

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

26 SEPTEMBER 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

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E Mail : davidharris@northwarks.gov.uk

Your ref :

Our ref : DH/JB C7

Date : 18 September 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 26 September 2018 at 6.30pm.

The following business will be transacted:

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

“That the minutes of the Meeting of the Council held on 25 July 2018 be approved as a correct record.”
- 5 To receive the Mayor’s announcements.
- 6 To answer Questions from Members and the Public pursuant to Standing Order No. 7.
- 7 To receive and consider minutes, recommendations and notes of the following meetings circulated herewith and to make the necessary Orders thereon:
 - a **Planning and Development Board** – 9 July, 6 August and 3 September 2018 (Pages 44 - 62).
 - b **Community and Environment Board** – 16 July 2018 (Pages 63 - 66).

- c **Resources Board** - 4 September 2018 (Pages 67 - 71).
- d **Executive Board** – 17 September 2018 (Pages 72 - 75).

- 8 To receive and consider any Notice of Motion under Standing Order No. 10.

- 9 To receive the Returning Officer's report on the Newton Regis and Warton Ward By-Election held on Thursday 23 August 2018.

- 10 To authorise the Chief Executive, in accordance with Article 13.05 of the Articles of the Constitution, to Sign and Seal, on behalf of the Council, any Orders, Deeds and Documents necessary to give effect to any resolution of the Council.

Yours faithfully

A handwritten signature in cursive script that reads "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 25 JULY 2018**

Present: Councillor Moss in the Chair.

Councillors Bell, Chambers, Davis, Hayfield, Humphreys, Jenns, Lea, Lewis, Morson, Phillips, Reilly, Simpson, Singh, Smith, Smitten, Sweet, Symonds, A Wright and D Wright

Apologies for absence were received from Councillors Clews, L Dirveiks, N Dirveiks, Farrell, Ferro, Gosling, Hanratty, Henney, Ingram, Jarvis, Payne, E Stanley, M Stanley and Waters

13 Disclosable Pecuniary and Non-Pecuniary Interests

None were declared at the meeting.

14 Minutes of the Meeting of Council held on 25 July 2018

The minutes of the Meeting of the Council held on 25 July 2018 were approved as a correct record and signed by the Deputy Mayor.

15 Questions Pursuant to Standing Order No. 7

There were no questions pursuant to Standing Order No 7.

16 Minutes of the meeting of the Executive Board held on Wednesday 25 July 2018

The minutes of the meeting of the Executive Board held on Wednesday 25 July 2018 were circulated at the meeting.

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

Resolved:

That the minutes of the meeting of Executive Board held on 25 July 2018, together with the recommendations contained therein, be approved and adopted.

17 Notice of Motion under Standing Order No. 10

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

18 **The Common Seal**

It was proposed by Councillor Moss, seconded by Councillor D Wright 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 PLANNING AND DEVELOPMENT BOARD

9 July 2018

Present: Councillor Simpson in the Chair.

Councillors L Dirveiks, Hayfield, Henney, Jarvis, Lewis, Morson, Phillips, Reilly, Smith, Smitten, Sweet, Symonds, A Wright and D Wright

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

Councillor Clews was also in attendance.

12 **Disclosable Pecuniary and Non-Pecuniary Interests**

Councillors Hayfield and Reilly declared non-pecuniary interest in Minute No 15 c – Planning Applications (Application No 2016/0280 Land Opposite 84 to 104 Orton Road, Warton) and took no part in the discussion or decision on this item.

Councillors Sweet and A Wright declared non-pecuniary interests in Minute No 15 g and h – Planning Applications (Application No 2018/0123 and Application No 2018/0215 both relating to The Vicarage, Newlands Road, Baddesley Ensor).

13 **Minutes**

The minutes of the meetings of the Board held on 5 March, 9 April, 14 May and 11 June 2018, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

14 **Budgetary Control Report 2018/2019 - Period Ended 26 June 2018**

The Assistant Chief Executive (Finance and Human Resources) reported on the revenue expenditure and income for the period from 1 April 2018 to 26 June 2018. The 2018/2019 budget and the actual position for the period, compared with the estimate at that date were detailed, together with an estimate of the out-turn position for services reporting to the Board.

Resolved:

That the report be noted.

15 **Planning Applications**

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

Resolved:

- a **That in respect of Application No 2018/0016 (Unit 6, Netherwood Industrial Estate, Ratcliffe Road, Atherstone, Warwickshire, CV9 1PL) the County Council be informed that there is no objection in principle to the proposal and that the County Council should satisfy itself that the appropriate environmental controls (particularly noise and that the site be kept in a tidy state) are in place prior to the grant of any planning permission;**
- b **That in respect of Applications No 2018/0017, 2018/0018 and 2018/0019 (Packington Lane Landfill Site, Packington Lane, Little Packington, Coleshill, Warwickshire, CV7 7HN) the County Council be informed that there is no objection;**
- c **That Application No 2016/0280 (Land opposite 84 to 104 Orton Road, Warton, B79 0HU) be deferred to further consider the highways issues and the tree assessment identified in the report;**

Speakers Andy Newton and David Williams

- d **That in respect of Application No 2017/0551 (Land south of Warton Recreation Ground, Orton Road/Barn End Road, Warton)**
 - 1. **outline planning permission be granted subject to a Section 106 Agreement as set out in the report of the Head of Development Control with the addition of contributions to bus stop enhancements and travel packs, and the conditions as recorded in Appendix B of that report; and**
 - 2. **notes be added to the Notice strongly recommending that the Council will be looking for the possibility of a secondary access onto Orton Road within the layout to be submitted under the subsequent application for the approval of reserved matters.**

Speakers Wayne Barker, Lee Clinton and Ben Cook

- e That the issue of traffic speed limits in the village of Warton be raised at the forthcoming meeting between leading Planning Board Members and the County Council to discuss local highway issues and the responses received from that Authority in respect of planning applications;
- f That Application No 2017/0539 (Angel Ale House, Church Street, Atherstone, CV9 1HA) be deferred for a further meeting of Members and the applicant;

Speaker Andrew Taylor

- g That Application No 2018/0123 (The Vicarage, Newlands Road, Baddesley Ensor, CV9 2BY) be deferred for a site visit;
- h That Application No 2018/0215 (The Vicarage, Newlands Road, Baddesley Ensor, CV9 2BY) be deferred for a site visit;
- i That in respect of Application No 2018/0235 (Labri, Ansley Lane, Arley, Coventry, Warwickshire, CV7 8FU) planning permission be granted for the following reasons:

The building is not out of keeping with the area and there is no impact on residential amenity and subject to the following conditions:

- a) The building hereby permitted shall solely be used for purposes incidental to the main residential use of the building known as L'Abri and for no other use whatsoever.
 - b) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, or as be amended, no roof light or velux light, nor other opening, including any dormer window, shall be made in the roof slope of the building facing towards the west.
 - c) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, or as may be amended, there shall be no alterations or amendments made to the building hereby approved.
- j That Application No 2018/0272 (Over Coppice Farm, Boulters Lane, Wood End, Atherstone, CV9 2QD) be deferred for a site visit and further discussion with the applicant;

Speaker John Wren

- k That Application No 2018/0300 (Land Opposite Thompsons Meadow, Spon Lane, Grendon) be deferred for a site visit;**

Speakers John Hill and Andy Dodson

- l That in accordance with Schedule 2 Part 16, Class A of the Town and Country Planning (General Permitted Development) Order, 2015 (as amended), it is considered that the proposed telecommunications equipment in respect of Application No 2018/0357 (Recreation Ground, Johnson Street, Wood End) constitutes permitted development and that no objection is raised regarding its siting and appearance.**

Speaker Matthew Pearson

16 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.

17 Land adjacent to The Cedars, Coton Road, Nether Whitacre (the former Buchan's site)

The Head of Development Control reported on the latest position in respect of the site in Nether Whitacre and Members were asked to agree a suggested course of action.

Resolved:

That in light of the issues involved, the Assistant Chief Executive and Solicitor to the Council be authorised to issue an Enforcement Notice, the terms to be determined by the Assistant Chief Executive and Solicitor to the Council in consultation with the Chairman and Vice-Chairman of the Board together with the Opposition Spokesperson and local Ward Members.

18 Tree Preservation Order - Pound Lane Over Whitacre

The Board was invited to consider the making of a Tree Preservation Order in respect of an oak tree in Pound Lane, Over Whitacre.

Resolved:

- a That having considered the issues and observations received, the Council makes a Tree Preservation Order in respect of an oak tree in Pound Lane, Over Whitacre as identified in the report of the Head of Development Control; and**
- b That any representations duly made be referred back to the Board in due course for consideration as to whether to confirm the Order or not.**

Mark Simpson
Chairman

**Planning and Development Board
9 July 2018
Additional Background Papers**

Agenda Item	Application Number	Author	Nature	Date
6/12	PAP/2017/0551	Agent	Consultation	2/7/18
		Agent	E-mail	4/7/18
6/60	PAP/2017/0539	Assistant Director Streetscape	Consultation	6/7/18
		Civic Society	Representation	9/7/18
6/91	PAP/2018/0235	Note	Site Visit	29/6/18
6/100	PAP/2018/0272	Agent	Note	6/7/18
		Head of Development Control	E-mail	6/7/18
6/127	PAP/2018/0357	Probert	Objection	6/7/18
		Applicant	E-mail	9/7/18

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

6 August 2018

Present: Councillor Simpson in the Chair.

Councillors Bell, Chambers, L Dirveiks, N Dirveiks, Henney, Humphreys, Jarvis, Morson, Phillips, Smith, Smitten, Waters, A Wright and D Wright

Apologies for absence were received from Councillors Hayfield (substitute Councillor Humphreys), Lewis (substitute Councillor N Dirveiks), Sweet (substitute Councillor Chambers), Reilly (substitute Councillor D Wright) and Symonds (substitute Councillor Waters)

Councillors Davis and Moss were also in attendance.

19 **Disclosable Pecuniary and Non-Pecuniary Interests**

Councillor Bell declared a non-pecuniary interest in Minute No 20 – Planning Applications (Application No 2018/0023 - The Coleshill School, Coventry Road, Coleshill, B46 3EX, Application No 2018/0025 - Michael Drayton School, The Woodlands, Hartshill, Nuneaton, Warwickshire, CV10 0SW and Application No 2016/0280 - Land opposite 84 to 104 Orton Road, Warton, B79 0HU) left the meeting and took no part in the discussion or voting thereon.

Jeff Brown, Head of Development Control, declared a non-pecuniary interest in Minute No 20 – Planning Applications (Application No 2018/0025 - Michael Drayton School, The Woodlands, Hartshill, Nuneaton, Warwickshire, CV10 0SW) by virtue of being the Chair of Governors for the Michael Drayton School. He took no part in the consideration of that item.

Councillor D Wright declared a pecuniary interest in Minute No 20 – Planning Applications (Application No 2017/0425 and 2017/0424 (Polesworth Learning Centre, High Street, Polesworth, B78 1DU) left the meeting and took no part in the discussion or voting thereon.

Councillor Morson declared a non-pecuniary interest in Minute No 20 – Planning Applications (Application No 2017/0660 (Cuckoo's Rest, Whitehouse Road, Dordon) and took no part in the discussion or voting thereon.

Councillor A Wright declared a non-pecuniary interest in Minute No 20 - Planning Applications (Application No 2018/0123 and Application No

2018/0215 both relating to The Vicarage, Newlands Road, Baddesley Ensor) and took no part in the discussion or voting thereon.

Councillors Smitten declared a non-pecuniary interest in Minute No 20 – Planning Applications (Application No 2018/0138 (Applegarth and The Croft, Norton Hill, Austrey, CV9 3ED) and took no part in the discussion or voting thereon.

20 **Planning Applications**

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

Resolved:

- a **That in respect of Application No 2018/0023 (The Coleshill School, Coventry Road, Coleshill, B46 3EX) the Borough Council does not raise an objection, but requests that the County Council has to explore the potential harms caused here by the loss of open space on the campus and the impact on traffic generation and parking before it assesses the final planning balance. The advice from Sport England and the Highway Authority is thus needed;**
- b **That in respect of Application No 2018/0025 (Michael Drayton School, The Woodlands, Hartshill, Nuneaton, Warwickshire, CV10 0SW) the Council raises a holding objection. Whilst not objecting in principle, the Council draws attention to the increased pressure that the development will place on parking consequences and it is considered that these should be explicitly addressed by the County Council;**
- c **That consideration of Application No 2016/0280 (Land opposite 84 to 104 Orton Road, Warton, B79 0HU) be deferred;**

Speakers Andy Newton, David Williams and Ian Ritchie

- d **That subject to completion of a Section 106 Agreement as set out in the report of the Head of Development Control, Application No 2017/0108 (24-26, Atherstone Road, Hartshill, CV10 0SP) planning permission be granted subject to the conditions set out in the said report;**

Speaker John Randle

- e **That Application No 2017/0162 and 2017/0163 (The Old Post Office, Main Road, Newton Regis, B79 0NA) be approved**

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

- f That consideration of Application No 2017/0219 (Black Swan Inn, Watling Street, Grendon, CV9 2PY) be deferred;

Speaker Graham Wrightson

- g That Applications No 2017/0425 and 2017/0424 (Polesworth Learning Centre, High Street, Polesworth, B78 1DU) be approved in principle and the Head of Development Control, in consultation with the Design Champions and the Local Ward Members, be authorised to approve the Applications;

Speaker Father Philip Wells

- h That consideration of Application No 2017/0660 (Cuckoo's Rest, Whitehouse Road, Dordon and Application No 2017/0659 - Land to the raer of the Co-Op, New Street, Dordon) be deferred;

Speakers Bob Kind and Mark Doggett

- i That Application No 2018/0123 (The Vicarage, Newlands Road, Baddesley Ensor, CV9 2BY) be approved subject to the conditions specified in the report of the Head of Development Control;

Speaker Andrew Taylor

- j That Application No 2018/0215 (The Vicarage, Newlands Road, Baddesley Ensor, CV9 2BY) be approved subject to the conditions specified in the report of the Head of Development Control and to an additional condition relating to landscaping;

Speaker Andrew Taylor

- k That subject to a satisfactory Deed of Variation of the Section 106 Agreement relating to changes to the provisions for affordable housing, Application No 2018/0138 (Applegarth and The Croft, Norton Hill, Austrey, CV9 3ED) be approved subject to the conditions specified in the report of the Head of Development Control;

Speaker Dominic Cooney

- l That consideration of Application No 2018/0231 (Heart of England Conference and Events Centre, Meriden Road, Fillongley, CV7 8DX) be deferred for a site visit;

Speaker Adrian White

- m That consideration of Application No 2018/0272 (Over Coppice Farm, Boulters Lane, Wood End, Atherstone, CV9 2QD) be deferred;**

Speaker John Wren

- n That Application No 2018/0300 (Land Opposite Thompsons Meadow, Spon Lane, Grendon) be refused for the following reason**

“The proposal would not positively improve the character and appearance of this part of Grendon as required by Policy NW12 of the North Warwickshire Core Strategy 2014 by virtue of the loss of open space and countryside.”

Speaker James Hill

- o That consideration of Application No 2018/0377 (Ashleigh, Coventry Road, Fillongley, CV7 8BZ) be deferred;**

Speakers Adrian White and James Cassidy

- p That in respect of Application No 2018/0422 (Land Rear of 1 To 6, St Benedicts Close, Atherstone) the works may proceed regarding the ash tree and that a suitable alternative replacement is planted but that the works to the cherry tree be refused;**
- q That in respect of Application No 2018/0423 (The Council House, South Street, Atherstone, CV9 1DE) the works may proceed and that a suitable alternative tree is replanted.**
- r That in respect of Application No 2018/0427 (Land to the West of, Laurel Drive, Hartshill, CV10 0XP) the works may proceed; and**
- s That in respect of Application No 2018/0430 (Footpath Church Hill Flats, Church Hill, Coleshill, B46 3AJ) the works may proceed but that that suitable alternative replacement trees are planted.**

21 Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April - June 2018

The Chief Executive reported on the progress with the achievement of the Corporate Plan and Performance Indicator targets relevant to the Planning and Development Board for April to June 2018.

Resolved:

That the report be noted.

22 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.

23 Tree Preservation Order - Polesworth

The Board was invited to consider the making of a Tree Preservation Order on land at The Old School and Polesworth Learning Centre, High Street, Polesworth.

Resolved:

That a Tree Preservation Order be made with immediate effect, in respect of seven individual trees and one group of trees located at The Old School and Polesworth Learning Centre, High Street Polesworth for the reasons given in the report of the Head of Development Control, and that any representations received be referred to the Board for it to consider whether to make the Order permanent.

24 Tree Preservation Order - Pound Lane Austrey

The Board was invited to consider the making of a Tree Preservation Order on land at Applegarth and The Croft, Norton Hill, Austrey.

Resolved:

That a Tree Preservation Order be made with immediate effect, in respect of the Copper Beech and Spruce located at Applegarth, Norton Hill, Austrey, for the reasons given in the report of the Head of Development Control, and that any representations received be referred to the Board for it to consider whether to make the Order permanent.

Mark Simpson
Chairman

**Planning and Development Board
6 August 2018
Additional Background Papers**

Agenda Item	Application Number	Author	Nature	Date
4/12	CON/2018/0025	WCC Highways	Objection	20/7/18
4/17	PAP/2016/0280	Residents of Orton Road	Objection	2/8/18
		S Machin	Objection	6/8/18
4/102	PAP/2017/0219	Grendon Parish Council	Objection	24/7/18
		Atherstone Civic Society	Objection	6/8/18
		Tamworth Civic Society	Objection	2/8/18
		L Lindsey	Objection	3/8/18
4/133	PAP/2017/0660	M Doggett	Objection	1/8/18
4/233	PAP/2018/0215	C Pegg	Objection	4/8/18
4/250	PAP/2018/0272	J Wren	Representation	5/8/18
4/281	PAP/2018/0377	S McIndoe	Objection	3/8/18
		D & S Lees	Objection	5/8/18

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

3 September 2018

Present: Councillor Simpson in the Chair.

Councillors Bell, Clews, L Dirveiks, Henney, D Humphreys, Jarvis, Lewis, Morson, Phillips, Smith, Smitten, Sweet, Symonds and D Wright

Apologies for absence were received from Councillors Reilly (substitute Councillor D Humphreys), Hayfield (substitute Councillor Clews) and A Wright (substitute Councillor D Wright)

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

Councillor Morson declared a non-pecuniary interest in Minute No 26 – Planning Applications (Application No 2018/0660 – Cuckoo’s Rest, Whitehouse Road, Dordon) left the meeting and took no part in the discussion or voting thereon.

Councillor D Humphreys declared a non-pecuniary interest in Minute No 26 – Planning Applications (Application No 2017/0539 – Angel Ale House, Church Street, Atherstone) left the meeting and took no part in the discussion or voting thereon.

In respect of Minute No 26 Planning Applications Application No 2018/0477 (Copperfields, Dog Lane, Nether Whitacre, B46 2DT) the Monitoring Officer had granted Members a dispensation to consider and determine the Application.

Councillors Simpson and D Humphreys declared non-pecuniary interests in Minute No 33 (High House Farm, Broad Lane, Fillongley), left the meeting and took no part in the discussion or voting thereon. The Board elected Councillor Bell as Chairman for this item.

26 **Planning Applications**

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

Resolved:

- a **That in respect of Application No 2018/0026 (Land at M42, Junction 11, Stretton-en-le-Field)**

reference APP/R3705/C/02/1096610 subject to a compliance period of 6 months.

- e That in respect of Application No 2017/0602 (Land 160m South Of North Warwicks Sports Ground, Tamworth Road, Polesworth)
 - i) That the Council is minded to refuse planning permission on the grounds that the proposal does not accord with Policy NW19 of the North Warwickshire Core Strategy 2014 as supplemented by Policy LP5 of the Submitted North Warwickshire Local Plan 2018, to the extent that the harm caused is significant such that it outweighs any potential benefits; and
 - ii) That until such time as agreement is reached between Warwickshire and Staffordshire County Councils as education and highway authorities, the Council's position is that additional harm will be caused and that this should be added into the final planning balance as required by the NPPF.

Speakers Stephen Doyle and Mark Hopkins

- f That having considered the report (including the supplementary report) of the Head of Development Control, Application No 2017/0660 (Land to the rear of the Co-op, New Street, Dordon) be approved as set out in the supplementary report;
- g That having considered the report (including the supplementary report) of the Head of Development Control, Application No 2017/0659 (Cuckoo's Rest, Whitehouse Road, Dordon) be approved as set out in the supplementary report;
- h That in respect of Application No 2018/0065 (The Boot Inn Public House, Watling Street, Grendon, CV9 2PG) the application be refused for the following reasons:

"The proposal is not considered to accord with Policy NW10 (6) supplemented by saved Policy ENV14 of the North Warwickshire Local Plan 2006 and paragraph 109 of Section 9 of the National Planning Policy Framework 2018. This is because of the objection from Highways England in respect in particular of pedestrian safety at this site vis-à-vis its setting and relationship with the A5 Trunk Road."

Speaker Rachel Sweet

i That consideration of Application No 2018/0321 (Land to the Rear of The Elms, Austrey Road, Warton, B79 0HG) be deferred for further information to be provided with regard to the construction management plan;

j That consideration of Application No 2018/0051 (Ashleigh, Coventry Road, Fillongley, CV7 8BZ) be deferred;

Speakers Adrian White, David Lees and James Cassidy

k That Application No 2018/0377 (Ashleigh, Coventry Road, Fillongley, CV7 8BZ) be refused to the following reason;

“The proposal is not considered to accord with Policy NW10 (9) of the North Warwickshire Core Strategy 2014, because of the cumulative adverse impact arising from the approved amendments and the residential amenity of the occupiers of adjoining property. In particular this relates to the increased number of windows; the increase in height at plot 3, the increased size in the number of bedrooms, the increased car parking provision and general activity at the rear of the neighbouring property.”

Speakers Adrian White, David Lees and James Cassidy

l That Application No 2018/0477 (Copperfields, Dog Lane, Nether Whitacre, B46 2DT) be approved subject to the conditions specified in the report of the Head of Development Control.

27 Land on the North Side of Church Lane, Corley

The Head of Development Control sought approval for a variation to the affordable housing provision at a site in Corley.

Resolved:

That the revisions to the provision of affordable housing be varied as set out in the report of the Head of Development Control.

28 The National Planning Policy Framework 2018

The Head of Development Control reported that the Government had reviewed the existing National Planning Policy Framework and following consultation during the last few months, it had now published a new version. It replaced the existing 2012 Framework with immediate effect.

Resolved:

That the report be noted.

29 **Appeals Update**

The Head of Development Control brought Members up to date with recent appeal decisions.

Resolved:

That the report be noted.

30 **Confirmation of Tree Preservation Order - Caldecote**

The Board was invited to confirm the making of a Tree Preservation Order at Caldecote.

Resolved:

That having considered the representations received, the Tree Preservation Order for the trees at Caldecote as described in the report be confirmed.

31 **Submission of Fillongley Neighbourhood Plan for public consultation**

The Board was informed of the progress of the submitted Fillongley Neighbourhood Plan and the Corporate Director - Environment sought approval to go out for a formal consultation in accordance with section 16 of the Neighbourhood Planning (General) Regulations 2012.

Resolved:

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

32 **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.

33 **High House Farm, Broad Lane, Fillongley – Change of Use from Residential to a Business Use as an Events Centre**

The Head of Development Control reported on an unauthorised change of use at High House Farm, Broad Lane, Fillongley and the Board was invited to consider the commencement of enforcement action.

Resolved:

That the Solicitor to the Council be authorised to issue an enforcement notice in relation to the unauthorised change of use of a residential house (C3) to a business use as an events venue (sui generis) at High House Farm, Broad Lane, Fillongley requiring the cessation of the use for an events venue and a compliance period of one month for the reasons outlined in the report.

34 The Funky Bear Public House, Cliff House, Tamworth Road, Tamworth

The Head of Development Control reported on a breach of Listed Building Control at the Funky Bear Public, House Cliff House, Tamworth Road, Tamworth and the Board was invited to consider the commencement of enforcement action

Resolved:

That the Solicitor to the Council be authorised to issue a Listed Building Enforcement Notice in respect of the unauthorised painting and change of colour to this public house for the reasons given in the report and that the requirements of the Notice be the removal of the existing paintwork and its replacement with a “breathable” masonry paint in a colour to be agreed with the Authority. That the compliance period be three months.

Mark Simpson
Chairman

**Planning and Development Board
3 September 2018
Additional Background Papers**

Agenda Item	Application Number	Author	Nature	Date
4/173	PAP/2018/0321	WCC Flooding	Consultation	20/8/18
4/194	PAP/2018/0377	Fillongley Parish Council	Objection	24/8/18
4/245	PAP/2018/0477	Nether Whitacre Parish Council	Objection	1/9/18

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE COMMUNITY AND ENVIRONMENT BOARD

16 July 2018

Present: Councillor Bell in the Chair.

Councillors Chambers, Gosling, Hanratty, Jarvis, Lea, Lewis, Phillips, Singh, Smith, Smitten, and Symonds

Apologies for absence were received from Councillors Ferro and Waters (Substitute Councillor Symonds).

Councillor Davis was also in attendance.

1 **Disclosable Pecuniary and Non-Pecuniary Interests**

None were declared at the meeting.

2 **Minutes of the meeting of the Board held on 12 March 2018**

The minutes of the meeting held on 12 March 2018, copies having been previously circulated were approved as a correct record and signed by the Chairman.

3 **Budgetary Control Report 2018/19 Period Ended 30 June 2018**

The Corporate Director Resources reported on the revenue expenditure and income for the period from 1 April 2018 to 30 June 2018.

Resolved:

That the report be noted.

4 **Leisure Facilities: Service Improvement Plan and Key Performance Indicators**

The Director of Leisure and Community Development asked Members to adopt or otherwise amend the draft Service Improvement Plan, which would be used to guide the work of the Borough Council's Leisure Facilities section through to March 2020. The section's latest performance against the approved set of key indicators through which the Board will monitor the operational and financial performance of the leisure facilities at each of its meetings was also presented.

Resolved:

- a That the draft Service Improvement Plan, as set out in Appendix A to the report, be used as a framework to guide the work of the Borough Council's Leisure Facilities section through to March 2020, and that Members be invited to submit any further comments on the Plan to the Director of Leisure and Community Development during the next two weeks;
- b That the revised draft Service Improvement Plan be brought to the next meeting of the Board; and
- c That the section's performance against the approved set of key indicators through which the Board monitors the operational and financial performance of the leisure facilities at each of its meetings be noted.

5 Draft Green Space and Playing Pitch Strategies

Further to the direction provided by the Executive Board at its meeting held in February 2018, the Director of Leisure and Community Development presented the draft Green Space and Playing Pitch Strategies, both produced by external consultants, for Members' consideration.

Resolved:

- a That the draft Green Space Strategy produced by external consultants be re-written, taking account of existing and related documentation, the demand to be generated by anticipated new development in the Borough and the advice given by Members, and that a revised draft Green Space Strategy be brought to a future meeting of the Board;
- b That the conclusions and recommendations of the draft Playing Pitch Strategy be approved in principle, but that consideration of its formal adoption be deferred until after the Board has had the opportunity to consider the Local Football Facilities Plan being produced by the Football Association and its partners;
- c That a bullet point summary of the draft Playing Pitch Strategy be circulated to Parish Councils for comment back to the Director of Leisure and Community Development;
- d That the principle of the Borough Council entering into a short-term agreement with Atherstone Sports Club, through which it could assume responsibility for the management and maintenance of part of Royal Meadow

Drive Recreation Ground, Atherstone, be approved, subject to the outcome of an early meeting to be held between Members and representatives from the Sports Club on the points set out in paragraph 5.6 of the report of the Director of Leisure and Community Development; and

- e That the meeting referred to at d above be held prior to consideration of this matter at a future meeting of the Resources Board and that it be attended by the Chairman and Vice Chairman of the Board, the Opposition Spokesperson and local Ward Members, or their appointed representatives.**

6 Heritage Activity Update

The Board was informed of a number of heritage-related activities that are currently being undertaken in partnership with external organisations.

Resolved:

- a That the outlined heritage activity being undertaken in partnership with external organisations be noted; and**

Recommendation to Executive Board

- b That the Executive Board be requested to approve a supplementary estimate of £25,000 to support heritage projects.**

7 Update on Supplementary Garden Waste Collections

The Director of Streetscape updated Members on the take-up of the Council's new supplementary waste collection service which came into force on 1 June 2018.

Resolved:

That the report be noted.

8 Warwickshire Waste Partnership

Members were provided with details of the most recent agenda and reports of the Warwickshire Waste Partnership held on 19 June 2018.

Resolved:

That the report and appendices be noted.

9 Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April 2017 – March 2018

Members were informed of the progress with the achievement of the Corporate Plan and Performance Indicator targets relevant to the Board for April 2017 to March 2018.

Resolved:

- a That the report be noted; and**
- b That a report on the red Environmental Health Performance indicator targets for food premises inspections be brought to a future meeting of the Board.**

Councillor Bell
Chairman

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE RESOURCES BOARD

4 September 2018

Present: Councillor D Wright in the Chair

Councillors Bell, Davis, N Dirveiks, Gosling, Henney, Simpson, Symonds and Waters

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

Councillors Clews, D Humphreys, M Humphreys, Jarvis, Phillips and Smith were also in attendance.

17 **Disclosable Pecuniary and Non-Pecuniary Interests**

Councillor Henney declared a non-pecuniary interest in Minute 19 – Atherstone Sports Club and Royal Meadow Drive Recreation Ground, left the meeting and took no part in the discussion or voting thereon.

Councillors Davis, Henney and D Wright declared a non-pecuniary interest in Minute 24 – CCTV Partnership and Systems Upgrade, by virtue of being Atherstone Town Councillors.

18 **Minutes of the Resources Board meetings held on 19 March 2018 and 21 May 2018**

The minutes of the meetings of the Board held on 19 March 2018 and 21 May 2018, copies having previously been circulated, were approved as a correct record and signed by the Chairman.

19 **Atherstone Sports Club and Royal Meadow Drive Recreation Ground – Report of the Director of Leisure and Community Development**

Summary

The Director of Leisure and Community Development presented a request from Atherstone Sports Club to enter into a Tenancy at Will in respect of its use of Royal Meadow Drive Recreation Ground, Atherstone.

Resolved:

That, subject to the agreement of the terms by the Chairman and Vice-Chairman of the Resources and Community and Environment Boards, the request from Atherstone Sports Club to enter into a Tenancy at Will in respect of its use of Royal Meadow Drive Recreation Ground be approved.

- 20 **Capital Programme 2018/2019 Period Ended 31 July 2018** – Report of the Corporate Director - Resources

Summary

The Corporate Director – Resources updated Members on the progress of the 2018/19 Capital Programme in terms of expenditure up to the end of July 2018.

Resolved:

- a **That the progress made against the 2018/19 Capital Programme be noted; and**
- b **That the proposed revisions to the 2018/2019 HRA Capital Programme, set out in Column C of Appendix A, be approved.**

- 21 **General Fund Budgetary Control Report 2018/19 Period Ended 31 July 2018**

The Corporate Director – Resources reported on the revenue expenditure and income for the period from 1 April 2018 to 31 July 2018. The 2018/19 budget and the actual position for the period, compared with the estimate at that date were given, together with an estimate of the out-turn position for services reporting to the Board.

Resolved:

That the report be noted.

- 22 **Housing Revenue Account Budgetary Control Report 2018/19 – Period Ended 31 July 2018**

The Corporate Director – Resources reported on the total Housing Revenue Account revenue expenditure and income for the period from 1 April to 31 July 2018.

Resolved:

That the report be noted.

- 23 **Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April – June 2018**

The Chief Executive informed Members of the progress with the achievement of the Corporate Plan and Performance Indicator targets relevant to the Resources Board for April to June 2018.

Resolved:

That the report be noted.

24 CCTV Partnership and System Upgrade – Report of the Director of Housing

The Director of 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 service.

Resolved:

- a That the contents of the report be noted;**
- b That the appointment of a CCTV technical consultant to provide an options report and technical specification for the replacement of CCTV equipment used by the Borough Council and Atherstone Town Council be approved;**
- c That the request from Coleshill Town Council to become part of the CCTV partnership be supported; and**
- d That, in order for Coleshill Town Council to join the CCTV partnership, the technical requirements be included in the specialist options appraisal.**

25 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.

26 Irrecoverable Local Taxation Debts – Report of the Corporate Director – Community

The Corporate Director – Community 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 £5,750 totalling £9,503.76 in respect of one debtor as part of an insolvency action as outlined in Appendix A, be approved; and**
- b That the total amount of write-offs in the year to date and over the last 6 years which include those written off by**

the Corporate Director – Community under delegated powers, summarised in Appendix B, be noted.

27 Request to Purchase Land

The Director of Housing informed the Board about a request to purchase land in the Council's ownership in Old Arley.

Resolved:

That the request to purchase the piece of land in Old Arley shown at Appendix B to the report of the Director of Housing be declined.

28 Condition of Council Flats – Long Street and Coleshill Road, Atherstone

The Director of Housing provided the Board with information about the condition of Council owned flats at Long Street and Coleshill Road, Atherstone and set out options for addressing the repair issues reported.

Resolved:

- a That an Architect to provide plans for the sites be appointed;**
- b That individual occupants and neighbouring residents be consulted about the proposals; and**
- c That the flats identified in the report be demolished and replaced with new build developments which are a good design and enhance the local area and that the Chair of the Board be consulted before the final designs are submitted for planning approval.**

29 Long Term Empty Home – Coleshill

The Director of Housing made the Board aware of a property which had been empty for several years and its deteriorating condition was causing concern for neighbours and subsequent detriment to other properties within the block.

Resolved:

That if the leaseholder does not carry out the required repairs, the Council acts to undertake the repairs in default, putting a charge against the property , and seeking to enforce its sale or a Compulsory Purchase Order.

30 Land Issues – Update

The Director of Streetscape updated Members on issues relating to land ownership at Sheepy Road, Atherstone and the outcome of discussions with

the owner and developer of the neighbouring sites. The report also set out details of a land swap agreement which had been reached with the developer and Members were asked to endorse the proposal in order to bring matters to a conclusion.

Resolved:

- a That the contents of this report be noted;**
- b That the parcels of land identified in the report be declared surplus to requirements of the Council;**
- c That the proposed land exchange and rights of access outlined in the report of the Director of Streetscape be agreed;**
- d That, in consultation with the Chair and Vice Chair of the Board, the Director of Streetscape be authorised to finalise the details of the agreement so long as they are in line with the proposals set out in the report; and**
- e That, should the agreement not reach a satisfactory conclusion, the Board would revert to the action previously agreed and take possession of the land to the rear of Mancetter Manor (known as the deer field).**

D Wright
Chairman

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE EXECUTIVE BOARD

17 September 2018

Present: Councillor Humphreys in the Chair

Councillors Bell, L Dirveiks, N Dirveiks, Farrell, Hayfield, Phillips, Reilly, Simpson and D Wright

An apology for absence was received from Councillor Chambers (substitute Councillor L Dirveiks).

Councillors Clews, Gosling, Jarvis, Lea and L Smith were also in attendance.

24 **Declarations of Personal or Prejudicial Interest.**

Councillors L Dirveiks and Reilly declared a non-pecuniary in Minute No 27 - Supplementary Estimate – Heritage Activity Update.

25 **Minutes of the meeting of the Board held on 25 July 2018.**

The minutes of the meeting of the Board held on 25 July 2018, copies having been circulated, were approved as a correct record and signed by the Chairman.

26 **Financial Strategy 2018-2023**

The Corporate Director - Resources report on the Authority's Financial Strategy projected forward the Authority's General Fund budgets to 2022/23, and suggested a detailed budget approach for the 2019/20 General Fund Budget.

Recommended:

- a That the Financial Strategy shown as Appendix A to the report of the Corporate Director - Resources be approved;**
- b That the General Fund budget projections for 2019/20 to 2022/23 be noted; and**
- c That the budget approach, set out in section 8 of the report of the Corporate Director - Resources, be adopted.**

27 Supplementary Estimate – Heritage Activity Update

The Board was asked to agree a supplementary estimate of £25,000, to support heritage activity in the Borough.

Recommended:

That a supplementary estimate of £25,000, to support heritage activity in the Borough, be approved.

28 Budgetary Control Report 2018/19 - Period Ended 31 August 2018

The Corporate Director - Resources reported on the revenue expenditure and income for the period from 1 April 2018 to 31 August 2018. The 2018/2019 budget and the actual position for the period, compared with the estimate at that date, was also given, together with an estimate of the out-turn position for services reporting to the Board.

Resolved:

That the report be noted.

29 Local Government Ombudsman Annual Review 2017/18

The Chief Executive reported on the results of the Local Government and Social Care Ombudsman Annual Review 2017/18. The report highlighted the number of complaints and enquiries considered by the Ombudsman relating to the Council and the outcome of their determinations.

Resolved:

That the report be noted.

30 Landscape Works to Prevent Unauthorised Access at Arley and Mancetter Recreation Grounds - Report of the Director of Leisure and Community Development

The Director of Leisure and Community Development reported on proposed measures to try and prevent unauthorised access at Arley and Mancetter Recreation Grounds and the Board was asked to agree a suggested course of action.

Recommended:

- a That a supplementary estimate of £30,400 to support landscape works to try and prevent unauthorised**

access at Arley and Mancetter Recreation Grounds be approved;

- b That the Director of Leisure and Community Development, in consultation with the Chairman of the Board, the Opposition Spokesperson and local Ward Members, be authorised to agree the scheme of works for the sites at Arley and Mancetter;
- c That, as part of the budget setting process, Members be asked to consider the future provision of funds for landscaping works to prevent unauthorised access to Council owned recreation grounds in the Borough.

31 Polesworth Sports Centre Dual-use Agreement

The Director of Leisure and Community Development updated the Board on Officers discussions with representatives of Polesworth School, regarding the short-term extension of the current dual-use agreement on improved financial terms for the Borough Council.

Recommended:

That the progress made in discussions with representatives of Polesworth School, in respect of the desire to secure a short-term extension of the current dual-use agreement on improved financial terms for the Borough Council be noted, and that the final terms of the agreement be determined by the Director of Leisure and Community Development in consultation with the Chairman and Vice-Chairman of the Executive and Community and Environment Boards.

32 Board Membership

The Corporate Director – Environment sought authorisation for any possible amendments to representation on Boards resulting from a recent change in party membership.

Recommended:

- a That the revised Board, Committees and other bodies' arrangements detailed in the report of the Corporate Director – Environment be noted; and
- b That the revised membership details be submitted to the next meeting of Full Council for approval.

33 **Gambling Act 2005 – Review of Gambling Licensing Statement Of Principles 2019 - 2022**

The Board was invited give final approval to the draft Statement of Principles made under the Gambling Act 2005.

Recommended:

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

34 **Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April – June 2018**

The Chief Executive informed Members of the progress with the achievement of the Corporate Plan and Performance Indicator targets relevant to the Executive Board for April to June 2018.

Resolved:

That the report be noted.

35 **Minutes of the meeting of the Safer Communities Sub-Committee held on 17 July 2018**

Subject to the inclusion of Councillor Clews in the list of apologies, the minutes of the meeting of the Safer Communities Sub-Committee held on 17 July 2018 were received and noted.

36 **Minutes of the meeting of the Special Sub-Group held on 11 September 2018**

The minutes of the meeting of the Special Sub-Group held on 11 September 2018 were received and noted.

37 **Arley Sports Centre**

Under section 100B(4)(b) of the Local Government Act 1972 the Chairman of the Board had agreed to the consideration of this matter by reason of the urgent need to update Members on the current position regarding Arley Sports Centre. The Chief Executive reported verbally on the application to register the property as an asset of community value and on the current position with regard to the asset transfer of Arley Sports Centre

David Humphreys
Chairman

North Warwickshire Borough Council

Election of a Councillor

Result of Poll – 23 August 2018

Set out below is the Councillor elected to North Warwickshire Borough Council

NEWTON REGIS AND WARTON WARD

Councillor Marian Humphreys, 5 Elms Court, Austrey, Atherstone CV9 3SS