

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

21 FEBRUARY 2018

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
Direct Dial : (01827) 719222

Switchboard : (01827) 715341
Fax : (01827) 719225
E Mail : davidharris@northwarks.gov.uk

Your ref :

Our ref : DH/JB C7

Date : 13 February 2018

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 21 February 2018 at 6.30pm.

Prior to the commencement of business Members are invited to join the Mayor for prayers. After prayers the following business will be transacted:

- 1 Evacuation Procedure.
- 2 Apologies for absence / Members away on official Council business.
- 3 Disclosable Pecuniary and Non-Pecuniary Interests
- 4 The Mayor to move, in accordance with Standing Order No 6(1):
“That the minutes of the Meetings of the Council held on 6 December 2017 be approved as a correct record.”
- 5 To receive the Mayor’s announcements.
- 6 To answer Questions from Members and the Public pursuant to Standing Order No. 7.
- 7 To receive and consider minutes, recommendations and notes of the following meetings circulated herewith and to make the necessary Orders thereon:
 - a **Standards Committee** – 18 December 2017 (Page 130).
 - b **Planning and Development Board** – 15 January and 5 February 2018 (Pages 131 - 142).

- c **Community and Environment Board** – 22 January 2018 (Pages 143 - 146).
 - d **Resources Board** - 29 January 2018 (Pages 147 - 156).
 - e **Licensing Committee** – 30 January 2018 (Pages 157 - 158).
 - f **Executive Board** – 12 February 2018 (Pages 159 - 172).
- 8 To receive and consider any Notice of Motion under Standing Order No. 10.
- 9 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". The signature is written in black ink on a light-colored background.

Chief Executive

**MINUTES OF THE MEETING OF THE
NORTH WARWICKSHIRE BOROUGH COUNCIL HELD AT THE COUNCIL
HOUSE, SOUTH STREET, ATHERSTONE ON
WEDNESDAY 6 DECEMBER 2017**

Present: Councillor Waters in the Chair.

Councillors Bell, Davey, Davis, L Dirveiks, N Dirveiks, Farrell, Ferro, Gosling, Hayfield, Henney, Humphreys, Ingram, Jarvis, Jenns, Lea, Morson, Moss, Phillips, Reilly, Simpson, Smith, Smitten, E Stanley, M Stanley, Sweet, Symonds, A Wright and D Wright

Apologies for absence were received from Councillors Chambers, Clews, Lewis, Payne and Singh.

Before the commencement of business the Reverend Michael Brandsma, St Mary's Church, Atherstone, led the Council in Prayer

27 Disclosable Pecuniary and Non-Pecuniary Interests

None were declared at the meeting.

28 Minutes of the meetings of Council held on 27 September and 7 November 2017

The minutes of the Meetings of the Council held on 27 September and 7 November 2017 were approved as a correct record and signed by the Mayor.

29 Mayor's Announcements

The Mayor announced the following

- that the Council had recently won national awards across a number of Borough Council services. These included the Revenue and Benefits team for collections, the Edible Links project, Environmental Health for work on HS2 noise and Boroughcare. He congratulated all those Officers involved;
- that he continued to represent the Council at events in the Borough and neighbouring authorities and he particularly praised the work of volunteers; and
- that next week he was pleased to be representing the Council at the decommissioning of HMS Atherstone.

30 Questions Pursuant to Standing Order No. 7

There were no Questions pursuant to Standing Order No 7.

31 Minutes of Boards/Committees

a) Planning and Development Board – 9 October and 6 November 2017

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

Resolved:

That the minutes of the meetings of the Planning and Development Board held on 9 October and 6 November 2017, be approved and adopted.

b) Community and Environment Board – 16 October 2017

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

Resolved:

That the minutes of the meeting of the Community and Environment Board held on 16 October 2017, together with the recommendation contained therein, be approved and adopted.

c) Resources Board – 13 November 2017

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

Resolved:

That the minutes of the meeting of Resources Board held on 13 November 2017, together with the recommendations contained therein, be approved and adopted.

d) Executive Board – 20 November 2017

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

Resolved:

That the minutes of the meeting of Executive Board held on 20 November 2017, together with the recommendations contained therein, be approved and adopted.

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

33 The Common Seal

It was proposed by Councillor Waters, seconded by Councillor Morson 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

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE STANDARDS COMMITTEE

18 December 2017

Present: Councillors Clews, Davis, N Dirveiks, Henney and D Wright.

Apologies for absence were received from Councillors Farrell (substitute Councillor Henney) and Councillor Ferro (substitute Councillor N Dirveiks).

Councillors Farrell, Humphreys, Moss and Symonds were also in attendance.

1 Election of a Chairman

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

Resolved:

That Councillor D Wright be elected Chairman of the Standards Committee for the meeting.

2 Declarations of Personal or Prejudicial Interests

None were declared at the meeting.

3 Former Councillor Mark Jones

The Monitoring Officer advised Members of a report into allegations of breaches of the Councillor Code of Conduct by former Councillor Mark Jones.

Resolved:

- a That the report is noted and that the Monitoring Officer's view that the Code of Conduct was breached be accepted; and**
- b That the Council organises training for the Borough Council and Town/Parish Councils on the Code of Conduct, including a discussion on all the procedures available for dealing with complaints regarding Councillors' behaviour.**

Chairman

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

15 January 2018

Present: Councillor Simpson in the Chair.

Councillors Bell, Chambers, Clews, L Dirveiks, Farrell, Hanratty, Hayfield, Jarvis, Morson, Phillips, Reilly, Smitten, Sweet and Symonds

Apologies for absence were received from Councillors Henney (substitute Councillor Farrell), Jenns (substitute Councillor Clews) and A Wright (substitute Councillor Hanratty).

47 **Disclosable Pecuniary and Non-Pecuniary Interests**

Councillor Farrell declared a non-pecuniary interest in Minute No 49 Planning Applications Application No 2017/0519 (Land South Of Flavel Farm Bungalow, Warton Lane, Austrey), left the meeting and took no part in the discussion or voting thereon.

Councillor L Dirveiks declared non-pecuniary interests in Minute No 49 Planning Applications Application No 2016/0430 (Land opposite Thompsons Meadow, Spon Lane, Grendon), Application No 2017/0554 (51, Long Street, Atherstone, CV9 1AZ) and Application No 2017/0561(Charity Farm, Main Road, Baxterley, CV9 2LN) left the meeting and took no part in the discussion or voting thereon.

In respect of Minute No 49 Planning Applications (Application No 2017/0496 - Copperfields, Dog Lane, Nether Whitacre), the Monitoring Officer had granted Members a dispensation to consider and determine the Application.

48 **Minutes**

The minutes of the meetings of the Board held on 9 October and 6 November 2017, copies having been previously circulated, were approved as a correct record.

49 **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 Application No 2016/0430 (Land opposite Thompsons Meadow, Spon Lane, Grendon) be refused for the following reasons**

"The proposed development, given the number of units proposed; its associated car parking provision and its very prominent setting would not positively improve the character or appearance of this part of Grendon. The proposal is considered not to accord with Policy NW12 of the Core Strategy 2014."

[Speaker John Hill]

- b That Application No 2017/0156 (Land South of Dairy House Farm (Phase 2), Spon Lane, Grendon be approved subject to the following**

i The completion of a Section 106 Agreement to include all of the contributions set out in the report of the Head of Development Control for the purposes as outlined and the review of the condition relating to surface water drainage;

ii The inclusion in that Agreement of a financial contribution, to be agreed with the applicant and Highways England, for the provision of a signalised pedestrian crossing over the A5 in a position similarly to be agreed and that if no such provision is made within fifteen years of the date of the Agreement, the contribution be returned; and

iii The planning conditions set out in the report.

[Speakers Clare Marshall, David Cox and Michael Robson]

(The Chief Executive has subsequently received a notice signed by Councillors Morson, Sweet, Phillips, Farrell and L Dirveiks under Standing Order No 30(1)(b)(Minority Report) with regard to the decision of the Board on this matter and it is therefore referred to Council for confirmation.)

- c That Application No 2017/0333 (Old Beretun, Barnes Wood Lane, Whitacre Heath, B46 2EF) be approved subject to the conditions set out in the report of the Head of Development Control;**

d That in respect of Application No 2017/0431 (Boot Hill Methodist Church, Boot Hill, Grendon, Atherstone, Warwickshire, CV9 2EL)

i) planning permission be refused for the following reasons

"The proposal would not accord with Policy NW14 of the Core Strategy in that it would lead to the loss of a non-local heritage asset. It is not considered that sufficient evidence has been submitted to show that the case for demolition outweighs the public benefit that would arise to the community in retention and conversion of the building"; and

ii) the Chairman, Vice Chairman, Opposition Spokesman and Ward Members meet with the applicant to discuss an alternative development.

[Speakers Stephen King, David Biggs and Will Brearley]

e That Application No 2017/0465 (Clinic And Welfare Centre, Coventry Road, Kingsbury, B78 2LN) be deferred for a site visit;

[Speakers Margaret Moss and Peter Halfpenny]

f That Application No 2017/0496 (Copperfields, Dog Lane, Nether Whitacre) be approved subject to the conditions set out in the report of the Head of Development Control;

[Speaker David Watkins]

g That Application No 2017/0519 (Land South Of Flavel Farm Bungalow, Warton Lane, Austrey) be deferred for a site visit;

[Speakers Harry White and Jeremy Hurlstone]

h That Applications No 2017/0522 and 2017/0536 (White Horse Inn, 127 Long Street, Atherstone, CV9 1AB) be approved subject to the conditions set out in the report of the Head of Development Control;

[Speaker Patrick Woodcock]

i That in respect of Application No 2017/0524 (The Old School, Nuneaton Road, Ansley, CV10 0QR) be deferred to enable the applicant to discuss the potential for an agreed set of conditions and that the outcome be referred back to the Board;

[Speaker Heidi Merrall-Thorn]

- j That Application No 2017/0533 (20, Hawthorn Way, Hartshill, CV10 0XQ) be refused for the reasons set out in the report of the Head of Development Control;**

[Speaker David Mahon]

- k That Application No 2017/0548 (North Warwickshire Borough Council Flats, Long Street and Welcome Street, Atherstone) be approved subject to the conditions set out in the report of the Head of Development Control;**
- l That Application No 2017/0554 (51, Long Street, Atherstone, CV9 1AZ) be approved subject to the conditions set out in the report of the Head of Development Control;**
- m That in respect of Application No 2017/0561(Charity Farm, Main Road, Baxterley, CV9 2LN) be deferred for a revised application to be considered**

[Speaker Ann Broomfield]

- n That Application No 2017/0568 (7, Hawthorn Way, Hartshill, CV10 0XQ) be approved subject to the conditions set out in the report of the Head of Development Control;**
- o That Application No 2017/0570 (9, Hawthorn Way, Hartshill, Nuneaton, CV10 0XQ) be approved subject to the conditions set out in the report of the Head of Development Control; and**
- p That the report in respect of Application No 2017/0602 (Land 160m South Of North Warwicks Sports Ground, Tamworth Road, Polesworth) be noted and that a site visit be arranged in due course.**

50 Planning and Fire Safety

The Head of Development Control provided a summary of the different roles of a number of respective Regulatory regimes. It had been prepared as a consequence the Grenfell Tower incident.

Resolved:

That the report be deferred until the next meeting.

Mark Simpson
Chairman

**Planning and Development Board
15 January 2018
Additional Background Papers**

| Agenda Item | Application Number | Author | Nature | Date |
|-------------|--------------------|--------------------------------------|--------------|----------|
| 5/73 | PAP/2017/0465 | Councillor B Moss | Letter | 3/1/18 |
| 5/88 | PAP/2017/0496 | Case Officer | E-mail | 8/12/17 |
| 5/96 | PAP/2017/0519 | Warwickshire County Council Highways | Consultation | 8/1/18 |
| | | Applicant | Speed Survey | 31/12/17 |
| | | D Key | Objection | 29/11/17 |

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

5 February 2018

Present: Councillor Simpson in the Chair.

Councillors Bell, Chambers, L Dirveiks, Hayfield, Henney, Humphreys, Jarvis, Jenns, Morson, Phillips, Smitten, Sweet, Symonds and A Wright

An apology for absence was received from Councillor Reilly (Substitute Councillor Humphreys)

Councillors Farrell and Moss were also in attendance and with the Chairman's permission Councillor Moss spoke on Minute No 55 Planning Applications (Application No 2017/0465 -Clinic and Welfare Centre, Coventry Road, Kingsbury).

51 **Disclosable Pecuniary and Non-Pecuniary Interests**

Councillors Jenns and A Wright declared a non-pecuniary interest in Minute No 55 Planning Applications (Application No 2016/0280 - Land Opposite 84 to 104, Orton Road, Warton and Application No 2018/0001 - KSD Recycled Aggregates, Lichfield Road, Curdworth, Sutton Coldfield) by virtue of being a Member of Warwickshire County Council.

Councillor Hayfield declared a non-pecuniary interest in Minute No 55 Planning Applications (Application No 2016/0280 - Land Opposite 84 to 104, Orton Road, Warton and Application No 2018/0001 - KSD Recycled Aggregates, Lichfield Road, Curdworth, Sutton Coldfield) by virtue of being a Member of the County Council's Cabinet left the meeting and took no part in the discussion or voting thereon.

Councillor Bell declared a non-pecuniary interest in Minute No 55 Planning Applications (Application No 2016/0280 - Land Opposite 84 to 104, Orton Road, Warton and Application No 2018/0001 - KSD Recycled Aggregates, Lichfield Road, Curdworth, Sutton Coldfield) by virtue of being a Member of the County Council's Regulatory Board left the meeting and took no part in the discussion or voting thereon.

Councillor L Dirveiks declared a non-pecuniary interest in Minute No 55 Planning Applications (Application No 2017/0675 – 51, Long Street, Atherstone) by virtue of being a Member of the Friends of Atherstone Heritage left the meeting and took no part in the discussion or voting thereon.

52 Corporate Plan 2018-19

The Chief Executive presented the updated Corporate Plan for 2018/19. The Board's approval was sought to those parts of the Corporate Plan for which the Board was responsible. Members were also asked to agree the 2018/19 Service Plans for the Development Control and Forward Planning Sections.

Recommended to the Executive Board:

- a That those Corporate Plan Key Actions as set out in Appendix A to the report for which the Planning and Development Board is responsible be agreed; and**

Resolved:

- b That the Service Plans as set out in Appendix B to the report be agreed.**

53 General Fund Fees and Charges 2018/2019

The Board was asked to consider the fees and charges for 2017/18 and the proposed fees and charges for 2018/19.

Resolved:

That the schedule of fees and charges for 2018/19 as set out in the report, be accepted.

54 General Fund Revenue Estimates 2018/19

The Deputy Chief Executive detailed the revised budget for 2017/18 and an estimate of expenditure for 2018/19, together with forward commitments for 2019/20, 2020/21 and 2021/22.

Resolved:

- a That the revised budgets for 2017/18 be accepted; and**
- b That the Estimates of Expenditure for 2018/19, as submitted in the report of the Deputy Chief Executive be accepted, and included in the budget to be brought before the meeting of the Executive Board on 12 February 2018.**

55 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 Application No 2017/0519 (Land South Of Flavel Farm Bungalow, Warton Lane, Austrey) be refused for the following reason

“Policy NW8 in the Core Strategy 2014 states that sites will be permissible within a reasonable safe walking distance of a settlement development boundary. The proposed site is some 0.5km from the settlement boundary of Austrey and reached along a classified road which is unlit and does not have any footpaths or pavements. It is not considered that this provides a reasonable safe walking distance for pedestrians and in particular children and those with mobility issues. Although it is acknowledged that a bus service passes the proposed site, the nearest bus stop is some 0.77km from the site and it is not considered that such a bus service could be hailed safely from anywhere near to the proposed site. To allow such a proposal would be contrary to essential criteria contained within Policy NW8.”

[Speakers Harry White and Joseph Jones]

- b That Application No 2016/0280 (Land Opposite 84 To 104, Orton Road, Warton, B79 0HU) be deferred in order to enable officers to look again at parking and access arrangements together with the possibility of additional contributions;

[Speakers Andy Newton, David Williams and Ian Ritchie]

- c That Application No 2017/0202 (Land Rear of 29 to 49, Little Warton Road, Warton) be deferred in order to enable officers to look at the possibility of providing on-site play provision as well as the possibility of additional contributions;

[Speakers David Williams and Christopher Timothy]

- d That in respect of Plot 1 Ocado, Phase 2, Danny Morson Way, Birch Coppice Business Park, Dordon, B78 1SE, consideration of the report dated January 2018 prepared by Resound Acoustics Ltd in Full Discharge of condition 13 of PAP/2010/0102 dated 19/8/10 be deferred for a visit to the site

and a similar local facility operating chilled and refrigerated vehicles;

[Speakers Mark Shingler, Rob Cole, Thomas Mitchell]

e That in respect of Application No 2018/0001 (K S D Recycled Aggregates, Lichfield Road, Curdworth, Sutton Coldfield, B76 0BB), the Borough Council raises no objection for the reasons outlined in the report of the Head of Development Control but that the County Council be asked to time limit the building to that of the life of the site;

f That Application No 2017/0237 (Land Rear Of 1 To 6, Copeland Close, Warton) be deferred to allow discussions to take place with the Borough Council's Assistant Director (Housing) regarding the proposed siting and type of affordable housing within the application site particularly on plot 16;

[Speakers Lee Clinton and Janet Hodson]

g That Application No 2017/0465 (Clinic And Welfare Centre, Coventry Road, Kingsbury, B78 2LN) be deferred to allow a meeting to take place between the Applicant/Agent, Chair, Vice-Chair and Opposition Spokesperson of the Board and local Ward Members regarding the development of the site;

[Speakers Margaret Moss and Peter Halfpenny]

h That Application No 2017/0675 (51, Long Street, Atherstone, CV9 1AZ) be approved subject to the conditions set out in the report of the Head of Development Control; and

i That the report in respect of Application No 2018/0005 and 2018/0006 (Aston Villa Training Ground, Bodymoor Heath Lane, Bodymoor Heath, B78 2BB) be noted.

56 **Planning and Fire Safety**

The Head of Development Control provided a summary of the different roles of a number of respective Regulatory regimes. It had been prepared as a consequence the Grenfell Tower incident.

Resolved:

That the report be noted.

57 **Appeal Update**

The Head of Development Control provided a summary of recent appeal decisions.

Resolved:

That the report be noted.

58 The Cedars at Coton Road, Nether Whitacre

The Board was asked to confirm the action taken under emergency powers by the Chief Executive in respect of an enforcement notice at The Cedars, Coton Road, Nether Whitacre.

Resolved:

a That the emergency action taken by the Chief Executive be confirmed; and

b That Officers be requested to bring a further report to the Board outlining the planning situation at this site.

59 Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April – December 2017

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 December 2017.

Resolved:

That the report be noted.

60 Daw Mill Update

The Board was asked to give consideration to a late development in respect of the Daw Mill Public Inquiry and to consider the response of the Council.

Resolved:

That the letter referred to within the report from the Head of Development Control be confirmed.

61 Exclusion of the Public and Press

Resolved:

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

62 **The Ansley Appeal**

The Head of Development Control sought approval for additional resources to pay for the Council's defence of a recent refusal which had now gone to appeal.

Resolved:

That the maximum cost as set out in the report of the Head of Development Control be agreed in order to present the Council's case at this appeal.

63 **Building Control Partnership**

The Head of Development Control gave a verbal update on current situation within the Building Control Partnership.

M Simpson
Chairman

**Planning and Development Board
5 February 2018
Additional Background Papers**

| Agenda | Application Number | Author | Nature | Date |
|--------|--------------------|-------------|------------|---------|
| 7/1 | PAP/2017/0519 | Note | Site Visit | 2/2/18 |
| | | G Ford | Objection | 30/1/18 |
| | | Hurlstones | e-mail | 2/2/18 |
| | | WCC | e-mail | 5/2/18 |
| | | Dr Waymont | Objection | 14/1/18 |
| 7/107 | PAP/2017/0237 | L Clinton | Objection | 2/2/18 |
| 7/141 | PAP/2017/0465 | Note | Site Visit | 3/2/18 |
| | | M Moss | Objection | 2/2/18 |
| | | E Turnbull | Applicant | 5/2/18 |
| 10 | | M McNulty | e-mail | 5/2/18 |
| 11a | | Gateley Plc | Letter | 31/1/18 |
| | | E Stirrop | Letter | 31/1/18 |

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE COMMUNITY AND ENVIRONMENT BOARD

22 January 2018

Present: Councillor Smith in the Chair

Councillors Bell, Chambers, Ferro, Gosling, Hanratty, Jarvis, Lewis, Phillips, Singh, Smitten, Symonds and Waters

Councillor A Wright was also in attendance.

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

Councillors Jarvis and Singh declared non-pecuniary interest in Minute 41- The Arcade - Update, by virtue of being Atherstone Town Councillors and took no part in the discussion or voting thereon.

33 **Minutes of the meeting of the Board held on 16 October 2017**

The minutes of the meeting held on 16 October 2017, copies having been previously circulated were approved as a correct record and signed the Chairman.

34 **Corporate Plan 2018 - 19**

The Board's approval was sought for the Corporate Plan targets for which it was responsible and to agree 2018 -19 Service Plans for the Leisure and Community Development, Streetscape and Environmental Health Divisions.

Recommendation to Executive Board

- a That those Corporate Plan targets as set out in Appendix A to the report for which the Community and Environment Board is responsible be agreed; and**

Resolved:

- b That the Service Plans as set out in Appendix B to the report be agreed.**

35 **General Fund Fees and Charges 2018/2019**

The Board was asked to consider the proposed fees and charges for 2018/19.

Resolved:

- a That the schedule of fees and charges for 2018/19, as set out in Appendix A to the report be accepted; and**
- b That the new corporate membership scheme within the leisure facilities, as set out in the report, be accepted.**

36 General Fund Revenue Estimates 2018/19

The Deputy Chief Executive presented the revised budget for 2017/18 and an estimate of expenditure for 2018/19, together with forward commitments for 2019/20, 2020/21 and 2021/22.

Resolved:

- a That the revised budget for 2017/18 be accepted, and**

Recommendation to Executive Board

- b That the Estimates of Expenditure for 2018/19, as submitted to the Board be included in the budget to be brought before the meeting of Executive Board on 12 February 2018; and**
- c That the growth bid of £16,560 for the redundant 7.5 tonne refuse vehicle for use on amenity cleaning, be accepted.**

37 Capital Programme 2018/19 to 2020/21

The Assistant Director (Finance and Human Resources) presented proposals for schemes to be included within the Council's Capital Programme over the next three years.

Resolved:

- a That the schemes previously approved within the Council's three-year capital programme be supported; and**
- b That the schemes which will not be included within the Capital Programme, be noted.**

38 Prosecutions Taken By The Environmental Health Division 2017

The Board was provided with details of the prosecutions taken by the Environmental Health Division during the calendar year 2017.

Resolved:

That the report be noted.

39 Leisure Facilities- 2018 / 19 Bank Holiday Closures

The Assistant Director (Leisure and Community Development) sought the Board's approval of a schedule of Bank Holiday closures of leisure facilities during the 2018/19 financial year.

Resolved:

- a That the schedule of leisure facility closures, as set out in paragraph 4.1 of the report of the Assistant Director (Leisure and Community Development), be approved;**
- b That a pilot scheme to open Atherstone Leisure Complex on all but three Bank Holidays during the 2018/19 financial year be approved; and**

Recommendation to Executive Board

- c That a growth bid be made to fund the additional costs associated with the pilot scheme as set out in (b) above.**

40 Minutes of the Health and Wellbeing Working Party meeting held on 10 January 2018.

The minutes of the Health and Wellbeing Working Party held on 10 January 2018 were received and noted.

41 The Arcade - Update

The Assistant Director (Streetscape) presented Members with an updated copy of the annual report on the community use of The Arcade, Atherstone submitted by Atherstone Town Council in response to the Board's request for more detail following consideration of the previous Town Council report to the Board in October 2017.

Resolved:

That the report be noted.

(The Chief Executive has subsequently received a notice signed by Councillors Phillips, Lewis, Chambers, Gosling and Ferro under Standing Order No 30(1)(b)(Minority Report) with regard to the decision of the Board on this matter and it is therefore referred to Council for confirmation.)

42 Supplementary Garden Waste Collections

The Assistant Director (Streetscape) highlighted the resource pressures experienced by the Council's refuse and recycling collection services and how the seasonal nature of green waste collections and the issue of additional green bins increased those pressures. The Board was asked to consider the introduction of charges to cover the costs of providing supplementary garden waste collections in order to ease the pressure on the service.

Resolved:

- a That the contents of the report be noted; and**
- b That supplementary garden waste collections are, in future, subject to an annual charge as set out in paragraph 5 of the report of the Assistant Director (Streetscape).**

(The Chief Executive has subsequently received a notice signed by Councillors Phillips, Lewis, Chambers, Gosling and Ferro under Standing Order No 30(1)(b)(Minority Report) with regard to the decision of the Board on this matter and it is therefore referred to Council for confirmation.)

43 Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April – September 2017.

The Board was informed of the progress with the achievement of the Corporate Plan and Performance indicator targets relevant to the Community and Environment Board for April to September 2017.

Resolved:

That the report be noted.

Councillor Smith
Chairman

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE RESOURCES BOARD

29 January 2018

Present: Councillor D Wright in the Chair

Councillors Chambers, Davey, N Dirveiks, Henney, Lea, Simpson, Symonds and Waters

Apologies for absence were received from Councillors Davis (Substitute Councillor Symonds) and Moss.

Councillors Bell, Clews, Hanratty, Humphreys and Smith were also in attendance. With the Chairman's permission Councillor Bell spoke on Minute No 80 (Request for Disabled Facilities Grant to provide for a Housing Adaptation).

56 **Disclosable Pecuniary and Non-Pecuniary Interests**

Councillor D Wright declared a non-pecuniary interest in Minute No 75 (CCTV Service for Atherstone) by reason of being a member of Atherstone Town Council.

57 **Minutes of the Resources Board held on 13 November 2017**

The minutes of the meeting of the Board held on 13 November 2017, copies having previously been circulated, were approved as a correct record and signed by the Chairman.

58 **Corporate Plan 2018-19**

The Chief Executive sought the Board's approval for the Corporate Plan Targets for which it was responsible and the 2018-19 Service Plans for the Housing, Finance and Human Resources, Community Services and Corporate Services Divisions.

Recommendation to the Executive Board:

- a **That those Corporate Plan Targets as set out in Appendix A to the report of the Chief Executive, for which the Board is responsible, be agreed; and**

Resolved:

- b That those elements of the Service Plans that are the responsibility of this Board, as set out in Appendix B to the report of the Chief Executive, be agreed.**

59 Management of the Internal Audit Team

The Deputy Chief Executive set out the arrangements that had been made for the management of the Internal Audit team following the retirement of the Head of Internal Audit.

Resolved:

That the action taken be noted.

60 Internal Audit – Performance for Third Quarter 2017-18

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 report be noted.

61 General Fund Fees and Charges 2018/19

The Assistant Chief Executive and Solicitor to the Council, Assistant Director (Streetscape), Assistant Chief Executive (Community Services) and Assistant Director (Housing) reported on the fees and charges for 2017/18 and the proposed fees and charges for 2018/19.

Resolved:

That the schedule of fees and charges for 2018/19, as set out in the report of the Assistant Chief Executive and Solicitor to the Council, Assistant Director (Streetscape), Assistant Chief Executive (Community Services) and Assistant Director (Housing) be approved.

62 General Fund Revenue Estimates 2018/19 – Services Recharged Across All Boards

The Deputy Chief Executive reported on the revised budget for 2017/18 and gave an estimate of expenditure for 2018/19, together with forward commitments for 2019/20, 2020/21 and 2021/22.

Resolved:

- a That the revised budget for 2017/18 be accepted; and**

Recommendation to the Executive Board:

- b That the Estimates of Expenditure for 2018/19, as submitted in the report of the Deputy Chief Executive, be included in the budget to be brought before the meeting of the Executive Board on 12 February 2018.**

63 General Fund Revenue Estimates 2018/19 – Services Remaining within the Board

The Deputy Chief Executive reported on the revised budget for 2017/18 and gave an estimate of expenditure for 2018/19, together with forward commitments for 2019/20, 2020/21 and 2021/22.

Resolved:

- a That the revised budget for 2017/18 be accepted;**

- b That the saving of £2,570, as set out in section 6 of the report of the Deputy Chief Executive, be accepted; and**

Recommendation to the Executive Board:

- c That the Estimates of Expenditure for 2018/19, as submitted in the report of the Deputy Chief Executive and amended for the saving agreed in recommendation (b), be included in the budget to be brought before the meeting of the Executive Board on 12 February 2018.**

64 General Fund Revenue Estimates 2018/19 - Summary

The Deputy Chief Executive reported on the revised budget for 2017/18 and gave an estimate of expenditure for 2018/19, together with forward commitments for 2019/20, 2020/21 and 2021/22.

Recommendation to Executive Board:

That the following items be recommended to the Executive Board for consideration in setting the Council Tax of the Borough Council:

- a The revised budget for 2017/18; and**
- b The schedule of expenditure requirements totalling £8,159,060 for 2018/2019.**

65 Housing Revenue Account Estimates 2018/19 and Rent Review

The Deputy Chief Executive reported on the revised budget for 2017/18 and gave an estimate of expenditure for 2018/19, together with forward commitments for 2019/20, 2020/21 and 2021/22.

Resolved:

- a That the revised estimates for 2017/18 be accepted;**
- b That rent decreases of minus 1%, as required by the Government, be adopted;**
- c That the proposed fees and charges for 2018/19, as set out in Appendix D to the report of the Deputy Chief Executive, be approved;**
- d That the service charges for the cleaning of communal areas, as detailed in Appendix E to the report of the Deputy Chief Executive, be approved from April 2018;**
- e That the service charges for window cleaning, as detailed in Appendix F to the report of the Deputy Chief Executive, be approved from April 2018;**
- f That the proposed increase in garage rents of 50 pence per week from £6.08 to £6.58 per week be approved; and**
- f That the Estimates of Expenditure for 2018/19, as submitted, be approved.**

66 Capital Programme 2017/18 to 2020/21

The Assistant Director (Finance and Human Resources) identified changes to the Council's 2017/18 capital programme and detailed proposals for schemes to be included within the Council's capital programme over the next three years.

Recommendation to the Executive Board:

- a That the changes to the 2017/18 revised capital programme be approved;**
- b That the schemes shown in Appendix A to the report of the Assistant Director (Finance and Human Resources), previously approved within the Council's three-year capital programme, including any 2020/21 additions relating to previously approved schemes be approved;**
- c That the growth bid included within the capital programme be approved;**
- d That the schemes which will not be included within the capital programme, as shown in Appendix B to the report of the Assistant Director (Finance and Human Resources), be noted; and**
- e That the proposed vehicle replacement schedule, as shown in Appendix C to the report of the Assistant Director (Finance and Human Resources), be approved.**

67 Treasury Management Strategy Statement, Minimum Revenue Provision Policy Statement and Annual Investment Strategy for 2018/19

The Deputy Chief Executive outlined the Treasury Management Strategy, Minimum Revenue Provision Policy Statement and Investment Strategy for 2018/19.

Resolved:

- a That the revised four clauses, as set out in paragraph 4.1 of the report of the Deputy Chief Executive, be approved; and**
- b That the proposed strategies for 2018/19 be approved.**

68 **Information and Communications Technology Strategy 2015-2019 – Progress Report**

The Assistant Director (Corporate Services) provided an update on the progress made during 2017/18 towards implementing the approved Information and Communications Technology (ICT) Strategy for 2015 – 2019.

Resolved:

That the contents of the report be noted.

69 **Procurement and Commissioning Strategy 2017 – 2021 : Progress Report**

The Assistant Director (Corporate Services) provided an update on the progress made during 2017/18 towards implementing the approved Procurement and Commissioning Strategy 2017 – 2021.

Resolved:

That the contents of the report be noted.

70 **Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April – December 2017**

The Chief Executive and the Deputy Chief Executive informed Members of the progress with the achievement of the Corporate Plan and Performance Indicator targets relevant to the Board for April to December 2017.

Resolved:

That the report be noted.

71 **Animal Wardens Service - Proposal**

The Assistant Director (Housing) detailed a proposal to change how the Council's stray dog service was provided.

Resolved:

That the revised approach to the Council's stray dog service, as set out in the report of the Assistant Director (Housing), be approved.

72 Homelessness Reduction Act 2017

The Assistant Director (Housing) outlined the main changes to the Homelessness Reduction Bill that would come into effect on Tuesday, 3 April 2018, and the new duties that the Council would be required to work to from that date. An overview of the expected implications and the work the Council was currently undertaking so that it would be ready to meet the new requirements was also provided.

Resolved:

- a That the new legal duties being brought in by the Homelessness Reduction Act on 3 April 2018, be noted; and**
- b That the implications and the work the Council is currently undertaking to ensure it meets the new requirements be noted.**

73 Broadband Update Report

The Assistant Director (Corporate Services) provided an update on the progress made so far and the future plans to improve broadband coverage and speeds in the Borough.

Resolved:

That the report be noted.

74 Borough Care Service

The Assistant Director (Housing) provided the Board with information about the Council's Borough Care service and proposed extending it into a neighbouring borough.

Resolved:

- a That the continued accreditation of the Borough Care Service by the Telecare Services Authority be noted;**
- b That a small pilot project to test the viability of introducing a mobile network alarm service be supported;**
- c That, subject to the final arrangements being confirmed with the Chair of the Resources Board, the proposal to extend the Borough Care Service into the Nuneaton and Bedworth area be agreed;**

- d That the policy statement for non-payment charges, as set out in Appendix A to the report of the Assistant Director (Housing), be agreed; and
- e That the extension of the employment of the Borough Care Promotional Officer until March 2019, be agreed.

75 **CCTV Service for Atherstone**

The Assistant Director (Housing) provided information for the Board about the Council's CCTV service and proposed the purchase of new equipment to provide for an upgrade from an analogue to a digital system.

- a That the contents of the report be noted;
- b That the replacement of the CCTV equipment that NWBC is responsible for, with digital IP equipment that is able to fully integrate with digital IP CCTV cameras to be purchased by Atherstone Town Council, be approved; and
- c That the proposal that a joint tender exercise is undertaken to procure the control room equipment and the new cameras required by Atherstone Town Council to ensure compatibility, be approved.

76 **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.

77 **Review of Tenancy Service and Neighbourhoods Team**

That Assistant Director (Housing) proposed changes to the Tenancy Services and Neighbourhoods Team in order to anticipate challenges from the roll out of Universal Credit and to ensure that there was compliance with health and safety regulations for communal areas and that properties were closely managed.

Resolved:

- a That the proposals set out in the report of the Assistant Director (Housing) to change the structure of the Tenancy Services and Neighbourhoods Team be agreed; and

Recommendation to Special Sub-Group:

- b That the changes to the Structure of the Tenancy Services and Neighbourhoods Team be considered.**

78 Land Adjacent to 54 Elm Tree Close, Kingsbury

The Assistant Director (Streetscape) and Assistant Director (Leisure and Community Development) asked the Board to consider an application that had been received to purchase a 2m wide strip of designated public open space, adjacent to 54 Elm Tree Close, Kingsbury, which was currently owned by the Council, in order to allow the erection of privacy screening to the neighbouring property.

Recommended:

- a That the 2m offset strip of Borough Council owned land, as identified in Appendix C of the report of the Assistant Director (Streetscape) and Assistant Director (Leisure and Community Development) be declared as surplus to requirements; and**
- b That the sale of a 2m offset strip of Borough Council owned land to the owners of 54 Elm Tree Close, Kingsbury, on the terms set out in paragraph 5.3 of the report of the Assistant Director (Streetscape) and the Assistant Director (Leisure and Community Development), exclusive of legal fees, be approved.**

79 Irrecoverable Local Taxation Debts

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

Resolved:

- a That the write off of a balance over £5,500 totalling £12,678.03 in respect of unpaid Non Domestic Rates and £9,371.08 in respect of Housing Benefit Overpayments, as outlined in Appendix A of the report of the Assistant Chief Executive (Community Services), be noted; and**
- b That the total amount of write-offs in the year to date and over the last 5 years, including those written off by the Assistant Chief Executive (Community Services) under delegated powers, as detailed in Appendix B to the report, be noted.**

80 Request for Disabled Facilities Grant to provide for a Housing Adaptation

The Assistant Director (Housing) reported on a request for a Disabled Facilities Grant and the Board were requested to agree a suggested course of action.

Resolved:

That the Assistant Director (Housing) be given delegated authority to commit funds to provide for a Disabled Facilities Grant for the application referred to in her report if an application was received and it met the relevant criteria.

81 Partnering Contract – Electrical Inspections and Works

The Assistant Director (Housing) informed the Board about a proposal to use an established partnering framework agreement to deliver electrical works required following an Electrical Installation Condition Report.

Resolved:

That the Assistant Director (Housing) be authorised to enter a partnering contract for a maximum of four years for electrical repair and maintenance provision for the Council's own social housing stock.

D Wright
CHAIRMAN

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE LICENSING COMMITTEE

30 January 2018

Present: Councillor Jenns in the Chair

Councillors Clews, N Dirveiks, Hanratty, Henney, Ingram, Lewis, Morson, Singh, Smith, Smitten, E Stanley and A Wright

An apology for absence was received from Councillor Moss.

5 **Disclosable Pecuniary and Non-Pecuniary Interests**

Councillor Clews declared a pecuniary interest in Minute 8 – General Fund Fees and Charges 2018/2019 by virtue of holding a Home Boarders Licence and took no part in the discussion or voting thereon.

6 **Minutes**

The minutes of the meeting of the Committee held on 21 June 2017, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

7 **Service Plan for the Licensing Section**

The Assistant Chief Executive and Solicitor to the Council sought the Committee's approval of the 2018/19 Service Plan for the Licensing Section.

Resolved:

That the Service Plan as set out in the Appendix to the report of the Assistant Chief Executive and Solicitor to the Council, be agreed.

8 **General Fund Fees and Charges 2018/2019**

The Committee was asked to consider the proposed fees and charges for 2018/19.

Resolved:

That the schedule of fees and charges for 2018/19, as set out in the report be accepted.

9 **General Fund Revenue Estimates 2018/19**

The revised budget for 2017/18 and an estimate of expenditure for 2018/19, together with forward commitments for 2019/20, 2020/21 and 2021/22 were presented to the Committee.

Resolved:

- a The revised budget for 2017/18, be accepted; and**

Recommendation to Executive Board:

- b That the Estimates of Expenditure for 2018/19, as submitted in the report of the Deputy Chief Executive be included in the budget to be brought before the meeting of the Executive Board on 12 February 2018.**

A Jenns
Chairman

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE EXECUTIVE BOARD

12 February 2018

Present: Councillor Humphreys in the Chair

Councillors Chambers, Davey, Farrell, Gosling, Hayfield, Simpson, Smith, Sweet and D Wright

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

Councillors Bell, Clews and Symonds were also in attendance.

56 **Disclosable Pecuniary and Non-Pecuniary Interests**

None were declared at the meeting.

57 **Public Participation**

The following question was received from Andrew Crow:

“If NWBC adopts the recommendations for Arley Sports Centre as described in the Strategic Leisure report what are the Council's plans for:-
a. Financing the required improvements prior to handover to a third party? b. A time frame for finding a suitable third party operator? and c. If item (b) above is unsuccessful, what would be the time frame for final closure and what, if any, plans are there for the building?”

The response from Cllr. D Humphreys, Chairman of the Executive Board was as follows:

“At this moment in time, the Borough Council has not determined its response to the external consultants’ recommendations in respect of Arley Sports Centre. It is not possible, therefore, to comment on the nature of any financial commitments to be made, either prior to or within any future agreements with potential third parties, since the desirability, or otherwise, of any such agreements has not yet been determined.

Given the foregoing, there is no established timeframe for either finding a third party operator of the Sports Centre or the facility’s closure. Further, the Borough Council has no plans for the building beyond its current use as a leisure facility.”

The following question was received from Roger Power:

“How is the Council going to address the factual inaccuracies within the Strategic Review report and the consequential impacts on its findings. a.

The report states that Arley Sports Centre is the only Centre in the borough that is accessible during the day, this is not correct since 1st November 2016 it has been closed up until 4.00 pm on Mondays, Tuesdays, Wednesdays and all day Fridays, although since that date there has been a partial re-opening on Monday mornings. b. The percentage usage figures should also be questioned as they appear to be based on full opening times each day, clearly from section (a) above this cannot be correct. c. Since the opening hours were adjusted the Centre has been used by the local Arc-schools and other schools during the day, has this been factored into the usage percentages? d. Despite KASCO providing details of other users of the Centre neither they nor the Parish Council have been contacted for their views.”

The response from Cllr. D Humphreys, Chairman of the Executive Board was as follows:

“In reply to Mr Power, I shall take each of his points in turn and in the order presented in his question:

How is the Council going to address the factual inaccuracies within the Strategic Review report and the consequential impacts on its findings.

The Borough Council is aware of a number of inaccuracies and inconsistencies within the various component parts of the Strategic Leisure Review. Both leading Councillors and Officers have addressed the issue of inaccuracies with the external consultants, further to which some amendments have been made within the various draft documents. A number of inaccuracies remain, however, but the Administration was of the opinion that it was important that the process advanced to the point at which the Review could be considered by Councillors. It is not felt that the inaccuracies fundamentally impact on the key recommendations being made by the consultants. Subject to the decisions made by Councillors, Officers will be instructed to produce final Strategies that are factually accurate.

The report states that Arley Sports Centre is the only Centre in the Borough that is accessible during the day, this is not correct since 1st November 2016 it has been closed up until 4.00 pm on Mondays, Tuesdays, Wednesdays and all day Fridays, although since that date there has been a partial re-opening on Monday mornings.

At its meeting held on 29 June 2016, the Community and Environment Board resolved to amend off-peak opening hours at Arley Sports Centre in order to ensure that the level of revenue savings previously identified by the Authority could be achieved. In so doing, it also resolved that where off-peak opening hours were amended, opportunities were taken to make the Sports Centre available for appropriate alternative / community use, provided that there was no direct increase in cost to the Borough Council is doing so. On the same day, these decisions were

approved by Full Council. The Sports Centre, therefore, remained available and accessible for appropriate forms of use, a number of which were found, including the activities referred to on a Monday morning and the use made by various schools (also referred to by Mr Power).

The percentage usage figures should also be questioned as they appear to be based on full opening times each day, clearly from section (a) above this cannot be correct.

Subsequent to receipt of the question from Mr Power, the consultants have confirmed that the figures and financial modelling were based on financial information supplied by the Authority that was correct at the time. The consultants additionally commented that they have made reference in their work to the reduction in opening hours at Arley Sports Centre contributing to a lower throughput.

Since the opening hours were adjusted the Centre has been used by the local Arc-schools and other schools during the day, has this been factored into the usage percentages?

The consultants were aware of the use being made of Arley Sports Centre by local schools. Indeed, consultation was invited from them by the consultants. With the exception of Nursery Hill Primary School, however, the schools did not engage in this process and precise usage figures were not available as the schools supervise and staff this use, not the Borough Council.

Despite KASCO providing details of other users of the Centre neither they nor the Parish Council have been contacted for their views.

The external consultants were responsible for the consultation process associated with the Strategic Leisure Review. Indeed, the consultants engaged KASCO in this process, both as a consultee and as a provider of contact details of potentially interested parties. Subsequent to receipt of the question from Mr Power, the consultants have confirmed that they asked for contact details of groups / individuals, but received no further details from KASCO other than those exchanged with their consultation meeting. The consultants pursued all suggested outlets for consultation, including those received from the Borough Council. Further, the consultants asked for, and received, help from the Authority's leisure centre staff and surveys were placed in each of the facilities. Despite three rounds of survey consultation, the level of response was poor. All parish / town councils were contacted by the consultants. Only seven responded, but these did not include Arley Parish Council.

Further to receipt of Mr Power's question, the consultants have additionally commented that the usage figures at Arley are one part of the overall picture. Their rationale for the recommendations is that overall usage at Arley Sports Centre is low and the operational costs high."

The following question was received from Karen Birch:

"On the 22nd May 2016 a petition was presented to the Council Leader which contained some 4500 signatures from local residents who required that Arley Sports Centre should:-

- a. Remain under local authority control/management.
- b. Have financial investment to ensure that the Centre was fit for purpose for the foreseeable future, something that following the systematic run down of the last few years it certainly is not!
- c. In September 2016 the residents of Arley voted in a referendum to accept or reject the "Neighbourhood Plan" this plan was accepted by an overwhelming majority and is now being used by NWBC as an example for other areas. This plan included **Arley Sports Centre** as an important asset to the villages.

Can Councillors explain how they have fulfilled the wishes of those voters in the Neighbourhood Plan and those who supported the Petition from the other villages that surround Arley Sports Centre?"

The response from Cllr. D Humphreys, Chairman of the Executive Board was as follows:

"At its meeting held on 29 June 2016, the Council's Community and Environment Board resolved, consequent upon the completion of the community consultation process, to include Arley Sports Centre within the previously approved review of leisure provision in North Warwickshire. The petition presented to me was, of course, part of this consultation process. On the same day, 29 June 2016, Full Council approved this resolution. Since that time, the Centre has remained under the management of this Authority.

Within its approved budgetary provision, the Borough Council has continued to invest in, and maintain, Arley Sports Centre in order to ensure its continued availability for public use. In 2016 / 17, this maintenance investment amounted to a financial commitment of more than £17,000 and included non-programmed work to the Centre's electrical, heating and ventilation systems. In 2017 / 18, additional work has been undertaken to the Centre's roof, its automatic doors and in respect of on-site asbestos. Maintenance expenditure of approximately £25,000 is anticipated in the current financial year.

The Strategic Leisure Review process has afforded an opportunity for an external assessment to be made of the value and effectiveness of Arley Sports Centre, alongside other facilities and services operated by the Authority. Within their draft reports, the consultants have made reference to the Arley Neighbourhood Plan and the value of the Sports Centre as an important asset for the local community. This Administration has now ensured that Councillors have an opportunity to determine the future of the Centre in light of the recommendations received from the external consultants. As they do so, I have no doubt that they will be mindful of previous considerations of this issue, of the community based

consultation undertaken in 2016 and of the content of the Arley Neighbourhood Plan.”

58 Minutes of the meeting of the Board held on 20 November 2017

The minutes of the meeting of the Board held on 20 November 2017, copies having been circulated, were approved as a correct record and signed by the Chairman.

59 External Audit Plan 2017-18 & Certification Report 2016-17

The Deputy Chief Executive reported on the external auditors plan for their work related to the 2017-18 financial year and also provided Members with a certification report from the external auditors. Stephen Clark from Ernst & Young LLP was in attendance.

The Chairman paid tribute to Chris Brewer, Deputy Chief Executive, who was retiring on 31 March 2018 thanking him for his contribution and wished him well in his retirement.

Recommended:

That the contents of the external auditors’ plan and report be noted.

60 Corporate Plan 2018/19

The Chief Executive presented the Corporate Plan for 2018/19. Members were also asked to agree the 2018/19 Forward Work Plan for the Assistant Chief Executive and Solicitor to the Council.

Recommended:

- a That the Corporate Plan Targets, as set out in Appendix A to the report of the Chief Executive be agreed, subject to any further amendments which may be needed as a result of the adoption of the 2018-19 budget;**
- b That the Chief Executive be given delegated authority to finalise the format of the Plan; and**
- c That the Service Plan for the Assistant Chief Executive and Solicitor to the Council, as set out in Appendix B to the report, be agreed.**

61 The Proposed 3 Year Capital Programme 2018/19 – 2020/21

Management Team put forward proposals for the Three Year Capital Programme and outlined the availability of capital resources.

Resolved:

- a That the Revised Capital Programme for 2017/18 as set out in Appendix A, be adopted;**
- b That the 3 Year Capital Programme for the period 2018/19 to 2020/21 as set out in Appendix B, be adopted; and**

Recommended:

- c That the prudential indicators as set out in Appendix F to the report, be approved.**

(The Chief Executive has subsequently received a notice signed by Councillors Chambers, Farrell, Sweet and Gosling under Standing Order No 30(1)(b)(Minority Report) with regard to the decision of the Board on this matter and it is therefore referred to Council for confirmation.)

62 General Fund Revenue Estimates 2018 – 2019

The Deputy Chief Executive reported on the revised budget for 2017/18 and an estimate of expenditure for 2018/19, together with forward commitments for 2019/20, 2020/21 and 2021/22.

Resolved:

- a That the revised budget for 2017/18 be accepted; and**
- b That the Estimates of Expenditure for 2018/19, as submitted, be included in the budget to be brought before the meeting for consideration under Minute No. 63.**

(The Chief Executive has subsequently received a notice signed by Councillors Chambers, Farrell, Sweet and Gosling under Standing Order No 30(1)(b)(Minority Report) with regard to the decision of the Board on this matter and it is therefore referred to Council for confirmation.)

63 General Fund Revenue Estimates 2018 – 2019 and Setting the Council Tax 2018 – 2019

The Deputy Chief Executive set out the proposed General Fund Revenue Estimate for 2018/19, and the options available when setting the 2018/19 Council Tax for the Borough in the context of the Authority's Revenue Support Grant settlement, and the effect on General Fund balances.

Recommended:

- a That the savings of £546,750 shown in Appendix I of the report of the Deputy Chief Executive be approved;
- b That revised estimate for the year 2017/18 and the revenue estimates for 2018/19 be approved;
- c That the growth areas set out in paragraph 8.2 be approved;
- d That the Council Tax base for 2018/19, as set out in Appendix G be noted;
- e That the preferred Council Tax option for 2018/19 be agreed by Full Council;
- f That the Deputy Chief Executive's comments on the minimum acceptable level of general reserves be noted;
- g That the manpower estimates for the year 2018/19 are approved; and
- h That a Council Tax resolution be prepared for consideration by the Council, using the recommendations agreed by this Board.

64 Report of Members' Independent Remuneration Panel

The Assistant Director (Finance and Human Resources) reported on the key recommendations of the Independent Remuneration Panel following a review of the current Members' Allowances Scheme. The Board was asked to agree the suggested course of action.

Recommended:

- a That the Independent Remuneration Panel's report, as set out in Appendix A to the report, be noted;
- b That the following be approved;
 - 1) That the Basic Allowance of £4,942, is increased by £35 to cover the costs of Registering with the Information Commissioner;
 - 2) That the Special Responsibility Allowances for the roles listed in paragraph 8.1 of the report remain unaltered;

- 3) That the SRA's for the Chairs of Scrutiny, Housing Sub and Area Forums are removed from the scheme;
- 4) That the Chairs of Special Sub-Group and Licensing Committee, and the Vice Chair of Planning & Development be paid an SRA of £1,745, with effect from 1 April 2018;
- 5) That the SRA, and the qualifying criteria, paid to Members for serving on Appeals Panels is removed;
- 6) That the SRA for the Leader of a Minority Group is fixed at £1,745, payable only when the group has a minimum of 4 members;
- 7) That travel and subsistence allowances are maintained, with the addition of the allowances for travel by motorcycle and bicycle, and the passenger supplement, set out in paragraph 9.2 of the report;
- 8) That no changes are made to the current definition and scope of approved duties for which Members can claim travel allowances;
- 9) That no changes are made to current rates and conditions to the Travel Allowance scheme where Members travel by public or other means of transport;
- 10) That there are no changes to the scope or levels payable in the Dependent Carer's Allowance Scheme, other than that the child care maximum rate should be the living wage; and
- 11) That indexation, as set out in paragraph 11.1 of the report, is applied until March 2022.

65 Update on Contract Standing Orders

The Assistant Director (Corporate Services) sought approval for the proposed update to the Council's Contract Standing Orders which formed part of the Constitution of the Council.

Recommended:

That the changes to Contract Standing Orders as summarised in the report of the Assistant Director (Corporate Services) and included in the Draft Contract Standing Orders at Appendix 1 to the report, be approved.

66 Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April – December 2017

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 December 2017.

Resolved:

That the report be noted and the Safer Communities Sub-Communities be asked to look at the State of the Borough Indicators.

67 Minutes of the meetings of the Safer Communities Sub-Committee held on 5 December 2017 and 18 January 2018

The minutes of the meetings of the Safer Communities Sub-Committee held on 5 December 2017 and 18 January 2018 were received and noted.

68 Minutes of the meeting of the Special Sub-Group held on 18 December 2017

The minutes of the meeting of the Special Sub-Group held on 18 December 2017 were received and noted.

69 Constitution

The Assistant Chief Executive and Solicitor to the Council presented a revised version of the Constitution reflecting the changes made since last reported to the Council. The Board was asked to agree the suggested course of action.

Recommended:

- a That the current version of the Constitution be noted and therefore adopted;**
- b That a Task and Finish Group (comprising 3 Conservative Members and 2 Labour Members – names to be supplied at Full Council) be established to consider any further changes Members may wish to propose; and**
- c That any subsequent proposals be reported to the Executive Board in due course.**

70 **Local Authority Trading Company**

The Deputy Chief Executive presented a report from consultants on options and issues relating to the establishment of a Local Authority Trading Company. The Board was asked to consider whether the Council wished to proceed further.

Recommended:

That the creation of a Local Authority Trading Company be progressed and the production of a business case initiated.

71 **Strategic Review of Leisure and Community Development Services**

The Assistant Director (Leisure and Community Development) updated the Board on the work undertaken by external consultants in respect of the commission to undertake a Strategic Review of Leisure and Community Development Services and to prepare associated supporting draft strategies. Additionally direction was sought from Members with regard to the manner in which the Borough Council should progress various recommendations made by the consultants, most particularly in respect of the draft Leisure Facilities Strategy.

The following recommendations were proposed by Councillor Chambers and seconded by Councillor Gosling

“Recommended:

- a) **That the work undertaken by the external consultants in respect of the commission to undertake a Strategic Review of Leisure and Community Development Services and their preparation of supporting draft strategies be rejected;**
- b) **That a meeting be organised between members and the external consultants to discuss the inaccuracies contained within the published documents;**
- c) **That a further report then be brought back to this board for the consideration of members;**
- d) **That Arley Sports Centre remain open, on the same terms as is now, until the actions of (a), (b) and (c) above have been carried out. No discussions should take place with any third party regarding an asset transfer of this site;**

- e) **That, preliminary support be given for replacing Atherstone Leisure Complex and Polesworth Sports Centre on new sites subject to further discussions with the external consultants and local community;**
- f) **That, discussions begin with Polesworth School about a short-term extension to the dual-use agreement due to expire in December 2018;**
- g) **That, the supplementary planning policy is withdrawn due to its inaccuracies and a further document is drafted subject to the outcome of (b) above;**
- h) **That, the consultation period for the Local Plan, in relation to (g) above is extended to allow for further time for consideration of an amended supplementary planning policy;**
- i) **That an extraordinary meeting of the Executive Board be held to consider the amended documents referred to in (a)-(g) above.”**

Upon being put to the meeting the Chairman declared the recommendations to be lost.

It was then proposed by Councillor Simpson, seconded by Councillor D Wright by way of an amendment

“That recommendations b and c in the report of the Assistant Director (Leisure and Community Development) be deleted and replaced with the following

- b That a potential asset transfer of Arley Sports Centre by means of a sole negotiation with Elite Sports Development be pursued as the best option to secure the continued and enhanced leisure facilities in Arley;**
- c That if such a negotiation proves to be unsuccessful the Council pursues this option through an open procurement exercise;”**

Upon being put to the vote the Chairman declared the amendment to be carried.

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

“Recommended:

- a** That the work undertaken by external consultants in respect of the commission to undertake a Strategic Review of Leisure and Community Development Services and their preparation of supporting draft strategies be noted;
- b** That a potential asset transfer of Arley Sports Centre by means of a sole negotiation with Elite Sports Development be pursued as the best option to secure the continued and enhanced leisure facilities in Arley;
- c** That if such a negotiation proves to be unsuccessful the Council pursues this option through an open procurement exercise;
- d** That Members determine if they wish to consider the long-term benefits of replacing Atherstone Leisure Complex and Polesworth Sports Centre on new sites by means of a detailed feasibility study, the outcomes from which would further inform the decision making process;
- e** That Members clarify their expectations in respect of the continued operation of Polesworth Sports Centre on the site of Polesworth School beyond the expiry of the current dual-use agreement in December 2018
- f** That Members note the inclusion of the planning policy implications arising from the draft Supplementary Planning Document and from the Leisure Facilities, Green Space and Playing Pitch Strategies within the draft Local Plan consultation process;
- g** That the Assistant Director (Leisure and Community Development) be instructed to amend and finalise the Leisure Facilities Strategy, taking account of the outcomes of Members’ consideration of the recommendations made by the external consultants;
- h** That Members approve or otherwise amend the recommendations made by the external consultants in respect of the Leisure Facilities Operational Review and the associated Appraisal of Future Delivery Options;

- i That Officers be instructed to summarise the draft Green Space and Playing Pitch Strategies for the future consideration of the Community and Environment Board; and,**
- j That, upon its production by the external consultants, the draft Health, Wellbeing and Leisure Strategy be presented to both the Health and Wellbeing Working Party and the Community and Environment Board for their consideration.”**

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

72 Pay Policy Statement

The Assistant Director (Finance and Human Resources) reported on the requirement under Section 38 of the Localism Act 2011 for Councils to have and to publish a Pay Policy Statement, agreed by Full Council, which would be subject to review at least annually.

Recommended:

That the Pay Policy Statement 2018/19 be adopted.

73 Exclusion of the Public and Press

Resolved:

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

74 Senior Management Structure

The Chief Executive reported on a review of the structure of Senior Management following the retirement of the Deputy Chief Executive on 31 March 2018.

Recommended:

- a That the proposed new senior management structure be agreed, in principle, for the purposes of consultation; and**

- b That Council delegates Executive Board to consider any further reports and to agree any financial and operational issues required to implement the new arrangements.**

David Humphreys
Chairman