strategy 2014 requires affordable housing outside of settlements to be for a proven local need and small in scale. The proposal is not small in scale and would cause substantial harm to the openness of the Green Belt. It is considered that this impact outweighs the benefit arising from the affordable housing provision. The proposal does not therefore accord with Policy NW5 of the Core Strategy 2014 and thus the National Policy Framework 2012.”

[Speakers Ray Savage, Adrian White and James Cassidy]

- d** That provided the applicant first enters in to a Section 106 Agreement relating to the phasing schedule set out in the report of the Head of Development Control, Application No 2015/0344 (Beech House, 19 Market Street, Atherstone), Application No 2015/0284 (Post Office Yard, rear of 100 Long Street, Atherstone), Applications No 2015/0375 and 2015/0283 (Bank Gardens, rear of 94/96 Long Street, Atherstone) and Application No 2015/0285 (Land rear of 108 Long Street, Atherstone), planning permissions and Listed Building consents be approved subject to the conditions contained in the report at Appendix A, amended as necessary to take account of the schedule. In addition it was noted that the

sub-group would continue to meet to oversee the progress of the works;

[Speaker Judy Vero]

- e That in respect of Application No 2015/0348 (Land At Crown Stables, Nuneaton Road, Mancetter, CV9 1RF)
 - i the Heritage Society, Mancetter Parish Council and other interested parties be given one week from the date of this meeting to make observations on the Heritage Assessment produced by Thames Valley Archaeology Services Limited;
 - ii that if any adverse comments are received, the Head of Development Control, in consultation with the Chairman and the Opposition Spokesperson, be given delegated authority to review such comments; and
 - iii that upon the satisfactory resolution of any comments received, the Head of Development Control writes to the applicant to confirm that, based on the submission of the additional information received on 8 July 2016, the Council will not be defending reason refusal number 2 at any appeal which may be submitted for the purposes of planning proposal ref: PAP/2015/0348.

[Speaker Margaret Hughes]

- f That consideration of Application No 2015/0584 (Land at Grimstock Hill, off Trajan Drive, Coleshill) be deferred for a site visit and to enable the Head of Development Control undertake further discussions with the applicant in respect of the matters identified at the meeting;
- g That provided the applicant first enters in to a Section 106 Agreement relating to on-site affordable housing provision as set out in the report of the Head of Development Control, Application No 2015/0692 (Land Rear Of Ansley United Reform Church, Birmingham Road, Ansley) be approved subject to the conditions specified in the said report;

[Speaker Greg Mitchell]

- h That consideration of Application No 2016/0249 (Former Police Station, Park Road/Birmingham Road, Coleshill, Warwickshire, B46 1DJ) be deferred to enable the Head of Development Control undertake further discussions with the applicant in respect of the matters identified at the meeting;

- i That Application No 2016/0274 (Land at, Hall End Farm, Watling Street, Dordon, B78 1SZ), Application No 2016/0046 (Hall End Farm, Watling Street, Dordon), Application No 2016/0045 (Hall End Farm, Watling Street, Dordon) and Application No 2016/0048 (Hall End Farm, Watling Street, Dordon) be approved subject to the conditions specified in the report of the Head of Development Control;

[Speakers David Hodgetts and Edward Hodgetts]

- j That having been withdrawn Application No 2016/0358 (Morrisons, Park Road, Coleshill, B46 1AS) be not determined; and
- k That the receipt of Application No 2016/0399 (Former B Station Site, Faraday Avenue, Hams Hall, Coleshill) be noted.

23 HS2 – Planning Applications

The Head of Development Control reported on the consequences of the Council becoming a Qualifying Authority in respect of planning applications submitted consequential to the construction of the HS2 railway line. The Board was asked to agree a suggested course of action.

Resolved:

That the report be noted and that Parish and Town Councils be notified of the consequences of the Borough Council's status as a Qualifying Authority in respect of the forthcoming planning applications for the consequential structures of the HS2 development.

24 The North Warwickshire and Nuneaton and Bedworth Building Control Partnership

The Board was invited to consider extending the Council's partnership working with Nuneaton and Bedworth Borough Council in providing a Building Control service.

Resolved:

That the Borough Council renews its membership of the Partnership and that the Agreement be extended for a further three years.

25 **Submission of Coleshill Neighbourhood Plan for public consultation**

The Head of Development Control reported on the progress of the submitted Coleshill 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 Coleshill Neighbourhood Plan be circulated for a 6 week public consultation.

26 **Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April - June 2016**

The Board was informed of progress with the achievement of the Corporate Plan and Performance Indicator targets relevant to the Planning and Development Board for April to June 2016.

Resolved:

That the report be noted.

27 **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.

28 **The Lake House, Bakehouse Lane, Nether Whitacre.**

The Head of Development Control reported further on the enforcement action being taken in respect of The Lake House, Bakehouse Lane, Nether Whitacre and the Board was asked to agree a suggested course of action.

Resolved:

That the reason for issuing an Enforcement Notice in this case be as set out in the report of the Head of Development Control, with the option of issuing two Notices should legal advice recommend such an approach.

29 **Heart of England Premises**

The Head of Development Control reported further in respect of the Heart of England, Fillongley and the Board was asked to agree a suggested course of action.

Resolved:

- a **That the report of the Head of Development Control be noted;**
- b **That the application to discharge conditions be reported to the next meeting of the Planning and Development Board for determination and that Members consider and offer feedback on the matters set out in Appendix E to the report;**
- c **That the two outstanding applications described in the report be determined on their own merits in the usual manner;**
- d **That the owner be invited to submit applications to retain the two illuminated pole signs within the next four weeks otherwise the Council will consider prosecution;**
- e **That a further report be brought to the Board in due course concerning compliance with all of the extant Enforcement Notices affecting the site;**
- f **That Planning Contravention Notices be served in respect of the alleged breaches of planning conditions and the use of land outside the scope of the planning permissions as described in the report; and**
- g **That the Council seek legal advice on the success of gaining an Injunction as set out in the report.**

M Simpson
Chairman

**Planning and Development Board
8 August 2016
Additional Background Papers**

| Agenda Item | Application Number | Author | Nature | Date |
|-------------|--------------------|----------------------------|------------------------|-------------------|
| 4/6 | CON/2016/0007 | Lea Marston Parish Council | Objection | 1/8/16 |
| 4/180 | PAP/2016/0249 | WCC Flooding Ansons | Consultation Letter | 29/7/16 5/8/16 |
| 4/202 | PAP/2016/0274 | WCC Flooding | Consultation | |
| 4/216 | PAP/2016/0399 | CPRE | Objection | 7/8/16 |

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

5 September 2016

Present: Councillor Simpson in the Chair.

Councillors Bell, L Dirveiks, Farrell, Henney, Humphreys, Jarvis, Jenns, Jones, Moss, Phillips, Reilly, Smitten, Sweet and A Wright

An apology for absence was received from Councillor Morson (substitute Councillor Farrell)

Councillors Clews, Davey, Davis and Smith were also in attendance.

30 **Disclosable Pecuniary and Non-Pecuniary Interests**

Councillor Jarvis declared a pecuniary interest in Minute No 31 Planning Applications (Applications No 2016/0010 and 2016/0011 - Queen Elizabeth Academy, Witherley Road, Atherstone), left the meeting and took no part in the discussion thereon.

Councillor Reilly declared a non-pecuniary interest in Minute No 31 Planning Applications (Application No 2016/0399 -Former B Station Site, Faraday Avenue, Hams Hall, Coleshill).

31 **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 Applications No 2016/0010 and 2016/0011 (Queen Elizabeth Academy, Witherley Road, Atherstone) the County Council be informed that**
 - i **the Council does not raise objection to the variation of the condition relating to the playing field;**
 - ii **that as drafted the Council objects to the draft Community Use Agreement; and**
 - iii **the Assistant Director (Leisure and Community Development), in consultation with the Chairman, Opposition Spokesperson and the Leader of the**

Council, be authorised to agree the draft Community Use Agreement.

- b That in respect of Application No 2016/0012 (Packington Lane Landfill Site, Packington Lane, Little Packington, Warwickshire, CV7 7HN the County Council be informed**
 - i the Council has no objection to the variation of condition 17 but that it does object to the variation of conditions 4, 12, 19 and 20 for the reasons stated in the report of the Head of Development Control;**
 - ii in this regard the Council would welcome the involvement of North Warwickshire representatives in meetings with County Officers and the applicant to explore the possibility of public access to parts of the site through alternative measures and arrangements; and**
 - iii that a meeting be convened between Members of the Planning and Development Board and County Councillors for North Warwickshire to explore the Borough Council's concerns in this context.**

- c That Application No 2016/0004 (Heart of England, Meriden Road, Fillongley, CV7 8DX) be determined after the passage of six weeks;**

[Speaker Howard Darling]

- d That in respect of Application No 2015/0348 (Land At Crown Stables, Nuneaton Road, Mancetter, CV9 1RF)**
 - i in the event of an appeal being lodged against the refusal of planning permission, the Council does not pursue the second reason for refusal in light of the archaeological evaluation undertaken;**
 - ii if an appeal is made the Council strongly recommends that there is a public inquiry;**
 - iii if a public inquiry is granted, the Council will assist organisations in their securing 'Rule 6' status; and**
 - iv the Council lead a group of interested parties to investigate whether it is possible to extend the current Mancetter Scheduled Ancient Monument (SAM) status to the wider area.**

- e That consideration of Application No 2015/0584 (Land at Grimstock Hill, off Trajan Drive, Coleshill) be deferred to enable the Head of Development Control undertake further discussions with the applicant in respect of the matters identified at the meeting;

[Speaker Jon Kirby]

- f That Application No 2016/0292 (The Chase Inn, Coleshill Road, Hartshill, CV10 0PH) be approved subject to the amendment of conditions 6 and 7 to read as follows

“Condition 6 - No use of the property hereby approved shall commence until a Management Plan has first been submitted to and approved in writing by the Local Planning Authority, which deals the use of the outdoor grassed area as a play area. The agreed Plan shall remain in force at all times; and

Condition 7 - All pedestrian access into the nursery shall be from the rear car park entrance to the building except in the case of emergency.”

[Speaker Lee Ward]

- g That consideration of Application No 2016/0367 (28, Church Lane, Old Arley, Coventry, CV7 8FW) be deferred for a site visit;

[Speaker Carl Sanders]

- h That consideration of Application No 2016/0376 (41 Stanley Road, Atherstone, CV9 2AS) be deferred for a site visit;

[Speakers Jamie Goulty and Adam Smith]

- i That consideration of Application No 2016/0375 (43 Stanley Road, Atherstone, CV9 2AS) be deferred for a site visit;

[Speakers Jamie Goulty and Daniel Aldridge]

- j That Application No 2016/0380 (83, Lister Road, Atherstone, CV9 3DF), Application No 2016/0434 (85, Lister Road, Atherstone, CV9 3DF) and application No 2016/0447 (85, Lister Road, Atherstone, CV9 3DF) be approved subject to the amendment of the operating hours conditions specified in the report of the Head of Development Control;

- k That Application No 2016/0397 (Heathland Farm, Birmingham Road, Nether Whitacre, B46 2ER) be approved subject to the

conditions specified in the report of the Head of Development Control;

- I That in respect of Application No 2016/0399 (Former B Station Site, Faraday Avenue, Hams Hall, Coleshill)**
 - i officers further explore with the applicant the matters raised in the report of the Head of Development Control and those identified by Members at the meeting; and**
 - ii officers report back on the outcome of those discussions and set out draft planning conditions and the draft Heads of a Section 106 Agreement.**

[Speaker David Green]

- m That in respect of Application No 2016/0420 (Land 225m South Of Lakeside Industrial Park, Marsh Lane, Water Orton, the report be noted and that a site visit be arranged.**
- n That Application No 2016/0433 (2 Hawthorne Avenue, Land at Hawthorne Avenue and Sycamore Crescent, Arley) be approved subject to the conditions specified in the report of the Head of Development Control;**
- o That Application No 2016/0440 (Cole End Park, Lichfield Road, Coleshill) be approved subject to the conditions specified in the report of the Head of Development Control; and**
- p That Application No 2016/0449 (Oak Tree House, 49 Main Road, Austrey, CV9 3EH) be approved subject to the conditions specified in the report of the Head of Development Control.**

32 Submission of Austrey Neighbourhood Plan for public consultation

The Head of Development Control reported on the progress of the submitted Austrey 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 Austrey Neighbourhood Plan be circulated for a 6 week public consultation.

33 **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.

34 **Enforcement and Appeal Update**

The Head of Development Control outlined progress on some of the major enforcement issues dealt with by the Board.

Resolved:

That the report be noted.

35 **Car Boot Sales**

The Head of Development Control provided a summary of the planning legislation in respect of car boot sales.

Resolved:

That the three market operators be invited to meet with Officers and a small group of Members to see how the local impacts of these events can be reduced.

M Simpson
Chairman

**Planning and Development Board
5 September 2016
Additional Background Papers**

| Agenda Item | Application Number | Author | Nature | Date |
|-------------|--------------------|------------------------------|--------------|---------|
| 4/76 | PAP/2015/0584 | Mrs Spears | Objection | 22/8/16 |
| | | K Fallowell | Objection | 22/8/16 |
| | | K Boffey | Objection | 23/8/16 |
| | | J George | Objection | 23/8/16 |
| | | A Core | Objection | 29/8/16 |
| | | K Wyatt | Objection | 30/8/16 |
| | | WCC Flooding | Consultation | 31/8/16 |
| | | R Turley | Objection | 1/9/16 |
| | | WCC Highways | Consultation | 2/9/16 |
| | | Coleshill Town Council | Objection | 2/9/16 |
| | | Mr Leadbeater | Objection | 3/9/16 |
| 4/130 | PAP/2016/0447 | Warwickshire Infrastructure | Consultation | 23/8/16 |
| 4/149 | PAP/2016/0399 | Environmental Health Officer | Consultation | 24/8/16 |
| | | Warwickshire County Council | Consultation | 1/9/16 |
| 4/238 | PAP/2016/0440 | Mrs Kelsall | Notification | 23/8/16 |

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE COMMUNITY AND ENVIRONMENT BOARD

18 July 2016

Present: Councillor Smith in the Chair

Councillors Bell, Ingram, Jarvis, Jones, Hanratty, Smitten, Chambers, Ferro, Lewis, Moss, and M Stanley.

An apology for absence was received from Councillor Phillips (Substitute Councillor Moss).

12 **Minutes of the Meetings of the Board held on 14 March 2016, 17 May 2016 and 29 June 2016.**

The minutes of the meetings held on 14 March 2016, 17 May 2016 and 29 June 2016, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

13 **Presentation by the Assistant Director (Leisure and Community Development).**

The Assistant Director (Leisure and Community Development) gave a presentation on the work of his Division.

14 **Budgetary Control Report 2016/2017 Period Ended 30 June 2016**

The Assistant Director (Finance and Human Resources) reported on the revenue expenditure and income for the period from 1 April 2016 to 30 June 2016.

Resolved:

That the report be noted.

15 **Financial Assistance to Outside Organisations**

The Assistant Director (Leisure and Community Development) reminded Members that the decision on Borough Council support for Third Sector Support Services through its Annual Grants scheme was deferred until the outcome of the re-tendering of Warwickshire County Council's countywide commission related services was known.

Resolved:

That Warwickshire Community and Voluntary Action – North Warwickshire (WCAVA) be awarded funding for 2016/17 to undertake work in the Borough as identified in the Third Sector Infrastructure Support Grant Agreement appended to the report of the Assistant Director (Leisure and Community Development).

16 Minutes of the Health and Well-being Working Party held on 21 June 2016.

The minutes of the Health and Well-being Working Party held on 21 June 2016 were received and noted.

Les Smith
Chairman

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE RESOURCES BOARD

6 September 2016

Present: Councillor D Wright in the Chair

Councillors Chambers, Davey, Davis, N Dirveiks, Henney, Lea, Simpson and Waters.

Councillors Humphreys, Phillips and Smith were also in attendance.

15 **Disclosable Pecuniary and Non-Pecuniary Interests**

Cllr Humphreys declared a non-pecuniary interest in Minute No 30 (Land Sales), left the meeting and took no part in the discussion.

16 **Minutes of the Resources Board held on 18 April and 23 May 2016**

The minutes of the meetings of the Board held on 18 April and 23 May 2016, copies having previously been circulated, were approved as a correct record and signed by the Chairman.

17 **Presentation from Sue Garner, Assistant Director (Finance and Human Resources) on the work of her Division.**

The Assistant Director (Finance and Human Resource) provided a presentation on the work of her Division.

18 **Treasury Management Update 2016/17**

The Deputy Chief Executive reported on the Treasury Management activity for the period up to the end of July 2016

Resolved:

That the Treasury Management activity for the period up to the end of July 2016 be noted.

19 **Capital Programme 2016/17 Period 4 Update**

The Assistant Director (Finance and Human Resources) updated Members on the progress of the 2016/17 Capital Programme in terms of expenditure up to the end of July 2016.

Resolved:

That the progress made against the 2016/17 Capital Programme be noted.

20 **General Fund Budgetary Control Report 2016/17 – Period Ended 31 July 2016**

The Assistant Director (Finance and Human Resources) reported on the revenue expenditure and income for the period from 1 April 2016 to 31 July 2016. The 2016/17 budget and the actual position for the period, compared with the estimate at that date, were given, together with an estimate of the out-turn position for services reporting to the Board.

Resolved:

That the report be noted.

21 **Housing Revenue Account Budgetary Control Report 2016/17 – Period Ended 31 July 2016**

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 31 July 2016.

Resolved:

That the report be noted.

22 **Internal Audit – Performance for First Quarter 2016-17**

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.

23 **Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April – June 2016**

The Chief Executive and 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 June 2016.

Resolved:

That the report be noted.

24 Online Services Update and Plans for Promoting and Increasing Use

The Assistant Director (Corporate Services) and Assistant Chief Executive (Community Services) updated Members on the use of the Council's Website and those services delivered online, via the Internet and provided information on how the Council planned to promote, increase and improve the use of the internet for those services that could be most effectively provided online.

Resolved:

That the report be noted.

25 Internal Audit – Performance for 2015-16

The Deputy Chief Executive reported on the progress of the Council's Audit function against the agreed plan of work for 2015-16.

Resolved:

That the progress of the Council's Audit function against the agreed plan of work for 2015-16 be noted.

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

The Assistant Chief Executive (Community Services) sought authorisation for Karen Rosten, Susan Trahern, Randip Mudhar, Tina Robinson and Jade Fuller to prosecute or defend on the Council's behalf or appear in proceedings before a Magistrate Court in relating to the recovery of Council Tax and non-Domestic Rates in accordance with Section 223 of the Local Government Act 1972.

Recommended:

That Karen Rosten, Susan Trahern, Randip Mudhar, Tina Robinson and Jade Fuller be authorised to appear on the Council's behalf in relation to the recovery of Council Tax and Non Domestic Rates.

27 Risk Management Annual Report 2015/16

The Assistant Director (Finance and Human Resources) informed Members of risk management actions undertaken during 2015/16 and the risk identified for 2016/17

Resolved:

That the progress be noted.

28 **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.

29 **Irrecoverable Local Taxation Debts**

The Assistant Chief Executive (Community Services) detailed the amounts recommended for write off in accordance with the write off policy agreed by the Board on 23 May 2016.

- a That the write off of balances over £5,000 totalling £179,607.63 in respect of unpaid Non Domestic Rates as outlined in Appendix A of the report of the Chief Executive (Community Services) be agreed; and**
- b That Appendix B to the report of the Chief Executive (Community Services) which summarises the total amount of write offs in the year to date and over the last 5 years, which includes those written off under delegated powers, be noted.**

30 **Land Sales**

The Assistant Director (Streetscape) asked Members to consider two separate requests to purchase different parcels of Council owned land and sought agreement for a course of action in respect of each site.

Recommended:

- a That the parcel of land identified in Appendix A to the report of the Assistant Director (Streetscape) be declared as surplus to requirements;**
- b That the offer for the parcel of land identified in Appendix A, subject to the conditions of sale set out in the report of the Assistant Director (Streetscape) be accepted; and**
- c That the offer for the parcel of land identified in Appendix B to the report of the Assistant Director (Streetscape) be refused.**

D Wright
CHAIRMAN

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE EXECUTIVE BOARD

19 September 2016

Present: Councillor Humphreys in the Chair

Councillors Chambers, Hayfield, Phillips, Reilly, Simpson, Smith, Sweet and D Wright

An apology for absence was received from Councillor Farrell (substitute Councillor Sweet)

Councillor Lea was also in attendance.

27 **Disclosable Pecuniary and Non-Pecuniary Interests**

Councillor Simpson declared a non-pecuniary interest in Minute No 30 External Auditors' Report.

28 **Minutes of the meeting of the Board held on 14 June 2016**

The minutes of the meeting of the Board held on 14 June 2016, copies having been circulated, were approved as a correct record and signed by the Chairman.

29 **Financial Statements 2015/16**

The Deputy Chief Executive reported on the Annual Financial Statements for 2015/16 and Members were asked to agree a suggested course of action.

Resolved:

That the 2015/16 Financial Statements shown in Appendix A to the report of the Deputy Chief Executive be approved.

30 **External Auditors' Report**

The Deputy Chief Executive submitted the External Auditors' report to those charged with governance. Stephen Clark and Avtar Sohal from Ernst & Young LLP were in attendance

Recommended:

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

31 Financial Strategy 2017 – 2021

The Deputy Chief Executive reported on the Authority's Financial Strategy, projected forward the Authority's General Fund budgets to 2020/21, and suggested a detailed budget approach for the 2017/18 General Fund Budget.

Recommended:

- a That the Financial Strategy shown as Appendix A to the report of the Deputy Chief Executive be approved;**
- b That the General Fund budget projections for 2017/18 to 2020/21 be noted; and**
- c That the budget approach, set out in section 12 of the report of the Deputy Chief Executive, be adopted.**

32 Budgetary Control Report 2016/17 - Period Ended 31 August 2016

The Assistant Director (Finance and Human Resources) reported on the revenue expenditure and income for the period from 1 April 2016 to 31 August 2016. The 2016/2017 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.

Resolved:

That the report be noted.

33 Appointment of External Auditors

The Deputy Chief Executive reported that the appointment of the Council's current auditors ended at the end of 2017-18 and it would therefore be necessary to appoint new auditors for the 2018-19 financial audit and beyond. The Board was asked to agree a suggested course of action.

Recommended:

That the Council agrees to join the national scheme.

34 **Needs and Redistribution of Funding**

The Deputy Chief Executive reported that the Government had issued a consultation paper on the assessment of relative spending needs for local authorities and the Board was asked to consider a draft response.

Recommended:

That the draft consultation response set out in the Appendix to the report of the Deputy Chief Executive be agreed.

35 **100% Business Rates Retention Consultation**

The Deputy Chief Executive reported on the areas covered within the Government's consultation document on 100% Business Rates Retention and the Board was asked to consider a suggested response.

Recommended:

- a **That in principle the draft response to the consultation set out in Appendix A to the report of the Deputy Chief Executive be endorsed; and**
- b **That the Deputy Chief Executive, in consultation with the Leader of the Council, be authorised to agree the final version of the response.**

36 **Review of Leisure, Health and Well-being Provision in North Warwickshire – Use of Urgent Business Powers**

The Board was asked to note the action taken under the Chief Executive's Urgent Business Powers to engage consultants to undertake the previously approved Review of Leisure, Health and Well-being Provision in North Warwickshire. In addition the Board was asked to note the increase in the revenue budget through which to carry out this work.

Resolved:

- a **That the action taken under the Chief Executive's Urgent Business Powers to engage consultants to undertake the approved Review of Leisure, Health and Well-being Provision in North Warwickshire be noted; and**
- b **That the £15,250 increase in the revenue budget, consequent upon the engagement of the Leisure, Health and Well-being Review consultants be noted.**

37 **Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April – June 2016**

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 June 2016.

Resolved:

That the report be noted.

38 **Board Membership**

The Chief Executive sought authority for any possible amendments to representation on Boards resulting from the Arley and Whitacre Ward By-Election to be tabled at the Full Council meeting to be held on Wednesday 28 September 2016.

Recommended:

That any amendments to representation on Boards following the Arley and Whitacre Ward By-Election be tabled at the Full Council meeting to be held on Wednesday 28 September 2016.

39 **Efficiency Plan**

The Deputy Chief Executive reported that the Government had given local authorities the opportunity to apply for a four year financial settlement deal. Applications were required by 14 October 2016. The Board was asked to agree a suggested course of action.

Recommended:

That the application for a four year settlement deal and the Efficiency Plan attached at Appendix A to the report of the Deputy Chief Executive be approved.

40 **Minutes of the meeting of the Local Development Framework Sub-Committee held on 3 August 2016**

The minutes of the Local Development Framework Sub-Committee held on 3 August 2016 were received and noted.

41 **Minutes of the meeting of the Safer Communities Sub-Committee held on 19 July 2016**

The minutes of the meeting of the Safer Communities Sub-Committee held on 19 July 2016 were received and noted.

42 **Minutes of the meetings of the Special Sub-Group held on 26 July, 23 August and 13 September 2016**

The minutes of the meetings of the Special Sub-Group held on 26 July, 23 August and 13 September 2016 were received and noted.

David Humphreys
Chairman