

North Warwickshire Borough Council

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Chief Executive

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**This matter is being dealt with by
Mr D Harris**

Direct Dial : (01827) 719222

Your ref :

Our ref : DH

Date : 21 September 2010

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 29 September 2010 at 6.30pm. Councillor Gordon Sherratt will be in attendance to lead the Council in Prayer.

After prayer, the following business will be transacted:

- 1 Evacuation Procedure.
- 2 Apologies for absence / Members away on official Council business.
- 3 Declarations of Personal or Prejudicial Interest other than those declared in the minutes of the meetings of Boards/Committees and any personal interests arising from the membership of Warwickshire County Council of Councillors Fowler, Fox, Hayfield, Lea, May, B Moss, Sweet and membership of the various Town or Parish Councils of Councillors Butcher (Polesworth) Davis (Atherstone), Freer (Atherstone), Fox (Shustoke), Lewis (Kingsbury), Moore (Baddesley Ensor), B Moss (Kingsbury), M Moss (Kingsbury), Phillips (Kingsbury), Sherratt (Coleshill), Smitten (Polesworth), M Stanley (Polesworth), Y Stanley (Polesworth) and Zgraja (Over Whitacre) all of which interests are deemed to be declared at this meeting.
- 4 The Mayor to move, in accordance with Standing Order No 6(1):

“That the minutes of the Meetings of the Council held on 9 June, 28 June and 16 August 2010 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 and recommendations of the following Boards circulated herewith and to make the necessary Orders thereon:
 - a **Community and Environment Board** – 21 June 2010 (Pages 67 - 72)
 - b **Planning and Development Board** – 14 June, 19 July, 16 August and 13 September 2010 (Pages 73 - 101)
 - c **Resources Board** – 5 July and 6 September 2010 (Pages 102 - 112)
 - d **Executive Board** – 28 June and 14 September 2010 (Pages 113 – 122)
 - e **Area Forum South** – 13 July 2010 (Pages 123 - 125)
 - f **Area Forum North** – 22 July 2010 (Pages 126 - 129)
 - g **Area Forum East** – 27 July 2010 (Pages 130 - 134)
 - h **Area Forum West** – 29 July 2010 (Pages 135 - 142)
 - i **Licensing Committee** – 6 September 2010 (Pages 143 - 144)
 - j **Scrutiny Board** – 20 September 2010 (To follow).
- 8 To receive and consider any Notice of Motion under with 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

Chief Executive

**MINUTES OF THE MEETING OF THE
NORTH WARWICKSHIRE BOROUGH COUNCIL HELD AT THE
COUNCIL HOUSE, ATHERSTONE ON WEDNESDAY 9 JUNE 2010**

Present: Councillor Johnston in the Chair.

Councillors Bowden, Butcher, Davis, L Dirveiks, N Dirveiks, Forwood, Fowler, Freer, Gordon, Hayfield, Jenkins, Lea, Lewis, May, Moore, Morson, B Moss, M Moss, Phillips, Pickard, Sherratt, Simpson, Smith, Smitten, Swann, Sweet, Winter, Wykes and Zgraja.

Apologies for absence were received from Councillors Fox, Payne, M Stanley, Y Stanley and Welby and Mr Stan Orton, Chairman of the Standards Committee.

Before the commencement of business, the Reverend Tony Tooby, Priest in Charge, St Peter's Church, Mancetter, led the Council in Prayer.

10 Declarations of Interest

Personal or Prejudicial Interest other than those declared in the minutes of the meetings of Boards/Committees and any personal interests arising from the membership of Warwickshire County Council of Councillors Fowler, Hayfield, Lea, May, B Moss and Sweet and membership of the various Town or Parish Councils of Councillors Butcher (Polesworth), Davis (Atherstone), Freer (Atherstone), Lewis (Kingsbury), Moore (Baddesley Ensor), B Moss (Kingsbury), M Moss (Kingsbury), Phillips (Kingsbury), Sherratt (Coleshill), Smitten (Polesworth) and Zgraja (Over Whitacre) all of which interests were deemed to be declared at this meeting.

Councillor Fowler declared a personal interest in Minute No. 38 (Financial Assistance to Outside Organisations) of the meeting of the Community and Environment Board held on 8 March 2010 by reason of being Vice Chairman of the North Warwickshire Citizens' Advice Bureau.

11 Minutes

The minutes of the meeting of the Council held on 12 May 2010 were approved as a correct record and signed by the Mayor.

12 Mayor's Announcements

Members were informed that Phil Collins, a past Mayor of the Borough, had died on 31 May 2010. The meeting stood and observed a minutes silence and then the Mayor and Councillors paid tribute to his service to the Council and the residents of North Warwickshire.

The Mayor reported that Ann Mclauchlan, the Director of Community and Environment, was retiring at the end of June and Members wished her well for the future. She also reported that her charity golf day at the Belfry was on

Thursday 14 April 2011 and that nominations for Community Awards should be submitted to Karen Stokes as soon as possible.

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

The following Question was received from Councillor Pickard under Standing Order No 7:

"The hybrid Government at Westminster is presently stressing the importance of openness and accessibility. I agree with that. Freedom of Information and Value for Money are both at the heart of good local governance, especially when everybody is up against it financially.

That principle, of course, must be tempered by due observance of sensitivities and sensibilities associated with commercial and personal interests. Schedule 12a to the Local Government Act, 1972 looks after those concerns.

If the Law is ever used to shield public bodies against whatever discomfort, embarrassment or inconvenience that might arise from the normal pursuit of their activities, then it probably constitutes a distortion of the spirit of that Law. That will not serve the people well and will eventually bring the authority into disrepute because it obscures reasonable accountability.

In order to avoid that possibility, will the administration now release - in full - the Atherstone Town Centre Parking Review (dated Jan 2009) to the Public Domain in order that the benefits that can accrue from this sophisticated and expensive consultation can be widely spread amongst the paying customers?"

The response from Councillor Hayfield, Leader of the Council, was as follows:

"The Council commissioned the Atherstone Town Centre Parking Review for two reasons:-

Firstly, the amount of car parking capacity within Atherstone was considered to be likely to be an important factor in assessing the various options for the Council's Accommodation Project and, consequently, part of the review brief was to consider overall capacity and the options which were available to manage the parking capacity which existed at that time.

The second reason was that concerns were being expressed at the time (by Town Councillors and Borough Councillors alike) about the impact that the enhanced rail service from Atherstone would have on parking within the town.

Following a consultation exercise the headline results were reported back to the key stakeholders, including the Town Council, the County Council and the Police, in January 2009. The main findings of the review that car parking capacity within the town was near its limit but, if managed correctly, was sufficient to meet demand until at least 2018 and that the

impact of the increased rail service on parking would be minimal have so far been borne out.

A full copy of the review has been circulated to all Members, as an Appendix to a report on the Accommodation Review to the Special Sub-Group on 24 May 2010. At that meeting, the Special Sub-Group resolved that the report was confidential under Schedule 12 (A) of the Local Government Act 1972. Whilst I have no authority to overturn that decision, I am more than happy to recommend to the Executive Board at its meeting on 28 June that the appendix is made public, when it reviews the minutes of the Special Sub-Group meeting. "

14 Minutes of Boards/Committees

a) Community and Environment Board – 8 March 2010

It was proposed by Councillor May, seconded by Councillor Freer and

RESOLVED:

That the minutes of the meeting of the Community and Environment Board held on 8 March 2010 be approved and adopted.

b) Planning and Development Board – 15 March, 12 April and 17 May 2010

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

RESOLVED:

That the minutes of the meetings of the Planning and Development Board held on 15 March, 12 April and 17 May 2010 be approved and adopted.

c) Resources Board – 13 April and 24 May 2010

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

RESOLVED:

That the minutes of the meetings of Resources Board held on 13 April and 24 May 2010, together with the recommendations contained therein, be approved and adopted.

d) Executive Board – 19 April 2010

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

RESOLVED:

That the minutes of the meeting of Executive Board held on 19 April 2010, together with the recommendations contained therein, be approved and adopted.

e) Area Forum (East) – 20 April 2010

i) Minute No 7 - Funding – Councillor Neil Dirveiks reported that he had declared a personal and prejudicial interest in the application made by Owen Street Community Arts which had not been recorded. He took no part in the discussion or voting thereon.

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

RESOLVED:

That, subject to the amendment at i) above, the minutes of the meeting of Area Forum (East) held on 20 April 2010 be approved and adopted.

f) Area Forum (North) – 22 April 2010

It was proposed by Councillor Moore, seconded by Councillor Winter and

RESOLVED:

That the minutes of the meeting of Area Forum (North) held on 22 April 2010 be approved and adopted.

g) Scrutiny Board – 26 April 2010

It was proposed by Councillor Swann, seconded by Councillor Freer and

RESOLVED:

That the minutes of the meeting of the Scrutiny Board held on 26 April 2010, together with the recommendations contained therein, be approved and adopted.

h) Area Forum (South) – 27 April 2010

It was proposed by Councillor Sherratt, seconded by Councillor Fowler and

RESOLVED:

That the minutes of the meeting of Area Forum (South) held on 27 April 2010 be approved and adopted.

i) Area Forum (West) – 29 April 2010

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

RESOLVED:

That the minutes of the meeting of Area Forum (West) held on 29 April 2010 be approved and adopted.

15 Notice of Motion Under Standing Order No. 10

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

16 The Common Seal

It was proposed by Councillor Winter, seconded by Councillor Smitten 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

**MINUTES OF THE MEETING OF THE
NORTH WARWICKSHIRE BOROUGH COUNCIL HELD AT THE
COUNCIL HOUSE, ATHERSTONE ON MONDAY 28 JUNE 2010**

Present: Councillor Johnston in the Chair.

Councillors Butcher, Davis, L Dirveiks, N Dirveiks, Forwood, Fowler, Fox, Freer, Gordon, Hayfield, Lea, Lewis, May, Moore, Morson, B Moss, M Moss, Payne, Phillips, Sherratt, Simpson, Smith, Swann, Sweet, Welby, Winter and Wykes.

Mr Stan Orton (Chairman of the Standards Committee) was also in attendance.

Apologies for absence were received from Councillors Smitten, M Stanley and Y Stanley.

Before the commencement of business Councillor Sweet led the Council in Prayer.

17 Declarations of Interest

Personal or Prejudicial Interest other than those declared in the minutes of the meetings of Boards/Committees and any personal interests arising from the membership of Warwickshire County Council of Councillors Fowler, Fox, Hayfield, Lea, May, B Moss and Sweet and membership of the various Town or Parish Councils of Councillors Butcher (Polesworth), Davis (Atherstone), Freer (Atherstone), Fox (Shustoke), Lewis (Kingsbury), Moore (Baddesley Ensor), B Moss (Kingsbury), M Moss (Kingsbury), Phillips (Kingsbury) and Sherratt (Coleshill) all of which interests were deemed to be declared at this meeting.

18 To receive and consider an extract from the minutes of the meeting of the Executive Board held on 28 June 2010.

An extract from the minutes of the meeting of the Executive Board held on 28 June 2010 relating to Housing Finance Reform were circulated at the meeting.

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

Resolved:

That the extract from the minutes of the meeting of the Executive Board held on 28 June 2010 relating to Housing Finance Reform (Minute No 7), as circulated at the meeting, be approved.

**Chairman of the next ensuing meeting
of the Council**

**MINUTES OF THE MEETING OF THE
NORTH WARWICKSHIRE BOROUGH COUNCIL HELD AT THE
COUNCIL HOUSE, ATHERSTONE ON MONDAY 16 AUGUST 2010**

Present: Councillor Johnston in the Chair.

Councillors Bowden, Butcher, Davis, L Dirveiks, N Dirveiks, Forwood, Fowler, Fox, Freer, Gordon, Hayfield, Lea, Lewis, Moore, B Moss, Payne, Phillips, Pickard, Sherratt, Simpson, Smith, Smitten, M Stanley, Y Stanley, Swann, Sweet, Winter, Wykes and Zgraja.

Apologies for absence were received from Councillors Jenkins, May, Morson, M Moss and Welby.

Before the commencement of business Councillor Gordon led the Council in Prayer.

19 Declarations of Interest

Personal or Prejudicial Interest other than those declared in the minutes of the meetings of Boards/Committees and any personal interests arising from the membership of Warwickshire County Council of Councillors Fowler, Fox, Hayfield, Lea, May, B Moss and Sweet and membership of the various Town or Parish Councils of Councillors Butcher (Polesworth), Davis (Atherstone), Freer (Atherstone), Fox (Shustoke), Lewis (Kingsbury), Moore (Baddesley Ensor), B Moss (Kingsbury), Phillips (Kingsbury), Sherratt (Coleshill), Smitten (Polesworth), M Stanley (Polesworth), Y Stanley (Polesworth) and Zgraja (Over Whitacre) all of which interests were deemed to be declared at this meeting.

20 To receive and consider an extract from the minutes of the meeting of the Planning and Development Board held on Monday 19 July 2010 relating to Birch Coppice.

The Council was asked to consider an extract from the minutes of the meeting of the Planning and Development Board held on Monday 19 July 2010 relating to Birch Coppice Business Park, Dordon (Application No 2010/0102). Details of correspondence received since the Planning and Development Board held on 19 July 2010 was circulated at the meeting.

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

Resolved:

That in respect of Planning Application No 2010/0102

“Birch Coppice Business Park to create 186,000 square metres of built floor space for storage and distribution uses within Use Class B8, together with space for a Waste Transfer Station, as an extension to Birch Coppice Park Phase One. Details submitted include the layout of the proposed site roads and

vehicle accesses; site drainage infrastructure works construction of site roads, site levels for building development plateaux and proposed site boundary landscaping. Details of individual plot layouts, scale and appearance of buildings are included now for illustrative purposes only.”

For IM Properties (Dordon) Ltd

(A) Outline planning permission be granted subject to:

- i) the imposition of conditions as drafted below under B;**
- ii) A Section 106 Agreement in the form set out in the report to the May Planning and Development Board; and**
- iii) A condition being added as follows**

"No development, including site clearance, shall commence on site until a detailed mitigation plan for skylarks, including a schedule of works and timings, has first been submitted to and approved in writing by the Local Planning Authority. The Plan so approved, shall be implemented in full to the written satisfaction of the Authority.

Reason: To ensure that protected species are not harmed by the development.”

(B) Conditions

- i) Standard Outline condition (i) - omit layout; scale and access**
- ii) Standard Outline condition (ii) – five years for submission**
- iii) Standard Outline condition (iii) – three years time period**
- iv) Standard Plan numbers condition to include plan numbers: 829-020A; 11201/122, 123, 124, 125, 127 all received on 10 March 2010, plus plan numbers 11201/121C, 129D, 133B and 09-0406 Rev A received on 25 June 2010, together with Appendix A (Design Brief) and Appendix 2 (Landscape Design Guide) of the Design and Access Statement received on 10 March 2010.**
- v) The development hereby permitted shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) Ref: PCB/JWH/11201/3.3 –Issue 2 dated December 2009; the FRA Supplementary Information Ref: PCB/JWH/11201/3.0 dated February 2010, and the Investigations for Surface Water Disposal and**

FRA Ref: DAC/JWH/11201/3.3 dated April 2010, together with the following mitigation measures:

- a) the limitation of the rate of surface water run-off generated by the total site (Phases 1 and 2) so as to discharge at a rate of not more than the greenfield run-off rate as detailed in the FRA and associated documents.**
- b) Provision of attenuation storage volume on the total site to retain the 100 year plus 20% flow event volume.**
- c) Provision of an 8 metre easement strip adjacent to the top of the bank of the Penmire Brook as detailed in the FRA and associated documents**
- d) No ground levels to be raised in the area defined in the FRA as being at risk of flooding in a 1 in a 100 year plus climate change allowance, event.**

Reason: To prevent the increased risk of flooding; to improve and to protect water quality, habitat and amenity, and to ensure future maintenance of the system.

- vi) The B8 Use hereby approved shall be limited to a maximum of 186,000 square metres of gross floor space.**

Reason: In the interest of highway safety by ensuring that there is no adverse impact on the capacity of the existing road network.

Pre-Commencement Conditions

- vii) No work shall commence on site until such time as full details of how the surface water drainage system hereby approved is to be maintained and managed following completion, have first been submitted to and approved in writing by the Local Planning Authority.**

Reason: In order to reduce pollution and of flooding

- viii) No work shall commence on site until such time as a Construction Method and Management Statement has first been submitted to and approved in writing by the Local Planning Authority. This Plan shall include details of the method, working and phasing of the ground works; working hours, mitigation measures in respect of noise attenuation and reducing deposits on the surrounding highway network arising from HGV traffic, the location of site compounds and storage facilities, and the location of any site lighting during the construction phase. It shall also identify the means by which its terms are monitored**

and reviewed including the handling of complaints. The Plan once agreed by the Local Planning Authority shall remain in place until such time as agreed by the Authority.

Reason: In the interest of reducing adverse highway, traffic and environmental impacts as a consequence of this major construction project.

- ix) No development shall take place within the area denoted by the hatched area illustrated on the plan attached to this Notice and marked Appendix A, until such time as a programme of archaeological investigation has first been undertaken and implemented in full, in accordance with a written brief that shall first have been submitted to and approved in writing by the Local Planning Authority. The developer shall afford access at all reasonable times in order to enable this investigation to take place.

Reason: In the interest of establishing the archaeological significance of the site so as to add to the knowledge of the cultural heritage of the area.

- x) No development shall take place within the area denoted by the hatched area illustrated on the plan attached to this Notice and marked Appendix A, until such time as any archaeological finds, remains and evidence arising from the investigation required under the above condition, has been fully recorded in line with a specification as set out in the approved written brief, and that record submitted to the Local Planning Authority.

Reason: In the interests of securing a record of the archaeological evidence found at the site so as to enhance knowledge of the cultural heritage of the area.

- xi) No development shall take place within the area denoted by the hatched area illustrated on the plan attached to this Notice and marked Appendix A, until such time as mitigation measures commensurate with the evidence found as a consequence of the survey undertaken under the above condition (ix) and recorded as required under the above condition (x), have first been submitted to and agreed in writing by the Local Planning Authority. Any such measures shall then be implemented and fully completed, to the written satisfaction of the Local Planning Authority, prior to the development approved under this permission being commenced.

Reason: In the interests of securing measures to best retain any archaeological remains on the site.

- xii) **No development, including site clearance, shall commence on site, until a bat survey has been undertaken on site and a detailed mitigation plan, including the replacement of any loss of suitable roosting and foraging habitat, has first been submitted to and approved in writing by the Local Planning Authority. The Plan so approved shall be implemented in full to the written satisfaction of the Authority.**

Reason: To ensure that European protected species are not harmed by the development.

- xiii) **No development, including site clearance, shall commence on site until a detailed mitigation plan for reptiles, including a schedule of works and timings, has first been submitted to and approved in writing by the Local Planning Authority. The Plan so approved, shall be implemented in full to the written satisfaction of the Authority.**

Reason: To ensure that protected species are not harmed by the development.

Pre - Occupancy Conditions

- xiv) **All of the works itemised in condition (v) above shall have been completed in full and to the satisfaction in writing of the Local Planning Authority, and the details required under condition (vii) above shall have been approved in writing by the Local Planning Authority, prior to the occupation for business purposes of the first unit to be constructed under this planning permission.**

Reason: In order to reduce the risk of pollution and of flooding.

- xv) **No building hereby approved shall be occupied for business purposes until such time as details of the means of lighting the estate roads as shown on the approved plans, have first been submitted to and approved in writing by the Local Planning Authority. Only the approved detail shall then be implemented.**

Reason: In the interests of good design; to reduce the risk of light pollution beyond the site, and in the interests of reducing crime.

- xvi) **No building hereby approved shall be occupied for business purposes until such time as details of the measures to be installed necessary for fire fighting throughout the site have first been submitted to and**

approved in writing by the Local Planning Authority. Only the approved measures shall be installed.

Reason: In the interests of fire safety.

- xvii) No building whatsoever constructed pursuant to this permission shall be occupied for business purposes until such time as the whole of the spine road, roundabouts, access roads and access arrangements, including the secondary and emergency access measures as shown on the approved plans detailed under condition (iv), or as may have been subsequently amended in writing by the Local Planning Authority, have first been completed in full to the satisfaction in writing of the Local Planning Authority.

Reason: In the interests of highway safety.

- xviii) No building constructed pursuant to this permission, shall be occupied for business purposes until such time as all of the peripheral landscaping as shown on the approved plans under condition (iv) of this permission, or as subsequently amended in writing by the Local Planning Authority, have first been fully implemented to the satisfaction in writing of the Local Planning Authority.

Reason: In the interests of securing structural landscaping at the beginning of this development in order to secure its visual and bio-diversity benefits.

- xix) No building constructed pursuant to this permission, shall be occupied for business purposes until such time as the fire fighting measures, and the lighting details approved under conditions (xv) and (xvi) above or as may be subsequently amended in writing by the Local Planning Authority, have first been fully installed to the satisfaction in writing of the Local Planning Authority.

Reason: In the interests of fire safety and to reduce the risk of crime.

- xx) No building hereby approved shall be occupied for business purposes until such time as the following measures to deal with risks associated with contamination on the site have first been submitted to and approved in writing by the Local Planning Authority:

- a) A preliminary Risk Assessment which identifies all previous uses; potential contaminants associated with those uses, a conceptual model of the site indicating sources, pathways and receptors,

together with potentially unacceptable risks arising from contamination at the site.

- b) A site investigation scheme based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- c) An options appraisal and remediation strategy based on (a) and (b) above giving full details of the remediation measures required and how they are to be undertaken.
- d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) above are complete, and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any variation in these measures shall be agreed in writing by the Local Planning Authority.

Reason: To reduce the risk of pollution.

- xxi) There shall be no occupation for business purposes of any building hereby approved, until such time as a combined Ecological Mitigation, Enhancement and Management Strategy for the whole site has first been submitted to and approved in writing by the Local Planning Authority. This Strategy shall specifically include all aspects of: habitat and species mitigation, enhancement and management measures including details of enhancement of the Penmire Brook corridor and the Penmire Lake, together with the replacement of any tree and hedgerows. Once agreed, the Strategy shall be implemented in full, and it shall remain in place at all times, unless otherwise agreed by the Local Planning Authority in writing. It shall include measures for the monitoring of its outcomes and the means of reviewing the Strategy.

Reason: In the interests of securing improved and enhanced landscaping and bio-diversity measures for the area in accordance with PPS9.

Reserved matters

- xxii) No building approved under this permission shall be constructed until such time as the matters reserved under condition 1(iii) and 1(iv) above, have first been

submitted to and approved in writing by the Local Planning Authority.

For the avoidance of doubt those matters shall include the following details and particulars in respect of development of each plot:

- a) The plot layout, including all access, circulation and car parking areas.
- b) The siting, design and external appearance of all buildings, including fixed structures and plant
- c) The type, texture and colour of building materials
- d) The site boundary treatments – including all walls, fences and other means of enclosure
- e) Landscaping details within each plot
- f) Final site levels
- g) Foul and surface water arrangements to the point of disposal from the plot boundary
- h) All external illumination, security structures and equipment.

Only the matters approved under this condition shall then be implemented.

Reason: In order to ensure a high quality of development.

Bespoke Conditions to the Development

- xxiii) Within three months of the date of this permission, details showing how the promotion and encouragement of use of the rail facilities and the intermodal freight terminal at Birch Coppice, for the movement of freight arising from occupation of the new development hereby approved, shall be submitted to the Local Planning Authority. These details shall include a description of those details; the processes involved, how they are to be monitored and reviewed. Once approved in writing, these measures shall be implemented and evidence of the measures taken and the monitoring undertaken shall be referred to the Local Planning Authority when requested. For the avoidance of doubt, these measures shall relate to all occupiers of the development hereby approved, and not just to the initial occupier.

Reason: In order to promote the intermodal facility at the site so as to achieve a sustainable development.

- xxiv)** Each building constructed pursuant to this permission shall achieve the prevailing minimum standard in terms of energy efficiency at the time of its design, and for the avoidance of doubt the base-line for this minimum standard shall be the present BREEAM “good” standard.

Reason: In order to achieve sustainable development with a minimum carbon footprint and to encourage the use of renewable energy.

- xxv)** A minimum of 1750 jobs shall be provided within the whole of the development hereby approved, unless otherwise agreed or varied in writing by the Local Planning Authority. For the avoidance of doubt this shall refer to Full Time Equivalent jobs and shall be calculated at the time when the first occupiers of the plots so approved, are fully operational.

Reason: In order to meet the requirements of Saved Core Policies 1 and 12 of the North Warwickshire Local Plan 2006, together with the Local Economy aim of the North Warwickshire Sustainable Community Plan 2006 – 2009, such that the local economy is able to diversify and adapt to changes in the wider economy, whilst remaining relevant to the needs of local people.

Reasoned Justification

The application represents a departure from the Development Plan in that the proposal is for major commercial development on a green field site not allocated for such a purpose. It is considered that there are material planning considerations of such weight to warrant the application being treated as an exception to the Development Plan. These are:

- i)** Support from saved Core Policy 1 of the North Warwickshire Local Plan 2 that seeks the economic regeneration of the Borough.
- ii)** The evidence base that informed the preparation of the Regional Spatial Strategy indicates an unmet and immediate need for logistics sites, and that an extension of the existing Birch Coppice site would “fit” the locational criteria outlined in that evidence, for such provision.
- iv)** the employment provisions that propose a higher density of employment provision and opportunity in an area

recognised as having high unemployment and with low skills

- v) the ability to treat each application for logistics provision in North Warwickshire on its own merits without being obliged to provide floor space because of a policy base-line requirement**
- vi) the proposals contained within the application to relocate the Warwickshire County Council's Waste Transfer Station to an alternative site within the application site, such that there are material planning, environmental and traffic benefits**
- vii) the bespoke package of measures contained within a Section 106 Agreement accompanying the application that is focussed on public transport provision and on the provision of measures aimed at linking the job opportunities provided by the proposal with local employment needs and training opportunities.**

It is not considered that there would be adverse impacts arising from the proposals that warrant refusal. This is based on the responses from a number of Statutory and technical consultations; the use of conditions to mitigate impacts, and the content of the Section 106 Agreement. It is acknowledged that this is a significant application and that it is not possible to completely mitigate all impacts. The Council has had to balance the benefits and opportunities arising from the proposals, against these residual impacts, most notably the loss of agricultural land. It considers that on balance, the application can be supported.

- (C) i) The Council develop a statement of current planning policy and guidance dealing with strategic and significant issues that were formerly included within the County Structure Plan and Regional Spatial Strategy overall planning policies and guidance for North Warwickshire, including the saved policies from the former Borough Plan and national Policy Guidance Notes (PPG's), design guides and village plans.**

A draft of the statement will be provided to the Planning and Executive Boards for approval and adoption, respectively.

ii) That an urgent report including a timetable for developing detailed design briefs for all allocated sites identified within the saved North Warwickshire Local Plan and relevant recommendations from the former Regional Spatial Strategy. These design briefs will be forwarded to

the Planning & Development Board for approval and adoption.

iii) That no further work is undertaken on development of the LDF until a report on the implications of changes in national policy and has been considered and a way forward agreed by the LDF Panel and Planning & Executive Boards respectively. Resumption of such work will, in any event, not commence until completion of (i) and (ii) above, unless otherwise agreed by Executive Board.

Chairman of the next ensuing meeting of the Council

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE COMMUNITY AND ENVIRONMENT BOARD

21 June 2010

Present: Councillor May in the Chair

Councillors L Dirveiks, Fox, Freer, Lewis, Payne, Phillips, Pickard, Sherratt, Smitten and Wykes

Apologies for absence were received from Councillors Gordon, M Moss and Y Stanley.

1 **Declarations of Personal or Prejudicial Interests**

Any personal interests arising from the membership of Warwickshire County Council of Councillors Fox and May and membership of the various Town/Parish Councils of Councillors Fox (Shustoke), Freer (Atherstone), Lewis and Phillips (Kingsbury), Sherratt (Coleshill), and Smitten (Polesworth) were deemed to be declared at the meeting.

2 **Minutes**

The minutes of the meeting held on 8 March 2010, copies having been previously circulated were approved as a correct record and signed by the Chairman.

3 **Budgetary Control Report 2010/11 Period Ended 31 May 2010**

The Assistant Director (Finance and Human Resources) reported on the expenditure and income from the period 1 April to 31 May 2010.

Resolved:

That the report be noted.

4 **Review of Cesspool Emptying Charges**

The Assistant Director (Streetscape) sought approval to introduce an administration charge for cesspool emptying customers who had unscheduled emptying.

Resolved:

- a That a surcharge be introduced for customers who do not pay for the cesspool emptying service by direct debit; and**
- b That an update report be brought back to the Community and Environment Board in six months time.**

5 Funding Agreement with WRCC

The Director of Community and Environment sought approval for an interim Service Level Agreement to be negotiated with WRCC should the Board agree to award grant funding to this organisation in 2010/11.

Resolved:

- a That no grant funding be provided to WRCC in 2010/11 for work on Parish Planning, but that the relevant budget be retained to support this aspect of work, subject to determination of its use by the Board;**
- b That NWBC officers participate in a review being conducted by Warwickshire County Council during 2010 concerning commissioning Support Services for Rural Communities and Local Councils and a report be brought back to the Board on the implications for future services and funding support for WRCC.**

6 Play Area Development Programme – Evaluation of Phase One

The Assistant Director (Leisure and Community Development) reported on the background to Phase One of the Play Area Development Programme, the purpose of the evaluation requested by the Scrutiny Board, and detailed a summary of its findings and the lessons learnt.

Resolved:

That the draft Play Area Development Programme Phase One Evaluation Report be approved, circulated to partners and reported to the Scrutiny Board at its meeting to be held on 20 September 2010.

7 Draft North Warwickshire Playing Pitch Strategy

The Assistant Director (Leisure and Community Development) summarised

the findings of an Outdoor Sports Assessment carried out by consultants and set out

the objectives of the resultant draft Playing Pitch Strategy.

Resolved:

That the draft Playing Pitch Strategy be accepted, subject, where relevant, to the need to consider the provisions of the supporting Action and Funding Plan within the context provided by the Council's overall capital and revenue budget requirements, that the document be circulated to partners for further consultation and that it be brought back to the Board for adoption in October 2010.

8 Parks, Open Spaces and Horticultural Performance and Grounds Maintenance Service Review

The Assistant Director (Leisure and Community Development) updated the Board with regard to the annual benchmarking exercise for parks, open spaces and horticultural services and advised on the progress of the Grounds Maintenance Service Review.

Resolved:

That the report be noted.

9 Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April 2009 – March 2010

The Chief Executive and Director of Resources informed Members of the progress with the achievement of the Corporate Plan and Performance Indicator targets relevant to the Board from April 2009 to March 2010.

Resolved:

That the report be noted.

10 Atherstone Leisure Complex – Replacement of Fitness Equipment

The Assistant Director (Leisure and Community Development) informed the Board of the action taken by the Chief Executive, in consultation with the Chairman and Vice-Chairman of the Board, in respect of the procurement of replacement fitness equipment at Atherstone Leisure Complex.

Resolved:

That the action taken by the Chief Executive in consultation with the Chairman and Vice-Chairman of the Board, in respect of the procurement of replacement fitness equipment at Atherstone Leisure Complex, as identified in Section 4 of the report of the Assistant Director (Leisure and Community Development), be endorsed.

11 North Warwickshire Green Space Strategy

The Assistant Director (Leisure and Community Development) provided an update on the revised role of the Environment Group following the restructure of the Community Partnership and how this new role would direct partnership working in order to help meet the aims and objectives of the North Warwickshire Green Space Strategy.

Resolved:

That the involvement of the Environment Theme Group in advancing the provisions of the Green Space Strategy be noted.

12 Free Swimming Programme

The Assistant Director (Leisure and Community Development) updated the Board on the first year of the Borough Council's involvement in the national two-year Free Swimming Programme, which commenced at Atherstone Swimming Pool on 1 April 2009, and reported on the Government's decision to withdraw grant support for the Programme with effect from 31 July 2010.

Resolved:

That, consequent upon the Government's decision to withdraw grant support for the Programme, charges be re-introduced with effect from 1 August 2010 for those people currently in receipt of free swimming through the national Free Swimming Programme, at the 2010/11 rates (£1.85 for those people aged 60 years and over, the same standard price (£1.85) for juniors (0 to 15 years) and £1.45 for junior @ctive card holders).

13 **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.

14 **Recycling**

The Assistant Director (Streetscape) set out a number of initiatives and schemes which had been introduced over the last twelve months as part of the Council's ongoing commitment to improve its recycling services. Approval was also sought for proposed changes to the Council's Kerbside Recycling Contract.

Resolved:

- a That the schemes and initiatives introduced over the last twelve months be noted; and**
- b That the changes to the current Kerbside Recycling Contract, as set out in Paragraph 3.2 of the report of the Assistant Director (Streetscape) be endorsed and adopted.**

15 **Atherstone Leisure Complex Crèche**

The Assistant Director (Leisure and Community Development) detailed the additional promotional work that had been undertaken in order to encourage enhanced levels of awareness and use of the crèche at Atherstone Leisure Complex. The Board was asked to agree a suggested course of action.

Resolved:

- a That, given the continued declining use being made of the facility, the crèche at Atherstone Leisure Complex be closed at the end of December 2010, commensurate with the need to negotiate appropriate arrangements with the staff thus affected; and**

- b That officers present costed proposals for potential alternative uses of the space released through closure of the crèche to the next meeting of the Board.**

M MAY
Chairman

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

14 June 2010

Present: Councillor Lea in the Chair.

Councillors Davis, L Dirveiks, Morson, B Moss, Sherratt, Swann, Sweet and Wykes

Apologies for absence were received from Councillors Bowden, Jenkins, Simpson, M Stanley and Winter.

Councillor Phillips was also in attendance.

8 **Declarations of Personal or Prejudicial Interests**

Personal interests arising from the membership of Warwickshire County Council of Councillors Lea, B Moss and Sweet and membership of the various Town/Parish Councils of Councillors Davis (Atherstone), B Moss (Kingsbury) and Sherratt (Coleshill) were deemed to be declared at this meeting.

9 **Minutes**

The minutes of the meetings of the Board held on 15 March, 12 April and 17 May 2010, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

With regard to Minute No 4 of the meeting of the Board held on 17 May 2010 (85A Long Street, Atherstone), the Head of Development Control reported that the matter had been resolved and it was agreed that no further action be taken.

10 **Management of Trees and Open Spaces**

The Board received a presentation from Alethea Wilson, Landscape Manager, on the management of trees and open spaces in the Borough.

11 **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 2009/0420 (Almshouses, Church Lane , Middleton)**
- i That the material considerations identified on page 6/6 of the report of the Head of Development Control be explored by the Board prior to determination of the application; and**
 - ii That a site visit be held prior to determination of the application.**
- b That in respect of Application No 2010/0088 (Coleshill Hall Farm, Birmingham Road, Coleshill)**
- i That the Council is minded to support the principle of the development proposed in the application, but that it first be referred to the Secretary of State as a Green Belt Development as defined by paragraph 4 of the 2009 Direction, and that provided it is not “called-in”, a planning permission be granted subject to satisfactory outcomes in respect of nature conservation and archaeological investigations, and the draft conditions as set out in the report;**
 - ii That the applicant be reminded of the need for archaeological and nature conservation investigations to be undertaken and submitted to the Council;**
 - iii That the applicant be reminded of the need to obtain Listed Building Consent for the works proposed prior to any work commencing on site; and**
 - iv That, in the event of the grant of a planning permission, the conditions set out in the report of the Head of Development Control be attached.**
- c That Application Nos 2010/0099 and 2010/0100 (Three Tuns, Long Street, Atherstone) be refused for the following reason:**
- “The use of flowplast cast iron look a like UPVC rain water goods would be inappropriate at this listed building, situated in the Atherstone Conservation Area. The appearance, quality and durability of the material would detract from the traditional character of the Listed Building and its Conservation Area setting, contrary to the provisions of Policies ENV15 and ENV16 of the North Warwickshire Local Plan 2006 (saved policies). A desire to**

make cost savings does not outweigh the provisions of these policies.”

d That in respect of Application Nos 2010/0580 and 2010/0585 (Three Tuns, Long Street, Atherstone)

i condition 2 of both applications be varied to read:

“The development hereby approved shall not be carried out otherwise than in accordance with the plan numbered 07_091 034B received by LPA on 17 December 2009 and the site location 05_124 17 received by LPA on 26 July 2006.” and

ii consent be granted for partial non-compliance with condition 6 of each application.

e That in respect of Application No 2010/0184 (Wood Corner Farm, Green End Road, Green End, Fillongley), condition 3 of Application No 2005/5095 be varied to read as follows

“3. The use hereby approved shall enure solely for the benefit of Sovereign Exhibitions Ltd and for no other Company whomsoever, and specifically not for the building known as Wood Corner Farm, and shall on or before vacation of the property by Sovereign Exhibitions Ltd, be discontinued “.

f That, subject to no representations being received referring to matters not included in the report of the Head of Development Control, Application No 2010/0248 (The Depot, Sheepy Road, Atherstone) be granted planning permission under delegated powers subject to the conditions set out in his report.

g That Application No 2010/0260 (Garage Site, Eastlang Road, Fillongley) be approved subject to the following amended conditions

“2. The development hereby approved shall not be carried out otherwise than in accordance with the plans numbered L(90) 04E, L(2-) 133.1A, L(2-) 134.1A, L(2-) 131.1A and L(2-) 103.1B received by the Local Planning Authority on 25 May 2010, and the Arboricultural Impact Assessment and Method Statement received by the Local Planning Authority on 7 June 2010.

6. No development or site works whatsoever shall commence on site until details of measures for the

protection of retained and neighbouring trees, in accordance with the recommendations of the Arboricultural Impact Assessment and Method Statement dated 4 June 2010, have been submitted to and approved in writing by the Local Planning Authority.

- 7. Before the commencement of the development, a landscaping scheme shall be submitted to the Local Planning Authority for approval. This landscaping scheme shall include full details of the finished ground levels in relation to the existing ground levels.”**

12 The Powers Delegated to the Director of Community and Environment

The Board was invited to consider recommending to the Executive Board that the powers delegated to the Director of Community and Environment be instead delegated to the Assistant Chief Executive and Solicitor to the Council and the Head of Development Control.

Recommendation to the Executive Board:

- a That the powers detailed in the Appendix be delegated to the Assistant Chief Executive and Solicitor to the Council and Head of Development Control: and**
- b That all references to the Director of Community and Environment in the Scheme of Delegation in respect of the determination of planning applications to be replaced with a reference to the Assistant Chief Executive and Solicitor to the Council.**

13 Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April 2009 – March 2010

Members were informed of the achievement of the Council's Corporate Plan and Performance Indicator targets for 2009 during April 2009 and March 2010.

Resolved:

That the performance achieved for the Corporate Plan and Performance Indicator targets for April 2009 to March 2010, be noted.

Chairman

**Planning and Development Board
14 June 2010
Additional Background Papers**

Agenda Item	Application Number	Author	Nature	Date
6/5	2010/0248	Mr McDonnell	Objection	14 06 10

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

19 July 2010

Present: Councillor Simpson in the Chair.

Councillors Bowden, Davis, L Dirveiks, Lea, Morson, B Moss, Sherratt, M Stanley, Swann, Sweet and Winter.

Apologies for absence were received from Councillors Jenkins and Wykes.

Councillors Hayfield, Lewis, Phillips and Smith were also in attendance. With the consent of the Chairman, Councillors Hayfield and Phillips spoke on Minute No 16 Planning Applications (Application No 2010/0102 - Land to the south east of Birch Coppice Business Park, Dordon).

14 **Declarations of Personal or Prejudicial Interests**

Personal interests arising from the membership of Warwickshire County Council of Councillors Lea, B Moss and Sweet and membership of the various Town/Parish Councils of Councillors Davis (Atherstone), B Moss (Kingsbury), Sherratt (Coleshill) and M Stanley (Polesworth) were deemed to be declared at this meeting.

In respect of Application No 2010/0267 (95 Witherley Road, Atherstone – Mr Richard Freer) the personal interest from all Members was noted.

15 **Budgetary Control Report 2010/2011 Period Ended 30 June 2010**

The Assistant Director (Finance and Personnel) reported on the revenue expenditure and income for the period from 1 April 2010 to 30 June 2010. The 2010/2011 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.

16 **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. A supplementary report in respect of Application No

2010/0102 (Land to the south east of Birch Coppice Business Park, Dordon was circulated at the meeting.

Resolved:

- a **That in respect of Application No 2009/0592 (Wagstaff Farm, Shawbury Lane, Shustoke), Members take the opportunity to visit the site in view of the issues involved in the determination of the application as described in the report of the Head of Development Control;**
- b **That provided the applicant first completes a Section 106 Agreement in respect of the issues set out in the report of the Head of Development Control, Application No 2010/0113 (Shaw House, Freasley Common, Dordon) be approved subject to the condition set out in the report;**
- c **That Applications No 2010/0215 and 2010/0266 (11 and 19 Browns Lane, Dordon) be approved subject to the following additional condition**

“The use hereby approved shall not be commenced for business purposes until such time as full detailed plans of the measures to be taken to reduce odour and to reduce waste emission arising from the use hereby approved, have first been submitted to and approved in writing by the Local Planning Authority. The measures so approved shall then be fully installed to the written satisfaction of the Authority prior to the premises opening for business purposes.”
- d **That Application No 2010/0267 (95 Witherley Road, Atherstone) be approved subject to the conditions specified in the report of the Head of Development Control.**

Recommended

- e **That in respect of Planning Application No 2010/0102**

“Birch Coppice Business Park to create 186,000 square metres of built floor space for storage and distribution uses within Use Class B8, together with space for a Waste Transfer Station, as an extension to Birch Coppice Park Phase One. Details submitted include the layout of the proposed site roads and vehicle accesses; site drainage infrastructure works, construction of site roads, site levels for building development plateaux and proposed site boundary landscaping. Details of individual plot layouts, scale and appearance of buildings are included now for illustrative purposes only.”

For IM Properties (Dordon) Ltd

- (A) Outline planning permission be granted subject to:**
- i) the imposition of conditions as drafted below under B;**
 - ii) A Section 106 Agreement in the form set out in the report to the May Planning and Development Board as clarified by the main report to the July Board, together with the supplementary report to the July Board.**
- (B) Conditions**
- i) Standard Outline condition (i) - omit layout; scale and access**
 - ii) Standard Outline condition (ii) – five years for submission**
 - iii) Standard Outline condition (iii) – three years time period**
 - iv) Standard Plan numbers condition to include plan numbers: 829-020A; 11201/122, 123, 124, 125, 127 all received on 10 March 2010, plus plan numbers 11201/121C, 129D, 133B and 09-0406 Rev A received on 25 June 2010, together with Appendix A (Design Brief) and Appendix 2 (Landscape Design Guide) of the Design and Access Statement received on 10 March 2010.**
 - v) The development hereby permitted shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) Ref: PCB/JWH/11201/3.3 –Issue 2 dated December 2009; the FRA Supplementary Information Ref: PCB/JWH/11201/3.0 dated February 2010, and the Investigations for Surface Water Disposal and FRA Ref: DAC/JWH/11201/3.3 dated April 2010, together with the following mitigation measures:**
 - a) the limitation of the rate of surface water run-off generated by the total site (Phases 1 and 2) so as to discharge at a rate of not more than the greenfield run-off rate as detailed in the FRA and associated documents.**
 - b) Provision of attenuation storage volume on the total site to retain the 100 year plus 20% flow event volume.**
 - c) Provision of an 8 metre easement strip adjacent to the top of the bank of the Penmire Brook as detailed in the FRA and associated documents**

- d) **No ground levels to be raised in the area defined in the FRA as being at risk of flooding in a 1 in a 100 year plus climate change allowance, event.**

Reason: To prevent the increased risk of flooding; to improve and to protect water quality, habitat and amenity, and to ensure future maintenance of the system.

- vi) **The B8 Use hereby approved shall be limited to a maximum of 186,000 square metres of gross floor space.**

Reason: In the interest of highway safety by ensuring that there is no adverse impact on the capacity of the existing road network.

Pre-Commencement Conditions

- vii) **No work shall commence on site until such time as full details of how the surface water drainage system hereby approved is to be maintained and managed following completion, have first been submitted to and approved in writing by the Local Planning Authority.**

Reason: In order to reduce pollution and of flooding

- viii) **No work shall commence on site until such time as a Construction Method and Management Statement has first been submitted to and approved in writing by the Local Planning Authority. This Plan shall include details of the method, working and phasing of the ground works; working hours, mitigation measures in respect of noise attenuation and reducing deposits on the surrounding highway network arising from HGV traffic, the location of site compounds and storage facilities, and the location of any site lighting during the construction phase. It shall also identify the means by which its terms are monitored and reviewed including the handling of complaints. The Plan once agreed by the Local Planning Authority shall remain in place until such time as agreed by the Authority.**

Reason: In the interest of reducing adverse highway, traffic and environmental impacts as a consequence of this major construction project.

- ix) **No development shall take place within the area denoted by the hatched area illustrated on the plan attached to this Notice and marked Appendix A, until such time as a programme of archaeological investigation has first been undertaken and implemented in full, in accordance with a**

written brief that shall first have been submitted to and approved in writing by the Local Planning Authority. The developer shall afford access at all reasonable times in order to enable this investigation to take place.

Reason: In the interest of establishing the archaeological significance of the site so as to add to the knowledge of the cultural heritage of the area.

- x) **No development shall take place within the area denoted by the hatched area illustrated on the plan attached to this Notice and marked Appendix A, until such time as any archaeological finds, remains and evidence arising from the investigation required under the above condition, has been fully recorded in line with a specification as set out in the approved written brief, and that record submitted to the Local Planning Authority.**

Reason: In the interests of securing a record of the archaeological evidence found at the site so as to enhance knowledge of the cultural heritage of the area.

- xi) **No development shall take place within the area denoted by the hatched area illustrated on the plan attached to this Notice and marked Appendix A, until such time as mitigation measures commensurate with the evidence found as a consequence of the survey undertaken under the above condition (ix) and recorded as required under the above condition (x), have first been submitted to and agreed in writing by the Local Planning Authority. Any such measures shall then be implemented and fully completed, to the written satisfaction of the Local Planning Authority, prior to the development approved under this permission being commenced.**

Reason: In the interests of securing measures to best retain any archaeological remains on the site.

- xii) **No development, including site clearance, shall commence on site, until a bat survey has been undertaken on site and a detailed mitigation plan, including the replacement of any loss of suitable roosting and foraging habitat, has first been submitted to and approved in writing by the Local Planning Authority. The Plan so approved shall be implemented in full to the written satisfaction of the Authority.**

Reason: To ensure that European protected species are not harmed by the development.

- xiii) No development, including site clearance, shall commence on site until a detailed mitigation plan for reptiles, including a schedule of works and timings, has first been submitted to and approved in writing by the Local Planning Authority. The Plan so approved, shall be implemented in full to the written satisfaction of the Authority.**

Reason: To ensure that protected species are not harmed by the development.

Pre - Occupancy Conditions

- xiv) All of the works itemised in condition (v) above shall have been completed in full and to the satisfaction in writing of the Local Planning Authority, and the details required under condition (vii) above shall have been approved in writing by the Local Planning Authority, prior to the occupation for business purposes of the first unit to be constructed under this planning permission.**

Reason: In order to reduce the risk of pollution and of flooding.

- xv) No building hereby approved shall be occupied for business purposes until such time as details of the means of lighting the estate roads as shown on the approved plans, have first been submitted to and approved in writing by the Local Planning Authority. Only the approved detail shall then be implemented.**

Reason: In the interests of good design; to reduce the risk of light pollution beyond the site, and in the interests of reducing crime.

- xvi) No building hereby approved shall be occupied for business purposes until such time as details of the measures to be installed necessary for fire fighting throughout the site have first been submitted to and approved in writing by the Local Planning Authority. Only the approved measures shall be installed.**

Reason: In the interests of fire safety.

- xvii) No building whatsoever constructed pursuant to this permission shall be occupied for business purposes until such time as the whole of the spine road, roundabouts, access roads and access arrangements, including the secondary and emergency access measures as shown on the approved plans detailed under condition (iv), or as may have been subsequently amended in writing by the Local**

Planning Authority, have first been completed in full to the satisfaction in writing of the Local Planning Authority.

Reason: In the interests of highway safety.

- xviii) No building constructed pursuant to this permission, shall be occupied for business purposes until such time as all of the peripheral landscaping as shown on the approved plans under condition (iv) of this permission, or as subsequently amended in writing by the Local Planning Authority, have first been fully implemented to the satisfaction in writing of the Local Planning Authority.**

Reason: In the interests of securing structural landscaping at the beginning of this development in order to secure its visual and bio-diversity benefits.

- xix) No building constructed pursuant to this permission, shall be occupied for business purposes until such time as the fire fighting measures, and the lighting details approved under conditions (xv) and (xvi) above or as may be subsequently amended in writing by the Local Planning Authority, have first been fully installed to the satisfaction in writing of the Local Planning Authority.**

Reason: In the interests of fire safety and to reduce the risk of crime.

- xx) No building hereby approved shall be occupied for business purposes until such time as the following measures to deal with risks associated with contamination on the site have first been submitted to and approved in writing by the Local Planning Authority:**

- a) A preliminary Risk Assessment which identifies all previous uses; potential contaminants associated with those uses, a conceptual model of the site indicating sources, pathways and receptors, together with potentially unacceptable risks arising from contamination at the site.**
- b) A site investigation scheme based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.**
- c) An options appraisal and remediation strategy based on (a) and (b) above giving full details of the remediation measures required and how they are to be undertaken.**

- d) **A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) above are complete, and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action.**

Any variation in these measures shall be agreed in writing by the Local Planning Authority.

Reason: To reduce the risk of pollution.

- xxi) **There shall be no occupation for business purposes of any building hereby approved, until such time as a combined Ecological Mitigation, Enhancement and Management Strategy for the whole site has first been submitted to and approved in writing by the Local Planning Authority. This Strategy shall specifically include all aspects of: habitat and species mitigation, enhancement and management measures including details of enhancement of the Penmire Brook corridor and the Penmire Lake, together with the replacement of any tree and hedgerows. Once agreed, the Strategy shall be implemented in full, and it shall remain in place at all times, unless otherwise agreed by the Local Planning Authority in writing. It shall include measures for the monitoring of its outcomes and the means of reviewing the Strategy.**

Reason: In the interests of securing improved and enhanced landscaping and bio-diversity measures for the area in accordance with PPS9.

Reserved matters

- xxii) **No building approved under this permission shall be constructed until such time as the matters reserved under condition 1(iii) and 1(iv) above, have first been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt those matters shall include the following details and particulars in respect of development of each plot:**
 - a) **The plot layout, including all access, circulation and car parking areas.**
 - b) **The siting, design and external appearance of all buildings, including fixed structures and plant**

- c) The type, texture and colour of building materials
- d) The site boundary treatments – including all walls, fences and other means of enclosure
- e) Landscaping details within each plot
- f) Final site levels
- g) Foul and surface water arrangements to the point of disposal from the plot boundary
- h) All external illumination, security structures and equipment.

Only the matters approved under this condition shall then be implemented.

Reason: In order to ensure a high quality of development.

Bespoke Conditions to the Development

- xxiii) Within three months of the date of this permission, details showing how the promotion and encouragement of use of the rail facilities and the intermodal freight terminal at Birch Coppice, for the movement of freight arising from occupation of the new development hereby approved, shall be submitted to the Local Planning Authority. These details shall include a description of those details; the processes involved, how they are to be monitored and reviewed. Once approved in writing, these measures shall be implemented and evidence of the measures taken and the monitoring undertaken shall be referred to the Local Planning Authority when requested. For the avoidance of doubt, these measures shall relate to all occupiers of the development hereby approved, and not just to the initial occupier.

Reason: In order to promote the intermodal facility at the site so as to achieve a sustainable development.

- xxiv) Each building constructed pursuant to this permission shall achieve the prevailing minimum standard in terms of energy efficiency at the time of its design, and for the avoidance of doubt the base-line for this minimum standard shall be the present BREEAM “good” standard.

Reason: In order to achieve sustainable development with a minimum carbon footprint and to encourage the use of renewable energy.

- xxv) A minimum of 1750 jobs shall be provided within the whole of the development hereby approved, unless otherwise agreed or varied in writing by the Local Planning Authority. For the avoidance of doubt this shall refer to Full Time Equivalent jobs and shall be calculated at the time when the first occupiers of the plots so approved, are fully operational.**

Reason: In order to meet the requirements of Saved Core Policies 1 and 12 of the North Warwickshire Local Plan 2006, together with the Local Economy aim of the North Warwickshire Sustainable Community Plan 2006 – 2009, such that the local economy is able to diversify and adapt to changes in the wider economy, whilst remaining relevant to the needs of local people.

Reasoned Justification

The application represents a departure from the Development Plan in that the proposal is for major commercial development on a green field site not allocated for such a purpose. It is considered that there are material planning considerations of such weight to warrant the application being treated as an exception to the Development Plan. These are:

- i) Support from saved Core Policy 1 of the North Warwickshire Local Plan 2 that seeks the economic regeneration of the Borough.**
- ii) The evidence base that informed the preparation of the Regional Spatial Strategy indicates an unmet and immediate need for logistics sites, and that an extension of the existing Birch Coppice site would “fit” the locational criteria outlined in that evidence, for such provision.**
- iii) the employment provisions that propose a higher density of employment provision and opportunity in an area recognised as having high unemployment and with low skills**
- iv) the ability to treat each application for logistics provision in North Warwickshire on its own merits without being obliged to provide floor space because of a policy base-line requirement**
- v) the proposals contained within the application to re-locate the Warwickshire County Council’s Waste Transfer Station to an alternative site within the application site, such that there are material planning, environmental and traffic benefits**
- vi) the bespoke package of measures contained within a Section 106 Agreement accompanying the application that is focussed on public transport provision and on the provision of measures aimed**

at linking the job opportunities provided by the proposal with local employment needs and training opportunities.

It is not considered that there would be adverse impacts arising from the proposals that warrant refusal. This is based on the responses from a number of Statutory and technical consultations; the use of conditions to mitigate impacts, and the content of the Section 106 Agreement. It is acknowledged that this is a significant application and that it is not possible to completely mitigate all impacts. The Council has had to balance the benefits and opportunities arising from the proposals, against these residual impacts, most notably the loss of agricultural land. It considers that on balance, the application can be supported.

[Note: The minute relating to Application No. 2010/0102 – Birch Coppice was considered and agreed by Full Council at its meeting on 16 August 2010].

17 Revisions to PPS3 (Housing) Garden Land and Densities

The Head of Development Control reported that the Coalition Government had announced changes to its Planning Policy documents to enable greater emphasis on local identification of some planning requirements.

Resolved:

That the changes be noted.

18 Tree Preservation Orders Hurley and Fillongley

The Council had recently made two Tree Preservation Orders, and following the period set aside for representations, Members were invited to consider whether or not to confirm the Orders.

Resolved:

a That the Tree Preservation Order in respect of the oak tree at the junction of Dexter Lane and Knowle Hill, Hurley be made permanent; and

b That the Tree Preservation Order in respect of the oak tree in the rear garden of 32 Holbeche Crescent, Fillongley, be made permanent.

19 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 in Schedule 12A to the Act.

20 Heart of England, Fillongley

The Head of Development Control updated the Board on the current position at the Heart of England site in Fillongley. Members noted the outcome of the recent successful prosecution.

21 Beech House, Market Square, Atherstone

Under Section 100B(4)(b) of the Local Government Act 1972 the Chairman had agreed to the consideration of this report by reason of the need to take urgent legal action.

The Assistant Chief Executive and Solicitor to the Council sought authority to prepare, and if needed, issue of an Urgent Repairs Notice under Section 54 of the Planning (Listed Building and Conservation Areas) Act 1990 to prevent further deterioration of Beech House, Market Square Atherstone. Members were asked to agree a suggested course of action.

Resolved:

- a That the issue of the Notice and action detailed in the report of the Assistant Chief Executive and Solicitor to the Council be authorised;**
- b That English Heritage be informed of the acceptance of its offer of grant aid; and**
- c That if necessary the Chief Executive use his emergency powers in respect of the financial implications outlined in the report.**

M Simpson
Chairman

**Planning and Development Board
19 July 2010
Additional Background Papers**

Agenda Item	Application Number	Author	Nature	Date
4/25	2010/0266	Applicant	Letter	2/7/10

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

16 August 2010

Present: Councillor Simpson in the Chair.

Councillors Bowden, Davis, L Dirveiks, Lea, B Moss, Sherratt, M Stanley, Swann, Sweet, Winter and Wykes.

Apologies for absence were received from Councillors Jenkins and Morson.

Councillors Forwood, Fox, Freer, Lewis, Moore, Phillips, Pickard and Y Stanley were also in attendance.

22 **Declarations of Personal or Prejudicial Interests**

Personal interests arising from the membership of Warwickshire County Council of Councillors Lea, B Moss and Sweet and membership of the various Town/Parish Councils of Councillors Davis (Atherstone), B Moss (Kingsbury), Sherratt (Coleshill) and M Stanley (Polesworth) were deemed to be declared at this meeting.

Councillors Lea, B Moss and Sweet declared a personal interest in Minute No 23 Planning Applications (Application No 2010/0393 - Lower House Farm, Lower House Lane, Baddesley Ensor) by reason of being Warwickshire County Councillors and took no part in the discussion or voting thereon.

23 **Planning Applications**

The Head of Development Control submitted a report for the consideration of the Board.

Resolved:

- a **That the issues report in respect of Application No 2010/0374 (Atherstone Police Station and Magistrates Court, Sheepy Road, Atherstone) be noted: and**
- b **That in respect of Application No 2010/0393 (Lower House Farm, Lower House Lane, Baddesley Ensor):**
 - l) **this Council has no objection to the proposals subject to the conditions attached to the planning permission for Phase Two of Birch Coppice, and that the draft Section 106 Agreement accompanying that permission is also signed;**

- ii) the County Council be strongly recommended to undertake an archaeological survey of the existing Lower House Farm site in liaison with the Warwickshire Museum, and that no planning permission for this current proposal be granted until such time as it is satisfied that appropriate measures commensurate with the conclusions of that survey are agreed and implemented in full; and
- iii) the County Council condition any planning permission such that the colour of the materials to be used matches that on the Phase Two Birch Coppice proposals and that the operating hours are as set out in the report of the Head of Development Control.

24 **Annual Performance Report 2009/10**

The Head of Development Control reported on the annual performance over 2009/10 of the Development Control service comparing it with recent years.

Resolved:

- a That the report be noted; and
- b That a further report be brought to the Board making recommendations concerning a review of the Council's Enforcement Policy.

25 **Local Transport Plan 3 - Consultation**

The Assistant Chief Executive and Solicitor to the Council reported on the "The Local Transport Plan (LTP)", prepared by Warwickshire County Council setting out the transport strategy for Warwickshire and outlined a programme of transport schemes and initiatives to be delivered over the short to medium term.

Resolved:

That the comments on the feedback form be sent to Warwickshire County Council as this Council's response to the consultation document.

26 **Old Bank House Garden Wall and Trees**

The Assistant Director (Streetscape) and the Assistant Director (Leisure and Community Development) reported on the proposed felling of a number of trees in Old Bank House Garden, Atherstone;

both to protect the unstable wall that surrounded the Garden and also to open up the area to provide a more attractive amenity space for the local community.

Resolved:

- a That officers be asked to identify the emergency works required to be undertaken to the walls and trees within Old Bank House Garden and bring a further report to the Board in respect of any other proposed works be undertaken as part of a planned maintenance programme;**
- b That the comments in a) above be referred to the Resources Board for consideration; and**
- c That the Board be advised of all future works to remove trees the in ownership or care of the Borough Council.**

27 Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April – June 2010

The Chief Executive and the Director of Resources reported on the performance and achievement against the Corporate Plan and Performance Indicator targets relevant to the Board for the first quarter from April to June 2010.

Resolved:

That the report be noted.

28 Exclusion of the Public and Press.

Resolved:

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

29 Breaches of Planning Control

The Head of Development Control reported on a number of alleged breaches of planning control and the Board was asked to agree suggested courses of action.

Resolved:

- a** That in the case of Heart of England Promotions, Wall Hill Road, Fillongley and relating to a 'forestry/agricultural building' the Solicitor to the Council be authorised to take appropriate legal action in response to the non-compliance with three elements of a separate, extant Enforcement Notice requiring:
- Removal of the toilet block and replacing it with that shown on the approved plan
 - Removal of the internal staircase and the first floor
 - Removal of the cantilevered platform together with its hand rail.
- b** That in the case of Heart of England Promotions, Wall Hill Road, Fillongley the Solicitor to the Council be authorised to take further enforcement action in relation to the 'forestry/agricultural building' with the issue of an Enforcement Notice relating to the unauthorised erection of a building. The notice to require the cessation of the recreational use of the land and the removal of the whole of this unauthorised development including the building, its foundation, compound, fencing, associated hardstanding and all services. The compliance period will be six months;
- c** That in the case of Heart of England Promotions, Wall Hill Road, Fillongley, the Solicitor to the Council be authorised to issue an enforcement notice in relation to an unauthorised mock lighthouse structure erected on an island within the lake. The compliance period will be one month;
- d** That in the case of Heart of England Promotions, Wall Hill Road, Fillongley, the Solicitor to the Council be authorised to take appropriate legal action in response to the erection of eight unlawful signs on the former field access comprising:
- Two free standing 'welcome' signs
 - Two signs on the fencing at the entrance to the site
 - Two box style signs on fabricated steel mountings
 - One free standing double sided 'A' board and
 - One directional sign.

- e** That in respect of land to the rear of Whitegate Farm, Quarry Lane, Mancetter, the Solicitor to the Council be authorised to issue two Enforcement Notices relating to:
- i)** The change of use of the land for the storage of plant (heavy machines used in industry and for earth moving equipment; heavy machine parts; containers; builders materials; heavy goods vehicles; vehicle parts; fuel storage tank; aggregate and skips; together with the formation of a raised hardstanding area, comprising brick, concrete rubble and stone; the formation of a waste bund comprising earth, brick and concrete rubble; and
 - ii)** Secondly, to serve an enforcement notice in relation to the erection of a steel framed, block and wooden clad industrial type building with roller shutter door.
 - iii)** The owner being required to cease the unauthorised storage use, dig up and remove from the site the unauthorised hardstanding and waste bund, demolish and remove the unauthorised building and reinstate the land with a covering of top soil. The compliance period will be six months.
- f** That in respect of The Field , Lamp Lane, Arley, the Solicitor to the Council be authorised to issue an Enforcement Notice relating to the unauthorised change of use of the site, to a mixed use, comprising agriculture, together with the siting of a residential mobile home. The Notice to require the cessation of the use of the land for the siting of a residential mobile home by the removal of the mobile home from the site and the land restored to its previous condition. The compliance period will be six months;
- g** That in respect of the The Dog Inn, Marsh Lane, Water Orton, the Solicitor to the Council be authorised to issue an Enforcement Notice relating to the unauthorised change of use of the site from a Public House falling within Use Class A4 of the Town and Country Planning (Use Classes) Order 1987 as amended, to a mixed use involving this public house together with its use for car boot sales. The Notice to require the cessation of the car boot sales at the site and the compliance period be four weeks; and

- h That in respect of 81 Ansley Common, Ansley and adjoining land, the Solicitor to the Council be authorised to take appropriate legal action in response to the non-compliance with part of an extant Enforcement Notice requiring the cessation of the use of the land for a vehicle recovery business together with the storage of recovery vehicles, scrap, and car parts.**

30 Tree Preservation Order, Atherstone

Under Section 100B(4)(b) of the Local Government Act 1972 the Chairman had agreed to the consideration of this report by reason of the urgent need to make the Tree Preservation Order.

The Board was informed that an outline planning application had been submitted proposing the redevelopment of the Police Station and Magistrates Court Site in Sheepy Road, Atherstone. The site contained groups of trees and individual trees along the frontages with Croft Road and Sheepy Road. The trees had been inspected and were considered worthy of a Tree Preservation Order.

Resolved:

That a Tree Preservation Order be made with immediate effect, in respect of T1 a Lime Tree, T2 a Silver Birch Tree, G1 - 4 Silver Birch Trees and 1 Downey Birch Tree, G2 - 3 Lime Trees and G3 – 3 Ash Trees 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 when it decides whether to make the Order permanent.

M Simpson
Chairman

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

13 September 2010

Present: Councillor Simpson in the Chair.

Councillors Davis, L Dirveiks, Lea, Morson, B Moss, Sherratt, M Stanley, Swann, Sweet, Winter and Wykes.

Apologies for absence were received from Councillors Bowden and Jenkins.

Councillor Phillips was also in attendance.

31 **Declarations of Personal or Prejudicial Interests**

Personal interests arising from the membership of Warwickshire County Council of Councillors Lea, B Moss and Sweet and membership of the various Town/Parish Councils of Councillors Davis (Atherstone), B Moss (Kingsbury), Sherratt (Coleshill) and M Stanley (Polesworth) were deemed to be declared at this meeting.

32 **Budgetary Control Report – Period Ended 31 August 2010**

The Assistant Director (Finance and Human Resources) reported on the revenue expenditure and income for the period from 1 April 2010 to 31 August 2010. The 2010/2011 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.

33 **Old Bank House Garden Wall and Trees**

The Assistant Director (Streetscape) and the Assistant Director (Leisure and Community Development) reported on the proposed felling of a number of trees in Old Bank House Garden, Atherstone; both to protect the unstable wall that surrounded the Garden and also to open up the area to provide a more attractive amenity space for the local community.

Resolved:

- a **That a further report on the phasing of tree works in Old Bank House Garden be referred to a future meeting of the Board for consideration;**

- b That any emergency works identified as part of the proposed felling works included in the current “tree works” contract be undertaken and that officers be asked to circulate the report to Parish, Town and Ward Members for comment and report back to a future meeting of the Board;**
- c That any emergency works identified as part of the proposed felling works included in the current “tree works” contract be undertaken and that officers be asked to circulate the report to Parish, Town and Ward Members for comment and report back to a future meeting of the Board; and**

Recommended to Resources Board:

- d That emergency works to the wall and any associated emergency works to the trees adjacent to the wall within Old Bank House Garden be undertaken and that officers be asked to prepare a long term phased maintenance plan for the Garden and Wall.**

34 Planning Applications

The Head of Development Control submitted a report for the consideration of the Board.

Resolved:

- a That in respect of Application No 2007/0594 (Atherstone Garage, Long Street, Atherstone) officers be asked to continue discussions with the owner on the basis of the matters set out in the report of the Head of Development Control, and to bring a further report to the Board on the outcome;**
- b That officers be asked to prepare guidance for how the Council deals with requests to re-negotiate financial contributions when requested by other signatories, particularly given the current economic downturn;**
- c That in respect of Application No 2009/0952 (Wagstaff Farm Shawbury Lane Shustoke)**
 - i) the Council is prepared to consider support for this proposal providing that the applicant is prepared to enter into a Section 106 Agreement obligating a financial contribution of £240k to be paid the to the Council in order to provide off-site**

affordable housing in the locality, in lieu of on-site provision.

- ii) officers be instructed to inform the applicant of this position, and to report back to a further meeting on the outcome;**
 - iii) subject to the above Section 106 Agreement and the imposition of conditions as drafted in recommendation (iv) below, the application be referred to the Secretary of State under the 2009 Direction to see if he wishes to call-in the application for his own determination. If he does not, then the application be determined in line with recommendations (i) and (iv); and**
 - iii) the conditions set out in the report of the Head of Development Control be attached to the grant of any planning permission.**
- d That Application No 2010/0387 and 2010/0388 (Land Adjacent to and including 12 Meadow Street, Atherstone) be approved subject to the conditions specified in the report of the Head of Development Control.**

35 Interim Planning Policy Statement

The Assistant Chief Executive and Solicitor to the Council reported on the recent changes to the Planning system and set out the Borough Council's planning policy stance in order to give clarity to residents, landowners, developers and other stakeholders on how the Council would consider development proposals. A Draft Interim Planning Policy Statement had been prepared and would be taken into account as a relevant material consideration in determining planning applications.

Recommended to the Executive Board:

- a That the Draft Interim Planning Policy Statement be approved for consultation;**
- b That representations be brought back to Board;**
- c That the Interim Planning Policy Statement be considered as a material planning consideration; and**
- d That the Statement be kept under review as further changes are announced.**

36 **Section 106 Monitoring**

The Head of Development Control submitted the six monthly review of outstanding Section 106 Agreements.

Resolved:

That the report be noted.

37 **Design Briefs**

The Head of Development Control sought approval for a number of draft Design Briefs to be circulated for consultation purposes.

Resolved:

That the draft design briefs as set out in the report of the Head of Development Control be agreed for a period of consultation, prior to considering any representations received as part of their adoption as material planning considerations.

38 **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.

39 **Breaches of Planning Control**

The Head of Development Control reported on two alleged breaches of planning control and the Board was asked to agree suggested courses of action.

Resolved:

- a **That the Solicitor to the Council be authorised to issue an Enforcement Notice requiring the cessation of the use of the outbuilding as an independent dwelling at Lynwyn, Botts Green Lane, Over Whitacre and that the compliance period be six months; and**
- b **That the Solicitor to the Council be authorised to issue an Enforcement Notice requiring the reduction in height and the removal of the first floor of an outbuilding at Lynwyn, Botts Green Lane, Over Whitacre which has not**

**been constructed in accordance with the approval plans
and that the compliance period be three months.**

M Simpson
Chairman

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE EXECUTIVE BOARD

28 June 2010

Present: Councillor Hayfield in the Chair

Councillors Fox, Lewis, May, Moore, Morson, B Moss, Phillips, Simpson, Smith, Swann and Sweet.

Councillors Butcher, Davis, Forwood, Fox, Johnston, Lea and Winter were also in attendance.

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

Any personal interests arising from the membership of Warwickshire County Council of Councillors Fox, Hayfield, May, B Moss and Sweet and membership of the various Town/Parish Councils of Councillors Fox (Shustoke), Lewis (Kingsbury), Moore (Baddesley Ensor), B Moss (Kingsbury) and Phillips (Kingsbury) were deemed to be declared at this meeting.

2 **Minutes of the meeting of the Board held on 19 April 2010.**

The minutes of the meeting of the Board held on 19 April 2010, copies having been circulated, were approved as a correct record and signed by the Chairman.

3 **Capital Programme – 2009/10 Final Position**

The Assistant Director (Finance and Human Resources) updated Members on the final position of the 2009/10 Capital Programme and highlighted those schemes which had not progressed as quickly as expected and which were recommended to be carried forward into the 2010/11 Capital Programme.

Recommended:

- a **That the level of expenditure incurred (both actual and committed) to the end of March 2010 against the 2009/10 Revised Capital Programme be noted;**
- b **That the committed expenditure be agreed as slippage to be carried forward into the 2010/11 Capital Programme;**
- c **That it be noted that the additional Disabled Facility Grant of £86,800 has been received, and that the request of the Assistant Director (Housing) to use this to increase the DFG budget in the 2010/11 Capital Programme be approved; and**

- d That an increase in the Borough Care Lifelines Budget of £6,000 be approved.**

4 Annual Governance Statement 2009/10

The Director of Resources reported on the Annual Governance Statement setting out the arrangements the Council had put in place for the governance of its affairs and facilitating the effective exercise of its functions, including arrangements for the management of risk. Members were asked to approve the Statement and Improvement Plan.

Recommended:

- a That the Annual Governance Statement for 2009/10, attached as Appendix A to the report of the Director of Resources be approved; and**
- b That the Improvement Plan, attached as Appendix B to the report be approved and progress against the plan be reported to Board.**

5 Financial Statement 2009/10

The Director of Resources submitted the Annual Financial Statements for 2009/10 for approval.

Resolved:

That the Financial Statements 2009/1009 be approved subject to audit.

6 Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April 2009 to March 2010

The Chief Executive reported on the progress with the achievement of the Corporate Plan and Performance Indicator targets applicable to Executive Board for April 2009 to March 2010.

Resolved:

That the report be noted.

7 Housing Finance Reform

The Director of Resources reported that the Department of Communities and Local Government (DCLG) had issued a consultation paper on proposals to reform the Housing Finance System. Members were informed of the potential implications for the Council and asked to endorse a proposed response.

Recommended:

That the proposed response to the DCLG, attached as Appendix C to the report of the Director of Resources, be agreed as the Council's response to the consultation paper on Housing Finance Reform.

[Note: This minute was considered and agreed by the Full Council at its meeting on 28 June 2010].

8 Powers Delegated to the Director of Community and Environment

The Assistant Chief Executive and Solicitor to the Council sought approval to changes in delegated powers following the retirement of the Director of Community and Environment.

Recommended:

That the changes in the delegated powers as detailed in the report of the Assistant Chief Executive and Solicitor to the Council be approved and the Constitution be amended accordingly.

9 Issues for Local Authorities Arising from the Change of Government

The Chief Executive circulated a list of some of the issues arising from the change of Government which may affect the Council.

Resolved:

That the list be circulated to all Members of the Council and updates provided as things progress.

10 Information Security Policy 2010-2012

The Assistant Director (Corporate Services) sought approval for the Council's Information Security Policy for the period 2010 - 2012.

Recommended

That the Information Security Policy be continued without the changes recommended in the report of the Assistant Director (Corporate Services).

11 Budgetary Control Report 2010/2011 Period Ended 31 May 2010

The Assistant Director (Finance and Human Resources) reported on the revenue expenditure and income for the period from 1 April 2010 to 31 May 2010. The 2010/2011 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.

12 Capital Accounts 2009/10

The Board was informed that the Capital Accounts for 2009/10 had been prepared. Members were invited to approve the methods of funding used. A revised Appendix A was circulated at the meeting.

Recommended:

That the methods of funding to meet capital expenditure incurred in 2009/10 be approved.

13 Earmarked Reserves 2009/10

The Director of Resources reported on the level of reserves at 31 March 2010. Members were asked to approve the proposed use of reserves in 2010/11.

Recommended:

That the reserves held at 31 March 2010, and the planned use of reserves in 2010/11 be approved.

14 Value for Money Efficiency Update 2009/10

The Director of Resources reported on the details of the Council's Value For Money (VFM) efficiency achievements in 2009/10. It also detailed the progress made against the 2009-10 VFM Action Plan and proposed a new VFM Action Plan for 2010-11.

Recommended:

- a That the VFM Efficiency gains for 2009/10 to be reported to the CLG, as shown in Appendix A to the report of the Director of Resources be agreed;**
- b That the progress made against the 2009-10 VFM Action Plan be noted; and**
- c That the VFM Action Plan for 2010-11, as shown in Appendix B, be approved.**

15 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 by Schedule 12A to the Act.

16 Minutes of the meetings of the Special Sub-Group held on 19 April, 17 May and 24 May 2010

i) Meeting held on 24 May 2010 Minute No 2 – Exclusion of the Public and Press.

It was agreed that the following be added at the end of the minute “save for the car park report”.

Resolved:

That, subject to the amendment at i) above, the minutes of the meetings of the Special Sub-Group held on 19 April, 17 May and 24 May 2010 be agreed.

C Hayfield
Chairman

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE EXECUTIVE BOARD

14 September 2010

Present: Councillor Hayfield in the Chair

Councillors Fox, May, Moore, Morson, B Moss, Phillips, Smith, Swann, Sweet and Zgraja.

Apologies for absence were received from Councillors Bowden, Lewis and Simpson.

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

Any personal interests arising from the membership of Warwickshire County Council of Councillors Fox, Hayfield, May, B Moss and Sweet and membership of the various Town/Parish Councils of Councillors Fox (Shustoke), Moore (Baddesley Ensor), B Moss (Kingsbury), Phillips (Kingsbury) and Zgraja (Over Whitacre) were deemed to be declared at this meeting.

18 **External Auditors Report**

The Deputy Chief Executive submitted a report informing Members of changes to the 2009/10 Statement of Accounts following the audit and the External Auditors' report to those charged with governance.

In addition there was also a report from the External Auditors on grant work undertaken relating to 2008/09

Alison Breedon and Leon Mayfield from PricewaterhouseCoopers were in attendance at the meeting and presented their report on which Members asked a number of questions.

Resolved:

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

19 **Corporate Plan 2011/12 – Key Corporate Issues**

The Chief Executive drew Members' attention to the key corporate issues facing the Council over the next 18 months and sought Members' agreement to addressing those issues during the formulation of the 2011/12 Budget and Corporate Plan.

Recommended:

That the issues raised in the report of the Chief Executive are the main areas which should be considered for inclusion in the 2011/12 Corporate Plan.

20 Consultation on Formula Grant Distribution

The Deputy Chief Executive reported that the Department of Communities and Local Government had issued a consultation paper regarding how formula grant was distributed to Local Authorities. The Board was to consider a draft response.

Recommended:

That the draft response be approved.

21 Financial Strategy 2011-15

The Deputy Chief Executive submitted a report summarising the Authority's Financial Strategy, projected forward the Authority's General Fund budgets to 2014/15, and suggested a detailed budget approach for the 2011/12 General Fund Budget.

Recommended:

- a That the Financial Strategy shown as Appendix A to the report of the Deputy Chief Executive be approved;**
- b That the General Fund budget projections for 2011/12 to 2014/15 be noted;**
- c That the budget approach, set out in paragraph 13.1 and 13.2 of the report, be adopted; and**
- d That growth bids be assessed according to the criteria set out in 9.2 of the report.**

22 Progress Report on Achievement of Corporate Plan and Performance Indicator Targets – April to June 2010

The Chief Executive and the Deputy Chief Executive reported on the actual performance and achievement against the Corporate Plan and Performance Indicator targets relevant to Executive Board for the first quarter of 2010/11 from April to June.

Resolved:

That the report be noted.

23 **Policing in the 21st Century: Reconnecting Police and the People**

The Chief Executive reported on a national consultation by the Coalition Government on plans for policing reform and Members were asked to agree a suggested course of action. Members were of the view that the response should emphasise that local Community Safety Partnerships on Borough boundaries were effective, reflected local priorities and should be retained.

Recommended:

- a That the report be noted; and**
- b That following consultation with the Chairman, the Opposition Spokesperson and the Portfolio Holder and Shadow Portfolio Holder for Safer Communities, the Chief Executive be authorised to prepare a response to the Policing in the 21st Century: Reconnecting Police and the People consultation taking account of the views expressed at the meeting.**

24 **Interim Planning Policy Statement**

The Assistant Chief Executive and Solicitor to the Council reported on the recent changes to the Planning system and set out the Borough Council's planning policy stance in order to give clarity to residents, landowners, developers and other stakeholders on how the Council would consider development proposals. A Draft Interim Planning Policy Statement had been prepared and would be taken into account as a relevant material consideration in determining planning applications.

Recommended:

- a That the Draft Interim Planning Policy Statement be approved for consultation;**
- b That representations be brought back to Board;**
- c That the Interim Planning Policy Statement be considered as a material planning consideration; and**
- d That the Statement be kept under review as further changes are announced.**

25 **Review of Area Forum Working**

The Assistant Chief Executive and Solicitor to the Council reported on a review of Locality/Area Forum working conducted by Warwickshire County Council. The County Council had asked for comments and Members were asked to agree a suggested response. Members discussed ways in which forum meetings could be made more effective and inclusive.

Recommended:

That the draft response be endorsed.

26 Local Enterprise Partnerships

The Chief Executive reported on the abolition of Regional Development Agencies and proposals for their replacement with Local Enterprise Partnerships.

Recommended:

That the report be noted and the action of the Chief Executive, including the specific action taken since the report was prepared in relation to the cross boundary arrangements with Hinckley and Bosworth and Nuneaton and Bedworth, be endorsed.

27 Review of Polling Districts, Polling Places and Poling Stations

The Board was invited to agree a process for the review of polling districts, polling places and polling stations in accordance with the Electoral Administration Act 2006.

Recommended:

That the Chief Executive be authorised to carry out a review of polling districts, polling places and polling stations in consultation with relevant Ward Councillors and other stakeholders and a report be submitted to Full Council following completion of the review.

28 Value for Money Efficiency Update

The Deputy Chief Executive reported on the Council's Value for Money efficiency achievements to date in 2010/11.

Recommended:

That the progress made against the 2008-11 Value for Money and Efficiency target be noted.

29 Budgetary Control Report 2010/11 – Period Ended 31 August 2010

The Assistant Director (Finance and Human Resources) reported on the revenue expenditure and income for the period from 1 April 2010 to 31 August 2010. The 2010/2011 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.

30 Warwickshire County Council Overview and Scrutiny Board – Co-Opted Member

The Board was invited to consider a replacement for Councillor Davis as the co-opted Member on the County Council's Overview and Scrutiny Board.

In addition a request had been received from Councillor Phillips, Leader of the Labour Group, to change one of his representatives on the Environment Portfolio Group.

Recommended:

- a That Councillor Bowden be appointed as this Council's representative on the County Council's Overview and Scrutiny Board; and**
- b That Councillor Neil Dirveiks replace Councillor Pickard on the Environment Portfolio Group.**

31 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 by Schedule 12A to the Act.

32 Minutes of the meetings of the Special Sub-Group held on 5 July and 9 August 2010

The minutes of the meetings of the Special Sub-Group held on 5 July and 9 August 2010 were received and noted.

C Hayfield
Chairman

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE RESOURCES BOARD

5 July 2010

Present: Councillor Smith in the Chair

Councillors Bowden, Butcher, N Dirveiks, Forwood, Fowler, Fox, Johnston, Moore, Payne, Smitten and Winter.

An apology for absence was received from Councillor Y Stanley.

Councillors Moss, Phillips and Pickard were also in attendance.

11 **Declarations of Personal or Prejudicial Interests**

Any personal interests arising from the membership of Warwickshire County Council of Councillors Fowler and Fox and membership of various Parish Councils of Councillors Butcher and Smitten (Polesworth), Fox (Shustoke) and Moore (Baddesley Ensor) were deemed to be declared at the meeting.

12 **Minutes**

The minutes of the meetings of the Board held on 13 April and 24 May 2010, copies having previously been circulated, were approved as a correct record and signed by the Chairman.

13 **Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April 2009 – March 2010**

The Chief Executive and the Director of Resources informed Members of the progress with the achievement of the Corporate Plan and Performance Indicator targets relevant to the Resources Board for April 2009 – March 2010.

Resolved:

That the achievements to date on the Corporate Plan and Performance Indicator targets be noted.

14 **Social Homebuy**

The Assistant Director (Housing) provided Members with information about the Social Homebuy Scheme promoted by Communities and Local Government, which enabled Local Authority tenants to part buy their homes.

Resolved:

- a **That, for the reasons set out in the report of the Assistant Director (Housing) the scheme is not adopted at the current time; and**
- b **That the possible adoption of the scheme be considered again in 6 months when the outcome of the reform of the Housing Revenue Account Subsidy System is known.**

15 **Dog Control Orders**

The Assistant Director (Housing) updated Members on the situation with regard to dog control orders and sought approval for consultation on a refreshed Order to cover the whole Borough.

Resolved:

That a further report be brought back to the Resources Board providing more detail on a refreshed Dog Control Order.

16 **Tenant Satisfaction Survey**

The Director of Resources presented the results of the Council's annual survey of its Tenants in order to receive feedback on satisfaction levels with the Housing Service.

Resolved:

That the results of the Tenant Satisfaction Survey be noted.

17 **Risk Management Annual Report 2009/10**

The Assistant Director (Finance and Human Resources) informed Members of the progress made on Risk Management during 2009/10.

Resolved:

That the progress made on Risk Management during 2009/10 be noted.

18 Efficiency Review – Housing Maintenance Services

The Assistant Director (Housing) provided the Board with an update about work to progress the objective set out in the Housing Division's Forward Work Plan to undertake an efficiency review of its Maintenance Service.

Resolved:

- a That the work undertaken to achieve the Decent Homes Standard be noted;**
- b That the progress made to improve the response repairs service be noted;**
- c That the initial findings of the efficiency review of Housing Maintenance be noted**
- d That the Resources Board and Housing Portfolio Group be kept fully informed of the outcomes of the review to improve Housing Maintenance Services; and**
- e That Tenants be consulted about the scope of service and standards when appropriate.**

19 Capital Programme 2010/11 Period Ending May 2010

The Assistant Director (Finance and Human Resources) updated Members on the progress of the 2010/11 Capital Programme in terms of both expenditure and outcomes.

Resolved:

That the progress made against the 2010/11 Capital Programme be noted.

20 Annual Treasury Report for 2009/10

The Director of Resources reported on the out-turn for 2009/10 and highlighted any areas of significance.

Resolved:

- a That the Annual Treasury Report for 2009/10 be noted; and**
- b That the Prudential Indicators set out in Appendix A to the report of the Director of Resources be noted.**

21 Internal Audit – Performance for 2009/10

The Director of Resources reported on the progress of the Council's Internal Audit function against the agreed plan of work for 2009/10.

Resolved:

That the report be noted.

22 Budgetary Control Report 2010/11 - Period Ended 31 May 2010

The Assistant Director (Finance and Human Resources) reported on the revenue expenditure and income for the period from 1 April 2010 to 31 May 2010. The 2010/11 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.

23 Consolidated Budgetary Control Report 2010/11 – Period Ended 31 May 2010

The Assistant Director (Finance and Human Resources) updated the Board on the total Council General Fund revenue expenditure and income for the period from 1 April 2010 to 31 May 2010.

Resolved:

That the report be noted.

24 Housing Revenue Account Budgetary Control Report 2010/2011 – Period Ended 31 May 2010

The Assistant Director (Finance and Human Resources) updated the Board on the total Housing Revenue Account revenue expenditure and income for the period from 1 April 2010 to 31 May 2010.

Resolved:

That the report be noted.

25 Collection Progress for Sundry Debts 2009/10 and Prompt Payment of Creditor Invoices, LPI 8

The Assistant Director (Finance and Human Resources) advised Members of the collection progress for Sundry Debts in 2009/10 and highlighted the performance of LPI 8, Prompt Payment of Creditor Invoices.

Resolved:

That the report be noted.

26 Progress Report on Human Resources Issues

The Assistant Director (Finance and Human Resources) advised Members of progress against the Human Resources Strategy Action Plan, work being done by the Human Resources team, sickness levels for the period of April 2009 to March 2010 and provided some further information on the action taken in managing absence.

Resolved:

That the report be noted.

27 Exclusion of the Public and Press

Resolved:

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

28 The Arcade

The Assistant Director (Streetscape) reported further on the Arcade, Atherstone and asked the Board to determine an appropriate course of action.

Resolved:

That consideration of this item be deferred to a future meeting of the Resources Board.

29 Request for a Right of Way to Cross Garage Site off Stonebridge Road, Coleshill

The Assistant Director (Housing) informed Members of a request received to obtain a right of way to cross the Council's garage site at Stonebridge Road, Coleshill, to gain access to a proposed property to be built in the garden of 36 Springfields, Coleshill.

Resolved:

That a right of way to cross the garage site of Stonebridge Road, Coleshill, be granted at the value recommended by the Council's Valuer as set out in the report of the Assistant Director (Housing).

30 Atherstone Town Centre CCTV Schemes

The Assistant Director (Housing) outlined progress in respect of the Council's management and operation of the Atherstone Town Centre CCTV scheme and its impact over the last 12 months in relation to the corporate priority to tackle crime and the fear of crime.

Resolved:

- a That the continued and positive impact of the Atherstone Town Centre CCTV scheme in tackling local crime be noted; and**
- b That the revised Partnership Agreement with Atherstone Town Council be noted and agreed.**

31 Housing Act 2004 – Emergency Prohibition Order

The Assistant Director (Housing) gave details of an emergency situation that had occurred recently in a private house and the actions taken by staff on behalf of the Council following consultation with the Chairman.

Resolved:

That the action taken by Officers, in consultation with the Chairman of the Resources Board, in respect of an Emergency Prohibition Order be noted and endorsed.

32 Provision of Public Toilets in Polesworth

The Assistant Director (Streetscape) sought approval for a proposal to install an automatic public convenience on the Bridge Street Car Park, Polesworth.

Resolved:

- a That the installation of an automatic public convenience on the car park off Bridge Street, Polesworth, leased from JC Decaux, be approved;**

Recommended:

- b That the site of the existing public conveniences be declared surplus to the requirements of the Council; and**
- c That the site be sold to Mr H at the value recommended by the Council's Valuer as set out in paragraph 7.2 of the report of the Assistant Director (Streetscape).**

33 Phoenix Yard Access

The Assistant Director (Streetscape) provided further information on the proposed grant of a right to carry out highway improvements on land owned by North Warwickshire Borough Council and asked Members to review the time limit which had been imposed.

Resolved:

- a That the extension of the time limit for the completion of the development at Phoenix Yard, Atherstone, linked to the grant of the right to carry out highway improvements on Council owned land, to a period of five years be approved; and**
- b That the Corporate Property Officer negotiate the use of an Overage Agreement with the developer, linked to the granting of that right.**

34 Minutes of the Appeals Sub-Group held on 3 June 2010

The minutes of the Appeals Sub-Group held on 3 June 2010 were received and noted.

L Smith
Chairman

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE RESOURCES BOARD

6 September 2010

Present: Councillor Smith in the Chair

Councillors Bowden, Butcher, N Dirveiks, Forwood, Fowler, Fox, Johnston, Moore and Winter

Apologies for absence were received from Councillors Lea, Payne, Smitten and Y Stanley.

Councillors Lewis, B Moss, Pickard and Phillips were also in attendance.

35 **Declarations of Personal or Prejudicial Interests**

Any personal interests arising from the membership of Warwickshire County Council of Councillors Fowler and Fox, and membership of various Parish Councils of Councillors Butcher (Polesworth), Fox (Shustoke) and Moore (Baddesley Ensor) were deemed to be declared at the meeting.

36 **Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April – June 2010**

The Chief Executive and Director of Resources informed Members of the actual performance and achievement against the Corporate Plan and Performance Indicator targets relevant to the Resources Board for April – June 2010.

Resolved:

That the actual performance and achievement against the Corporate Plan and Performance Indicator targets relevant to the Resources Board for the quarter April 2010 to June 2010 be noted.

37 **Voice Telecommunications Contract**

The Assistant Director (Corporate Services) detailed the process followed to evaluate the suppliers of telephone line rental and call costs and recommended the award of the contract to Global Crossing for the next 2 years with the option to extend for a further year provided costs were still competitive.

Resolved:

That the award of the telephone voice contract to Global Crossing for a period of 2 years from October 2010, with the option to extend for a further year if costs remain competitive, be approved.

38 Consultation on Local Referendum to Veto Excessive Council Tax Increases

The Deputy Chief Executive gave details of a consultation paper issued by the Department of Communities and Local Government on Local Referendum to Veto Excessive Council Tax increases. The Board was asked to consider a draft response to the consultation.

Resolved:

a That point 2 of the draft response be amended as follows:

“We would extend this also to the triggering of a referendum which requires a petition of 5% of the local tax paying electorate”; and

b That subject to the amendment (a) above, the draft response be approved;

39 Tenant Services Authority Regulation – Annual Report for Tenants

The Assistant Director (Housing) updated Members on the work of the Tenant Services Authority and presented a consultation document for consideration and response.

Resolved

a That the requirements for the publication of an annual report to tenants be noted; and

b That the content of the Draft Annual Report for Tenants 2010 be agreed.

40 Capital Programme 2010/11 – Period Ending July 2010

The Assistant Director (Finance and Human Resources) updated Members on the progress of the 2010/11 Capital Programme in terms of both expenditure and outcomes.

Resolved:

a That the progress made against the 2010/11 Capital Programme be noted; and

b That recommendation (b) of the report of the Assistant Director (Finance and Human Resources) be deleted.

41 Internal Audit – Performance for First Quarter 2010-11

The Deputy Chief Executive gave details of the progress of the Council's Internal Audit function against the agreed plan of work for 2010-11.

Resolved:

That the report be noted.

42 International Financial Reporting Standards – Progress Update

The Assistant Director (Finance and Human Resources) reported on the progress being made on implementing the new International Financial Reporting Standards that had been introduced from the 2010/11 accounts onwards.

Resolved:

That the progress made on implementing International Financial Reporting Standards be noted.

43 Treasury Management Update Quarter 1 2010/11

The Deputy Chief Executive reported on the Treasury Management activity during the first quarter of 2010/11.

Resolved:

That the Treasury Management Update Report for Quarter 1 be noted.

44 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 by Schedule 12A to the Act.

45 Irrecoverable Housing and Local Taxation Debts

The Assistant Chief Executive (Community Services) detailed the amounts recommended for write-off, in accordance with the write-off policy agreed by the former Finance Sub-Committee in September 2000.

Resolved:

- a That the write-off of 6 balances over £1,250 totalling £9,554.16 in respect of unpaid Council Tax be approved;**
- b That the write-off of 11 balances over £1,250 totalling £38,833.75 in respect of unpaid Non Domestic Rates be approved;**
- c That the write-off of 1 balance over £1,250 totalling £1,424.81 in respect of overpaid Housing Benefit be approved;**
- d That the write-off of 8 balances over £1,250 totalling £15,019.15 in respect of unpaid former tenant rent arrears be approved;**
- e That the write-off of 77 balances under £1,250 totalling £20,124.37 in respect of unpaid Council Tax be noted;**
- f That the write-off of 10 balances under £1,250 totalling £3,384.02 in respect of unpaid Non Domestic Rates be noted;**
- g That the write-off of 61 balances under £1,250 totalling £8,207.53 in respect of overpaid Housing Benefit be noted;**
- h That the write-off of 47 balances under £1,250 totalling £10,611.57 in respect of unpaid former tenant rent arrears be noted;**
- i That the write-back of 1 balance totalling £36.44 in respect of unpaid Council Tax be noted;**
- j That the write-back of 11 balances totalling £28,230.96 in respect of unpaid Non Domestic Rates be noted; and**
- k That the write-back of 2 balances totalling £0.59 in respect of unpaid former tenant rent arrears be noted.**

L Smith
CHAIRMAN

MINUTES OF THE AREA FORUM SOUTH

Tuesday 13 July 2010

The Area Forum South met at Coleshill Town Hall, Coleshill at 7.00pm.

Present: Councillor Sherratt in the Chair.

Councillors Fowler, Fox, Gordon, Hayfield and Smith.

In Attendance: Cheryl Bridges, Jaki Douglas, Alethea Wilson – North Warwickshire Borough Council
Joanne Rhodes, Mark Davey & Martin Gibbins – Warwickshire County Council
Sgt Ron Drake, PC Andy Hopkins, PC Ellen Beaty PC Paul Vaughton, PCSO Jane Owen, PCSO Hayley Waller – Warwickshire Police
Andy Bates – Warwickshire Fire and Rescue Service
J Poole – Shustoke & Maxstoke Parish Council Clerk
P Gray, B Cotton – Shustoke Parish Council
J McDonald – Corley Parish Council
B Martin – Ansley Parish Council
J Upton – Coleshill Town Council

David Simkin, John Burgess, Jillian Wall, John Wall - Public

1. Apologies for absence.

Sandy Osbourne (Corley)

2. Minutes

The minutes of the meeting of the Area Forum South, held on 27 April 2010, copy herewith, were agreed as a true record and signed by the Chairman.

3. Matters Arising

Martin Gibbins confirmed that the issue of the Sustainable Community Strategy will be discussed at the next meeting.

4. Safer Neighbourhoods Update

Sergeant Ron Drake, Warwickshire Police and Cheryl Bridges, North Warwickshire Borough Council, presented a summary of the progress and

actions that had been undertaken to address the three priorities nominated by the Forum at its last meeting. A copy of the summary detailing these actions can be viewed on the Council's website www.northwarks.gov.uk via the link for meetings and minutes online.

It was confirmed that the travellers on the land at Highfield Lane were responsible for paying utility costs they incurred.

Issues raised included:

- Community Speed Watch in particular the need for checks to be undertaken prior to an individual being able to participate in speed watch.
- Fly tipping, particularly of car tyres and the role of garages in disposing of them. It was subsequently confirmed that to dispose of old or unwanted tyres, contact a local tyre retailer who may be able to arrange collection and disposal for a small fee. Also contact <http://www.tyrecovery.org.uk/> for more information.
- Removal of fly tipped waste on private land. It was confirmed that removal was the responsibility of the land owner. Removal of fly tipped material on public land was the responsibility of the Borough Council

Following a brief discussion no priorities were identified to be taken forward from Area Forum South.

5. Public Questions & Parish Issues

A number of road signs were identified as not working properly including those at the Griffin Inn at Church End.

An issue was highlighted concerning pupils getting off the school bus from Chelmsley Wood at Coleshill School and stopping traffic until all had crossed the road. It was confirmed by Cllr Fowler that the issue was already in hand.

Further issues were raised including the possibility of a crossing patrol warden, a pedestrian crossing or a 20 m.p.h. speed limit near to Coleshill School.

6. LEADER Update

Jaki Douglas provided an update on the progress being made by the LEADER Project. The Forum was also advised that a representative from the area covered by the Forum was required to serve on the Local Action Group executive. The person would ideally be someone active in the local community. Nomination forms were available for anyone interested in becoming the representative for the area.

7. Playing Pitch Strategy

Alethea Wilson introduced the draft Playing Pitch Strategy commissioned by the Borough Council. The Forum was advised about the process followed in developing the Strategy and the key elements to guide future developments through the Action Plan. A copy of the Playing Pitch Strategy for Area Forum South is available at www.northwarks.gov.uk.

In response to questions Alethea indicated that the medium term was over the next 2-4 years. With regard to specific sites such as improvements to Shustoke playing field this would be subject to discussion between the Borough Council and the Parish Council who own the site.

8. Representation on Outside Bodies.

The Area Forum considered a report seeking recommendations for appointments to the outside bodies It was agreed that:

Coleshill Grammar School Endowment Foundation – Councillor Sherratt and Dr Andrew Watkins

Market Towns Initiative, Coleshill – Councillors Gordon and Fowler.

Following a question from Jane McDonald it was also agreed that the representatives would provide feedback to the Area Forum on what the outside bodies are doing.

9. Future Meeting Dates

Thursday 21 October 2010
Arley Community Centre

Appendix A

1 Background

1.1 Two of the strategic objectives of the North Warwickshire Green Space Strategy are to:

- Work with schools and other providers to meet the demand for more community access to outdoor sports facilities
- and
- Use the findings of the Open Spaces, Sports and Recreation Study to inform the development of a Playing Pitch Strategy to deliver sustainable outdoor sports provision.

1.2 In March 2010, in order to address these priorities, the Borough Council commissioned consultants Knight Kavanagh and Page to prepare an Outdoor Sports Assessment Report and a Playing Pitch Strategy with a five-year Action and Funding Plan.

1.3 Preparation of the documents was informed by extensive consultation with a range of stakeholders, including:

- Borough Council officers and Members
- All parish councils in the Borough
- All schools in the Borough
- Warwickshire County Council Children, Young People and Families Directorate
- The School Sports Partnership
- Forty local sports clubs
- A number of community groups
- Local sports leagues
- Sports national governing bodies.

2 Outdoor Sports Assessment Report

2.1 The Strategy has been developed from research and analysis of playing pitch and outdoor sports facility provision and usage within the Borough, which is presented in the Outdoor Sports Assessment Report. The research was carried out in compliance with:

- Sport England guidance "Towards a Level Playing Field"
- Planning Policy Guidance 17

2.2 The assessment sets provision in North Warwickshire within the context of:

- National strategies
- The North Warwickshire Sustainable Community Strategy

- The Borough Council's Corporate Plan
- The North Warwickshire Green Space Strategy

2.3 The research comprised:

- Extensive consultation with both providers and users of outdoor sports provision
- Quantitative and qualitative analysis of existing provision
- Supply and demand analysis, both current and projected

Sports included in the assessment are:

- Football
- Cricket
- Rugby
- Bowls
- Tennis
- Hockey

3 Draft Playing Pitch Strategy

3.1 The Playing Pitch Strategy provides a clear strategic framework for the maintenance and improvement of existing playing pitches, outdoor sports facilities and ancillary facilities between 2010 and 2021. It:

- Provides an investment strategy for provision within the local authority area
- Provides a framework for all providers – public, private and third sector
- Addresses the needs of all sports in the area and picks up local demand issues
- Addresses issues in relation to population growth
- Addresses issues of cross boundary provision
- Addresses accessibility, quality and management
- Stands up to scrutiny at public enquiry as a robust study
- Sets realistic aspirations

3.2 More specifically it:

- Recommends priority projects for implementation between 2010-2021
- Recommends building key partnerships with schools, community clubs, town and parish councils and private landowners
- Identifies potential partners
- Identifies possible sources of external funding

- Allows the Council to focus on key issues that it can directly influence and achieve

4 Action and Funding Plan

4.1 The strategy document includes a five year action plan and funding strategy that prioritises projects based on a number of factors but typically takes into account;

- The need to target the greatest number of participants
- Overall project deliverability

4.2 The action plan sets out priorities for each Area Forum (see Appendix A). Actions primarily fall within the range of:

- Formalising community use agreements between clubs and schools
- Increasing community use of school sites
- Leasing sites to clubs on a long-term basis where appropriate
- Marking out additional pitches or re-marking senior pitches to provide for juniors / minis
- Support development plans for individual sites
- Support clubs / providers in seeking funding opportunities

4.3 The document sets out a number of external funding opportunities that can be explored and suggests the following measures:

- Ensure that where sites are lost, through development or closure, that facilities of the same or improved standard are provided to meet the continued needs of residents
- Planning consents should include appropriate conditions and or be subject to a section 106 agreement. Where developer contributions are applicable a s106 Agreement must specify the amount and timing of sums to be paid
- A "central pot" for developer contributions across North Warwickshire should be established to invest in playing pitch facility provision and maintenance
- Where new pitches are provided changing rooms should be located on site

5 Next Steps

5.1 The Draft Strategy is now out to consultation with Sport England and the national sports governing bodies, with a view to formal adoption by the Council in October 2010.

5.2 Electronic copies have been sent to town and parish councils and a number of sports clubs and can be viewed on the Borough Council's

website www.northwarks.gov.uk . We are keen to receive feedback from anybody with an interest in outdoor sports provision, by 10th September, either through the website or by contacting:

Alethea Wilson
Landscape Manager
Leisure & Community Development Division
North Warwickshire Borough Council
The Council House
South Street
Atherstone
Warwickshire CV9 1DE.

tel: 01827 719212

e-mail: aletheawilson@northwarks.gov.uk.

. Action Plan Area Forum South

	Football			Cricket	Rugby union		
	Senior	Junior	Mini		Senior	Junior	Mini
Deficiencies	4.0	-2.1	0.9	-6.2	1.9	-1.1	-3.2
Latent demand	0.5	1	-	1.5	-	-	-

Re-designating some adult football pitches to juniors will help to meet deficiencies identified. The undersupply of cricket pitches should be rectified through a range of methods including increased community use of school sites and long term consideration of establishing new pitches. There is likely to be a need to find new rugby pitches to meet future demand.

KKP ref	Site	Pitches on site	Current capacity (where relevant)	Issues	Recommended action	Strategic objective met	Time scale
2	Ansley Hall	1 senior football and 1 cricket		Hartshill FC has expressed an ability and desire to take over maintenance of Ansley Hall, in order to secure its access. However, there are issues associated with the crossover of the cricket and football seasons. Ansley Cricket Club is also interested in discussing management options for its homeground and pavilion at Ansley Hall (KKP Ref 2).	In the short term, accommodate Hartshill FC at the site and if necessary it could take over maintenance of the site as part of a short term lease agreement. Temporarily relocate another club to Snowhill Recreation Ground in order to ensure Ansley Hall is not overplayed. Work with Ansley Cricket Club about potential leasing options of the site.	4	S

KKP ref	Site	Pitches on site	Current capacity (where relevant)	Issues	Recommended action	Strategic objective met	Time scale
3	Arley Sports Centre	1 senior and 3 mini football		Currently used by Haunchwood Sports JFC and Old Arley Residents Society hope to establish a management committee in order to apply for funding in conjunction with the club. This will include a campaign to replace the pavilion.	Develop a management plan for Arley Sports Centre to enable its development as a recreation 'hub'.	2 and 4	L
12	John E Radford Fields, Burrow Hill Lane, Corley	1 senior football		A multi sport site. It is primarily home to Keresley RFC which owns the land and clubhouse (football and netball are also played at the site). Reported issues with vandalism have been overcome.	Retain to current quality to ensure continued use of the site.	2 and 4	S – L
		3 senior rugby					
17	Coleshill Memorial Park	2 senior football and two tennis courts		Coleshill CC approached Coleshill Town Council to level the football pitches at the site in order to over mark a cricket pitch to accommodate the Club's second pitch. However, this proposal has been declined by Coleshill Town Council. Tennis courts in need of repair.	Support Coleshill Cricket Club to further peruse options to over mark cricket with the existing football pitches to accommodate and satisfy future cricket needs of the Club, whilst retaining wider recreation use of the site.	1	S
					Improve the quality of existing pitches in order to increase capacity and to sustain future pitch quality.	2	M
					Improve the surface quality of	2	M

**NORTH WARWICKSHIRE BOROUGH COUNCIL
PLAYING PITCH STRATEGY**

AREA FORUM SOUTH

KKP ref	Site	Pitches on site	Current capacity (where relevant)	Issues	Recommended action	Strategic objective met	Time scale
					the tennis courts.		
24	Shustoke Playing Field	-		Has previously accommodated one junior football but no current use.	Should be brought back into use (following investment to improve quality) to meet identified future deficiencies. Site inspections and any necessary remedial work should be carried out before allowing teams to use.	1 and 2	M
26	The Coleshill School Cricket	1 cricket and 1 football pitch		Poor quality pitch used by Coleshill Cricket Club.	Investigate greater school club links with Coleshill Cricket Club in order to retain community use.	3	S
41	Coleshill Town FC	1 senior football		Dosthill FC is currently based in Tamworth but is in the process of relocating to Coleshill Town FC.	Investigate the opportunity to add a new junior pitch on the site and to provide a soccer school for local residents.	1 and 4	M
44	Coleshill Cricket Club	1 cricket		Anecdotal evidence suggests site is played over capacity. The Club is seeking permanent access to a second home ground (it currently uses Coleshill School but this is poor quality). Latent demand is also expressed for one cricket pitch.	Further investigate opportunities for an additional cricket pitch following minor re-arrangement of football pitches at Coleshill Memorial Park (KKP Ref 17). Alternatively, lease arrangements at Coleshill School and joint investment in provision to satisfy future cricket needs. If unsustainable, support the Club in seeking land to develop as a second home pitch.	2 and 4	L

**NORTH WARWICKSHIRE BOROUGH COUNCIL
PLAYING PITCH STRATEGY**

AREA FORUM SOUTH

KKP ref	Site	Pitches on site	Current capacity (where relevant)	Issues	Recommended action	Strategic objective met	Time scale
51	Coleshill Tennis and Sports Club	5 tennis courts		Coleshill TC has received a loan from the LTA to make improvements to its ancillary provision. Plans to increase membership and provide an additional court on the current site. However, layout of the current site inhibits further growth and development.	If required, public courts at Coleshill Memorial Park could provide strategic reserve for clubs which are operating at capacity, particularly for junior use.	1 and 4	L
57	Fillongley Recreation Ground	2 senior football		Fillongley FC is investigating the possibility of merging its current changing facilities with the adjoining scout hut. Fillongley Parish Council plans to install new play equipment and a multi use games area.	Support the Parish Council to develop a management plan for this site.	2 and 4	M
58	Ansley Village	1 senior football		There have been complaints regarding dog fouling and occasionally motorbike usage on the site. The Parish Council identifies a need to provide a BMX track but due to a lack of funds this seems unlikely in the short term.	Support Ansley Parish Council to develop a management plan for development of this site.	1 and 2	M
59	Hill Top, New Arley	2 senior football		Poor quality pitches resulting in the site being overplayed.	Support Arley Parish Council to develop a management plan for development of this site.	2	S

MINUTES OF THE AREA FORUM NORTH

THURSDAY 22 JULY 2010

The Area Forum North met at The Tithe Barn, Polesworth at 6.30pm.

- Present:** Councillor Moore in the Chair.
Borough and County Councillors May and Sweet.
Borough Councillors Butcher, Morson, Smitten and Winter.
- In Attendance:** Robert Beggs, Chris Brewer, Alethea Wilson and Jenny Price – North Warwickshire Borough Council
Simon Roe and Jo Roberts – Warwickshire County Council
Sgt Shaun Albrighton and Inspector Alan Bamford – Warwickshire Police
Carol Fox - Warwickshire Police Authority
Andy Bates – Warwickshire Fire and Rescue Service
Jo Gordon – LEADER Project
Jean Ball, Robert Critchley and Eleanor Pugh - Polesworth Parish Council
Dave and Sue Hanratty and Bill Whitmore – Dordon Parish Council
Judith Tattersall – Shuttington Parish Council
Alan and Julie Newell, Mandy Williams, Jean Mellors, Wendy Allen, Derek Tattersall and Richard Meredith – Residents
J Mills – St Leonards Church, Dordon
Reverend Val Hicks – Dordon Church
- Apologies:** Councillors Yvette and Mick Stanley
Beryl Grix – Austrey Parish Council
John Smitten – Polesworth Parish Council

1 Minutes of the Meeting of the Forum held on 22 April 2010

The minutes of the meeting of the Area Forum North, held on 22 April 2010, were agreed as a correct record and signed by the Chairman.

2 Matters Arising

A5 Long Street, Dordon

The forum was asked to continue to push for improvements to the highway issues on the A5, Dordon.

3 Safer Neighbourhoods – Partners and Communities Together (PACT)

Sergeant Shaun Albrighton, Warwickshire Police, and Robert Beggs, North Warwickshire Borough Council, presented a summary of the progress and actions that had been undertaken to address the three priorities nominated by

the Forum at its last meeting (illegal parking Bridge Street, Polesworth, anti social behaviour, Browns Lane, Dordon and surrounding area within ¼ mile and anti social behaviour, Polesworth – Abbey Green Park/Bridge Street, Polesworth). A copy of the summary detailing these actions can be viewed on the Council's website www.northwarks.gov.uk via the link for meetings and minutes online.

Discussion then followed about the next set of priorities to take forward to the PACT Panel for this round.

It was then agreed that the priorities to be taken forward from Area Forum North were:-

- Anti Social Behaviour – Shuttington Village Hall (weekends)
- Anti Social Behaviour – Baddesley Ensor Recreation Ground (weekends)
- Speeding – Orton Road, Warton.

It was also noted that the parking problems highlighted at Birchmoor would be followed up by the local Police Constable and the household presenting some concerns in the local community is already subject to close monitoring.

Local residents are encouraged to report incidents of crime and disorder and further information about reporting is available from the Council's website and on safer neighbourhood leaflets which are being widely distributed.

http://www.northwarks.gov.uk/site/scripts/documents_info.php?categoryID=1302&documentID=702

Carol Fox, Police Authority representative for the North Warwickshire area introduced herself to the meeting. She explained her role was to monitor Police performance and to report back to the Police Authority every 12 weeks. The Police Authority would like members of the public to give them their views on policing issues and experiences to enable them to do their job better.

Further information on the role of the Police Authority was available on their website at www.warwickshirepa.gov.uk

4 Public Questions and Parish Issues

Derek Tattersall (Alvecote resident) had received an email response to his issue raised at the previous forum regarding the reporting procedure of bonfires. Mr Tattersall asked for further clarification on the issue, as he felt the reply only repeated the same system that was already in place and in his view the system wasn't working. He felt that a joint approach between Environmental Health, County Council (site owners) and the Fire and Rescue Service was needed.

It was agreed that the whole procedure be looked into further.

The following parish issues were raised;

- articulated lorries getting lost on their way to Birch Coppice and ending up on New Street, Dordon. A request for a directional sign to Birch Coppice on the eastern side of the A5 was made;
- issues regarding weight restrictions on Long Street, Dordon;
- update on a one-way system for Long Street/New Street, Dordon; and
- a tree at Barn End Road/Little Warton Lane, Warton, which had recently been pruned by the County Council needed more attention. The canopy needed to be raised to avoid having to bend down to walk under it.

It was agreed that WCC look into these matters.

5 North Warwickshire LEADER Update

Jo Gordon, Project Development Officer, presented an overview on the LEADER project. A £1 million rural development fund for local communities in North Warwickshire. However, Jo explained that because 50% of the funding was provided by DEFRA, the effects of spending cuts were not known at present.

Applications were being considered and appraised at the moment and a new call for applications would take place in October. Applications were welcomed from community groups, organisations and individuals. Projects must address the needs of the Sustainable Community Strategy key areas, which were;

- Access to services
- Transport
- Communication.

The Local Action Group, made up of statutory bodies and community groups were looking for volunteers from the Area Forum area to put themselves forward to become part of the group. The main role of the group would be to appraise project applications and become part of the decision making process. Anyone interested was asked to contact Jo Gordon or complete a handout made available at the meeting.

6 Outcomes of the Playing Pitch Strategy

Alethea Wilson (NWBC) informed the meeting that consultants had been commissioned to carry out an outdoor sports assessment. They had looked at the quality, distribution and use of outdoor facilities across a range of sports, including rugby, football, tennis, bowls and hockey. A draft strategy had been produced and was out for consultation with the sports governing bodies prior to formal adoption by the Borough Council in October. Feedback on the draft strategy could be made via the Council's website (www.northwarks.gov.uk) or by contacting the Borough Council – details could be found in handouts available at the meeting.

7 Provision of Public Toilets in Polesworth

The meeting was updated on the current situation regarding the installation of an automatic public convenience on Bridge Street, Polesworth.

8 Future Agenda Items

- Update on LEADER
- Provision of allotments in Polesworth
- Update on Police funding.

9 Any Other Business

There was no other business for discussion at the meeting.

10. Future Meeting Dates

26 October 2010 – venue to be confirmed.

CHAIRMAN

MINUTES OF THE AREA FORUM EAST

27th July 2010

The Area Forum East met at 6.30pm The Council Chamber,
North Warwickshire Borough Council, Atherstone

Present: Councillor C Fox in the Chair

County Councillor / Police Authority - C Fox
Borough Councillors: M Davis, K Johnston, D Pickard

In Attendance: S Robson, A Rigby, K Wilding, J Hodgson - Warwickshire CC
S Maxey, C Bridges, A Wilson – North Warwickshire BC
Sgt Fildes, PCSO Mander, PCSO Hoskin, C Shepherd, A Moutter –
Warwickshire Police
A Bates - Warwickshire Fire Service
M Shaw, D Clews, A Wright – Atherstone TC; J Randle, G Roberts –
Hartshill PC
J McMurdo, H Vero, D Atkin, C Musgrave, A Jackson, N Woolard, D
Horton, S Ashville, G Richards, M Masters, J Gordon

1. Apologies for Absence.

Apologies for absence were received from R Jarvis, L Dirveiks, N Dirveiks, L Freer, M Jones MP, Mancetter Parish Council, Robin Turton

2. Minutes and Matters Arising of the meeting held on 20 April 2010

The minutes were agreed as a true record with the following amendment:

Funding: Cllr N Dirveiks declared a personal and prejudicial interest in the application made by Owen Street Community Arts Centre and took no part in the discussion or voting thereon.

Leighton Somers, Dog Warden, NWBC is still off and his return date uncertain. Vicky Hemmings is covering for the time being. NWBC secured a new kennels contract from April, jointly with Nuneaton & Bedworth BC, at Pheasants Nest Farm, Smorral Lane, Bedworth.

The new boxing academy for Atherstone has been granted planning permission.

The pedestrian crossing outside Costcutter store, Hartshill could be delayed due to budget cuts affecting the County Council. Cllr Fox will continue to lobby support for the project.

Costcutter now using smaller delivery vans to ease traffic congestion around store.

S Maxey updated on the accommodation review of The Council House, NWBC. A seminar was held recently with stakeholders to discuss the types of services that might be delivered if practicable from a shared public services centre operating out of The Council House. Consultants ARUP will provide a report in September. Public consultation would follow in due course to comment on the proposals. It was confirmed that no decisions have yet taken place.

S Maxey confirmed that a planning application has been received from WCC / Warwickshire Police for the development of the former Magistrate Courts and Atherstone Police Station. Local residents will be receiving notification shortly.

The application will be looked at by the Planning Board, NWBC on 16 August and likely to be determined at the following Planning Board meeting.

In response to questions on development of The Council House, NWBC S Maxey replied the public will be consulted at the earliest opportunity once the consultant's report has been considered by NWBC and stakeholders.

In response to questions on the planning application for the former Magistrate Courts and Atherstone Police Station site S Maxey replied that the application is not considered to be premature.

A discussion was then held around the requirement to retain the site in public ownership. S Maxey concluded by saying the planning application will be considered against the Local Plan and a decision made on the need for local community provision.

In response to a question on the Local Transport Plan 3, WCC S Maxey responded that NWBC would be giving its feedback after meeting on 29 July and further consideration by Councillors.

In summary:

The Borough Council, at its Planning & Development Board meeting on 16th August, generally welcomed the LTP3 (Local Transport Plan for Warwickshire) giving particular support to a Strategy for the A5. A copy of the report can be found on the Council's website.

www.northwarks.gov.uk

The following link to the Borough council's website can be used to access and comment on the report on 'Car park provision in Atherstone'.

http://www.northwarks.gov.uk/downloads/DraftMins_Ex_Board_280610.pdf

Cllr Carol Fox introduced herself as the local representative for Warwickshire Police Authority and informed of an agenda item at the next Forum meeting to consult on how the police could improve public confidence.

3. Safer Neighbourhoods Update

Sgt Fildes presented an update on police activity over the last 3 months and gave a summary of the progress and actions to address the Area Forum priorities chosen at the last meeting. A copy of the summary detailing these actions can be viewed on the Council's website www.northwarks.gov.uk via the link for meetings and minutes.

Comments made:

- Parking – Sandwich factory, Carlyon Rd, Atherstone. Sgt Fildes to send a letter to the Sandwich Factory advising where workers can park
- Local Nature Reserve to be established behind the Sandwich factory
- Funding has been agreed to improve fencing between The Woodlands and Hartshill Hayes Country Park
- Hartshill PC, Atherstone Town Council, Mancetter PC are interested joining 'Community Speed Watch'
- Look to actively involve young people in Community Speed Watch
- Police presence around 'cattle creek' area, Atherstone
- Police presence around car park off Manor Rd, Mancetter
- Police presence around green, Greendale Close, Atherstone

Priorities for next 3 months

The following priorities were agreed:

Parking – Eitherside of junctions on Long Street, Atherstone with: Market Street, Church Street, Coleshill Road

Parking – Junction of Coleshill Road & School Hill, Hartshill

Parking – Pavement obstruction, Manor Road, Mancetter

4. Tell us your issues

A comment was raised over the number of black bins left out permanently around Atherstone, in particular around Dog Lane, North Street, Church Street. NWBC to look into this issue.

A request was made to keep the Forum informed on the consultation process for the future of Warwickshire County Council's residential care homes, including Bracebridge Court.

A 3 month consultation period begins 1st August – 31st October with residents, their families and staff to assess individual impact before any proposals on the future of the homes are considered by the County Council.

5. VOX, Voice4M & Youth provision in Area Forum East

Members of VOICE4M and VOX Warwickshire County Youth Council gave a presentation on youth activity in Warwickshire which included feedback on Warwickshire Youth Parliament activity; VOX Warwickshire County Youth Council activity and local action in North Warwickshire & East Area by VOICE4M

The presentation ended by showing a video on the Toxic Toes street dance project at Memorial Hall, Atherstone. Leaflets were passed round including 'North Warwickshire Youth Service Summer Programme 2010', summary of 'Youth Provision in Area Forum East'

The Toxic Toes dance project has funding to the end of 2010.

A discussion took place about improving the Area Forum meetings to be more inclusive for young people and to give them more opportunity to raise their issues on a regular basis.

6. North Warwickshire LEADER

J Gordon, Development Officer announced that the project currently has funding of £1million over 3 years. 50% comes from European Funding, 50% from DEFRA. The DEFRA part of the funding is under review.

There should be another round of funding open to community groups in October (subject to DEFRA decision) for projects that meet the local development strategy: access to services; transport; communication

The Forum was also advised that a representative from the area covered by the Forum was required to serve on the Local Action Group executive. The person would ideally be someone active in the local community. Nomination forms were available for anyone interested in becoming the area representative.

In response to questions funding for this year 2010/11 needs to be spent by 31 March 2011 with similar spending requirements in years two and three of the project. The project finishes January 2013.

7. Atherstone Area Property Review

J Hodgson, Senior Asset Management Surveyor, WCC presented. WCC have been undertaking property reviews since 2007. The Atherstone Area Property review is the 13th of 14 reviews across the County. In general the reviews have shown that around 60% of properties will form part of a core portfolio with the remainder up for further consideration.

The review of 29 freehold / leasehold County properties around Atherstone, Hartshill, Mancetter includes: fire station, schools, children centres, libraries

The purpose of the presentation was to invite local knowledge from individuals on any of the 29 properties before the review goes to a stakeholder meeting in September.

Copies of the property list, area map and comments sheet were circulated.

In answer to questions:

The former Magistrates Courts, Sheepy Road is owned by WCC
Atherstone Police Station is owned by Warwickshire Police

Stakeholders include North Warwickshire Borough Council, Warwickshire Police, Town / Parish Councils, WarwickshireCAVA.

Stakeholders would be expected to map out their property interests at the stakeholder meeting in September and to pass comment on the County properties

Hartshill School is a Foundation school and therefore own their own site. However the County Council would have a say in any change of land use.

The sale of the former annex to Hartshill School has been deferred pending an improvement in property market conditions. WCC has applied to NWBC for a renewal of the current planning permission which expires in January 2011. S Pell in the Estates Group, WCC is responsible for the site.

8. Outcomes of Playing Pitch Strategy

A Wilson presented.

The Forum was advised about the process followed in developing the Strategy and the key elements to guide future developments through the Action Plan. The Strategy is now out to consultation and available for comment on the Borough Council's website

9. Representatives on Outside Bodies

The Area Forum considered a report seeking recommendations for appointments to the outside bodies. It was agreed to reappoint the councillors from last year:

Atherstone Forum – Councillor Forwood and Davis
Hartshill Hayes Country Park Advisory Committee – Councillor Wykes
Substitute:- Councillor Johnston
Market Towns Initiative, Atherstone – Councillors Davis and Forwood
Rowan Organisation – Councillor Forwood

10. Suggestions for items / themes for the next meeting

Atherstone bus service
Bullying in schools
Police Authority – Community confidence
Volunteer Centre presentation

11. Date of next meeting

12 October 2010

MINUTES OF THE AREA FORUM WEST

29 July 2010

The Area Forum West met at Nether Whitacre Village Hall, Station Road, Whitacre Heath at 6.30pm.

- Present:** County Councillor Lea in the Chair
Borough Councillors Lewis, M Moss, Payne, Phillips and Swann.
- In attendance:** Steve Maxey, Amanda Tonks, Alethea Wilson and Robert Beggs - North Warwickshire Borough Council
Alistair Rigby and Bob Perks – Warwickshire County Council
Sergeant Ron Drake, Inspector Robin Clifton and PCSO's Warwickshire Police
Andy Bates – Warwickshire Fire and Rescue
Jo Gordon – LEADER Project
Jean and Ian Thomas – Piccadilly Community Association
Steve Turner – Wood End Community Association
Robin Pearson – Coleshill and District Civic Society
M Brown, Kevin Oakley, John Poole – Lea Marston Parish Council
Regina Upton – Nether Whitacre Parish Council
Carol Fox – Warwickshire Police Authority
Alan Vaughton, Paulette Ross, Anne Rimmer and Mark Weatherley – Curdworth Parish Council
Tony Hardman – North Warwickshire Neighbourhood Watch
Peter and Patricia Cooley – Water Orton Residents
Richard Prosser – Hurley Resident
- Apologies:** Councillor B Moss, John Rowland (Middleton Parish Council) and Sue Turner (Wood End Community Association)

1 **Minutes of the meeting held on 4 February 2010**

The minutes of the meeting held on 29 April 2010 were agreed as a true record and signed by the Chairman.

2 **Matters Arising**

Parking Improvements outside Water Orton Primary School

Councillor Payne highlighted the agreement by the North Warwickshire Area Committee, WCC to fund double yellow lines around Weland Court island.

Allocation of Funding to Schools and Priority Areas for Parent Support Advisers

The following feedback was given on behalf of Warwickshire County Council:-

Peter Thompson, Senior Area Schools and Communities Officer – Funding for schools is based on an agreed formula. 80% is on the basis of pupil numbers, with an element for base allocation depending on whether the school is primary or secondary, plus an allowance for floor area, plus a Special Educational Need (SEN) element depending on size and make-up of a school's SEN register. The rural nature of North Warwickshire is not a factor working either for or against North Warwickshire schools.

Sally Lightfoot, Head of Family and Parenting Support Team – Parent Support Advisors (PSA) have been allocated to school clusters on the basis of the number of pupils receiving Free School Meals (FSM) in the cluster. (Research shows that children on FSM do less well than their counterparts). The incidence of FSM is higher in Nuneaton and Bedworth and other more urban areas.

The role of the PSA is to support Primary age pupils on 3 key areas: Attendance; Attainment; and Transition.

There are 2 PSA's working in North Warwickshire at the moment. Two more are to be recruited for Coleshill and Anchor Valley clusters.

3 Safer Neighbourhoods – Partners and Communities Together (PACT)

Sergeant Ron Drake, Warwickshire Police, together with Robert Beggs, North Warwickshire Borough Council presented a summary of the progress and actions that had been undertaken on the three PACT priorities nominated by the Forum at its last meeting (anti-social behaviour at Wood End; anti-social behaviour and vehicle crime – train station car park, Water Orton; and speeding – Tamworth Road (B4098) Whitacre and Coton Road, Nether Whitacre. A copy of the summary detailing these actions can be viewed on the Council's website www.northwarks.gov.uk via the link for meetings and minutes.

Inspector Robin Clifton, Task Force, outlined the work undertaken by his Division in North Warwickshire which included policing roads, investigating road traffic accidents and casualty reduction. He gave details of the new Road Safety Strategy and various initiatives that were being undertaken by his Officers in Bassetts Pole and along the A446.

Robert Beggs, North Warwickshire Borough Council, circulated details of changes to the proposed gating order at Hams Hall. The proposal includes new gating positions and was currently out for formal consultation with statutory agencies ending on 10 August. This is a follow up second round of formal consultation. The suggested changes were to site the gates after the roundabout on Faraday Avenue rather than before. This meant that an additional gate on Edison would be required to prevent cars congregating there and to address issues with illegal parking of lorries in the area. Robert confirmed that North Warwickshire Borough Council would be responding positively to this consultation.

A general discussion then followed about the next set of priorities to take forward for this round.

Steve Turner, Wood End Community Association requested that consideration be given to setting up a trial Designated Public Places Order in Wood End as one of the priorities. Sgt Ron Drake requested that Steve Turner contact him direct to arrange a meeting with relevant partners so this could be dealt with separately rather than as one of the Forum priorities.

Councillor Payne detailed anti-social behaviour problems that were being experienced as a result of the siting of a kick wall in the play area at Water Orton. Local Members had not been consulted on the siting of this equipment. It was agreed that this matter should be raised directly with the Parish Council as they had been responsible for the siting of the wall in this position when it was donated to them by NWBC. Sgt Ron Drake also undertook to look into the anti-social behaviour at this site.

It was decided that the priorities to be taken forward from Area Forum West were:-

- Anti-Social Behaviour – Wood End
- Anti-Social Behaviour - Rangeway, Kingsbury
- Anti-Social Behaviour – Glebefields, Curdworth

Carol Fox, Police Authority representative for the Area Forum West area introduced herself to the meeting. She explained her role was to monitor Police performance and to report back to the Police Authority every 12 weeks. The Police Authority wanted members of the public to give them their views on policing issues and experiences to enable them to do their job better.

Details of how to contact Carol could be found on the WCC website (www.warwickshire.gov.uk/councillors).

4 Public Questions and Parish Issues

Richard Prosser, Hurley resident, submitted the following question:-

Severe cuts in public expenditure will be continuing. The latest edition of North Talk only contains articles showing how the Council is spending money for little or no economic benefit – nothing about savings.

Economic revival is going to start with the small business sector growing and taking on new employees.

How is the Council going to help them? – for instance through the Planning and Development Department helping and supporting rather than obstructing; reducing rates by outsourcing refuse collection, housing maintenance; selling Leisure Centres; using local businesses first for any outside work – verge cutting, grounds maintenance.

Steve Maxey, NWBC said that the recent edition of North Talk did contain information relating to claiming Benefits, financial support available and on how to avoid loan sharks. The Council's Planning and Development Department supported small businesses within the context of the policies for the Borough. Once the Comprehensive Spending Review had been published the Council would know what its targets were and what action needed to be taken. If outsourcing of services was found to be viable then this could also be considered.

Tony Hardman, Kingsbury resident and Vice Chair of North Warwickshire Neighbourhood Watch submitted the following questions:-

- Lorries abusing the 7.5 tonne restrictions at the Village end of Trinity Road in Kingsbury – can the signage be improved as it is hard to see from the Village end and in poor condition and hidden by the vegetation from EMR approach as they turn right out of EMR and go over the restricted Railway bridge.

Response:

County Highways Team, WCC

Arrangements will be made for the vegetation to be cut back from the existing signs.

Traffic Group, WCC

“Except for access” plate to be replaced by Maintenance Team. It is not normal practice to provide direction signs (including weight limit information) at entrance/exit from business premises such as EMR).

Advance warning signs are already in place on Tamworth Road in both directions.

- Lorries queuing 6 deep outside EMR early in the morning creating a blind spot and traffic hazard.

Response:

Warwickshire Police

Road users must drive to conditions present or prevailing at the time and take account of the lorries' presence and take care when overtaking or passing a line of parked vehicles.

The lorry drivers have a responsibility also not to cause an obstruction or a danger to other road users. However, once at EMR where do they go? They could turn round which would be difficult or go into Kingsbury village where I believe there is a weight limit.

EMR need to assist at busy times. They will say they can't get the lorries in any more quickly due to the need for them to use the weighbridge. However, I understand EMR are considering a second weighbridge which will help EMR staff assist with traffic control at busy times.

- Lorries of foreign nationality constantly getting stuck both sides of Piccadilly bridge – the problem seems to be getting worse since the signs have been moved from Kingsbury Link island.

Response:

Traffic Group, WCC

The sign will be replaced.

Alan Vaughton (Curdworth Parish Council) asked if better signage for HGV drivers could be erected near to the Curdworth canal bridge. Earlier in the week Wishaw Lane had been blocked for three hours after a heavy goods vehicle had grounded whilst going over the bridge. It was agreed that this matter be referred to the County Highways.

5 **Car Boot Sales**

Steve Maxey, NWBC, explained that anyone wishing to hold a car boot sale must give the Council notice that they intended to do so. An operator can, of right, hold a car boot sale on 14 days in any one location. A set of conditions cannot be attached to the car boot sale operation as no permission is required from the Borough Council. If an operator holds a car boot sale on more than 14 days in the same location action can be taken by NWBC. Steve asked local residents to let him know if it was felt that the 14 days were being exceeded. He added that Trading Standards Officials do visit car boot sales and take any action necessary and that staff from the Council's Food Safety section also inspect food sellers at these events. The Council's Environmental Health section can also be contacted if there was a noise nuisance emanating from the site or the

burning of materials which gave rise to black smoke. Officers have made various spot checks on Sundays and to date no problems had been identified.

Peter Cooley, Water Orton resident, raised the issue of car boot sales being held regularly on the car park of the Dog Inn, Water Orton and the problems that were being caused for local residents. He had spoken to officers at NWBC regarding this, but was dissatisfied with the response he had received. Steve Maxey asked Mr Cooley to speak to him regarding his concerns in more detail after the meeting.

Kevin Oakley, Lea Marston Parish Council said that the operators of a Circus held previously had been seen emptying the contents of portable toilets on to the land they had used. Two weeks later the same field was used for a car boot sale.

The issue of notices put up advertising car boot sales which had not been removed following the event was discussed. Steve Maxey advised that if these notices were on the public highway contact should be made with WCC Highways Department regarding their removal. If they were on private land then details should be given to the Borough Council.

Steve Maxey asked those present who had specific issues with car boot sales held in the area to speak to him after the meeting so he could liaise with colleagues at the Borough Council regarding these problems.

Alistair Rigby spoke on behalf of County Highways, WCC regarding mud on roads following car boot sales. County Highways would normally have a look at the site and make a judgement as to what action to take and how quickly. County Highways have a duty to ensure the safety of road users. If hazardous a sweeper would be deployed as soon as possible and payment chased later. If moderate the landowner, if we know who it is, would be contacted to clean up within a given time or risk being charged for the clean up. The weather conditions are also a factor and would be considered as part of the initial assessment.

6 Outcomes of the Playing Pitch Strategy

Alethea Wilson (NWBC) informed the meeting that consultants had been commissioned to carry out an outdoor sports assessment. They had looked at the quality, distribution and use of outdoor facilities across a range of sports, including rugby, football, tennis, bowls and hockey. A draft strategy had been produced and was out for consultation with the sports governing bodies prior to formal adoption by the Borough Council in October. Feedback on the draft strategy could be made via the Council's website (www.northwarks.gov.uk) or by contacting the Borough Council – details could be found in the handouts available at the meeting.

7 North Warwickshire LEADER Update

Jo Gordon, Project Development Officer, presented an overview on the LEADER project which was a £1 million rural development fund for local communities in North Warwickshire. Jo explained that because 50% of the funding was provided by DEFRA, the effects on spending cuts were not known at present.

Applications were being considered and appraised at the moment and a new call for applications would take place in October. Applications were welcomed from community groups, organisations and individuals. Projects must address the needs of the Sustainable Community Strategy key areas, which were;

- Access to services
- Transport
- Communication

The Local Action Group, made up of statutory bodies and community groups were looking for volunteers from the Area Forum area to put themselves forward to become part of the group. The main role of the group would be to appraise project applications and become part of the decision making process. Anyone interested was asked to contact Jo Gordon or complete a handout made available at the meeting.

8 Representation on Outside Bodies

The Borough Council asked for recommendations for appointments to the outside bodies 'local' to the area covered by this Area Forum.

It was agreed that the following should be appointed for a period of one year expiring in May 2011.

Kingsbury Liaison Group – Councillor B Moss
Middleton Hall Trust – Councillor Lea
Piccadilly Community Association – Councillor Lewis
Stanyer's Charity – Councillors B and M Moss
Wood End Community Centre – Councillor Phillips

9 Future Agenda Items

- Sustainable Community Strategy priorities – detailed discussion
- Police Authority Community Confidence

10 **Any Other Business**

Steve Turner (WECA) said that this week the collection of refuse had commenced in Wood End at 6.15am and he had been asked by residents if a request could be made to revert back to a later start time.

11 **Future Meeting Dates**

14 October 2010 – Hurley Village Hall

Chairman

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE LICENSING COMMITTEE

6 September 2010

Present: Councillor Sherratt in the Chair

Councillors Bowden, Butcher, Davis, Forwood, Gordon, Lewis, Pickard and Welby.

Apologies for absence were received from Councillors Payne, Smitten and M Stanley.

1 **Declarations of Personal or Prejudicial Interests**

Any personal interests arising from the membership of the various Town or Parish Councils of Councillors Butcher (Polesworth), Davis (Atherstone), Lewis (Kingsbury) and Sherratt (Coleshill), were deemed to be declared at this meeting.

2 **Minutes**

The minutes of the meeting of the Committee held on 1 February 2010, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

3 **Government Consultation on a Review of the Licensing Act**

The Committee was informed of the Government consultation on a review of the Licensing Act and Members views were sought on the questions asked.

Resolved:

That, subject to the inclusion of the issues raised by Members at the meeting, the draft response be agreed and forwarded as the Council's response to the consultation paper.

4 **Update on the Review of the Licensing Policy**

The Assistant Chief Executive and Solicitor to the Council verbally updated the Committee on the review of the Licensing Policy.

Recommended:

- a **That the draft statement of Licensing Policy be agreed for consultation purposes and that should any representations be made by the expiry of the consultation period a further meeting of the Licensing Committee be held to consider those representations; and**

b That if no representations are received the Licensing Policy be adopted.

5 Update on Multi Agency Licensing Meetings

The Assistant Chief Executive and Solicitor to the Council verbally updated the Committee on the multi agency Licensing meetings.

G Sherratt
Chairman