

**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