

**To: The Deputy Leader and Members of the Community and Environment Board**

**(Councillors Bell, Fowler, Hobley, Jarvis, Jenns, Melia, H Phillips, O Phillips, Ririe, Singh, Smith, S Watson, Whapples and A Wright)**

**For the information of all Members of the Council**

For general enquiries please contact Democratic Services on 01827 719237 or via e-mail

[democraticservices@northwarks.gov.uk](mailto:democraticservices@northwarks.gov.uk).

For enquiries about specific reports please contact the officer named in the reports.

The agenda and reports are available in large print and electronic accessible formats if requested.

## **COMMUNITY AND ENVIRONMENT BOARD AGENDA**

**13 OCTOBER 2025**

The Community and Environment Board will meet in The Chamber, The Council House, South Street, Atherstone on Monday 13 October 2025 at 6:30pm.

The day after the meeting a recording will be available to be viewed on the Council's YouTube channel at [NorthWarks - YouTube](#).

### **AGENDA**

- 1 Evacuation Procedure.**
- 2 Apologies for Absence / Members away on official Council business.**
- 3 Disclosable Pecuniary and Non-Pecuniary Interests.**

#### 4 **Public Participation**

Up to twenty minutes will be set aside for members of the public to put questions to elected Members.

Members of the public wishing to address the Board must register their intention to do so by 9:30am two working days prior to the meeting. Participants are restricted to five minutes each.

If you wish to put a question to the meeting, please register by email to [democraticservices@northwarks.gov.uk](mailto:democraticservices@northwarks.gov.uk) or telephone 01827 719226 / 01827 719237 / 01827 719221.

Once registered to speak, the person asking the question has the option to either:

- a) attend the meeting in person at the Council Chamber.
- b) attend remotely via Teams; or
- c) request that the Chair reads out their written question.

The Council Chamber has level access via a lift to assist those with limited mobility who attend in person however, it may be more convenient to attend remotely.

If attending remotely an invitation will be sent to join the Teams video conferencing for this meeting. Those registered to speak should dial the telephone number and ID number (provided on their invitation) when joining the meeting to ask their question. However, whilst waiting they will be able to hear what is being said at the meeting.

#### 5 **Minutes of the meeting of the Board held on 29 September 2025** – copies herewith, to be approved and signed by the Chairman.

### **PUBLIC BUSINESS (WHITE PAPERS)**

#### 6 **Fly Tipping Progress Report** - Report of the Chief Executive

##### **Summary**

This report provides Members with an update on the work that the Environmental Health team have undertaken to try and reduce fly tipping across the Borough.

The Contact Officers for this report are Sharon Gallagher (719292) and Milen Woldeab (719326).

7 **Air Quality Progress Report - Report of the Chief Executive**

**Summary**

This report provides Members with an update on the work that the Environmental Health team have undertaken to monitor air quality in the Borough.

The Contact Officers for this report are Sharon Gallagher (719292) and Milen Woldeab (719326).

8 **Leisure Project, Statutory Requirements for NWBC - Report of the Interim Corporate Director- Streetscape**

**Summary**

This report sets out the requirement for the Council to ensure statutory compliance during the Design and Construction of the Leisure Project. It is the Council's responsibility and statutory obligation to comply with all stages of the Construction, Design Management (2015), generally known as 'CDM Regulations'.

The Contact Officer for this report is Mike Brown (719295).

9 **Atherstone Leisure Centre Construction Programme – Report of the Interim Corporate Director - Streetscape**

**Summary**

This report sets out how the delivery programme can be expedited by delegating decisions to ensure that the new facility can be completed and opened by Spring 2028.

The Contact Officer for this report is Mike Dix (715341).

10 **Minutes of the Health and Wellbeing Working Party** held on 22 September 2025.

11 **Exclusion of the Public and Press**

**To consider, in accordance with Section 100A(4) of the Local Government Act 1972, whether it is in the public interest that 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.**

12     **Atherstone Leisure Centre Construction Programme** - Report of the  
Interim Corporate Director – Streetscape

The Contact Officer for this report is Mike Dix (715341).

STEVE MAXEY  
Chief Executive

# **NORTH WARWICKSHIRE BOROUGH COUNCIL**

## **MINUTES OF THE COMMUNITY AND ENVIRONMENT BOARD**

**29 September 2025**

Present: Councillor Bell in the Chair.

Councillors Fowler, Hobley, Jarvis, Jenns, Melia, H Phillips, O Phillips, Ririe, Smith, Singh, Whapples and A Wright.

Apologies for absence were received from Councillor S Watson (Substitute Councillor Guilmant).

### **23 Disclosable Pecuniary and Non-Pecuniary Interests**

None were declared at the meeting.

### **24 Minutes of the Meeting of the Board held on 20 August 2025**

The minutes of the meeting held on 20 August 2025, having been previously circulated, were approved as a correct record and signed by the Chairman.

### **25 Pool Profiles in the new Atherstone Leisure Centre**

The Interim Corporate Director – Streetscape explained that in November 2024, Members instructed officers to proceed with the design, planning and procurement of a new leisure facility at Atherstone, to replace the existing facility and the Memorial Hall.

At the C&E Board meeting of the 20 August 2025, Members confirmed the RIBA stage 2 (Concept Design) for the replacement leisure centre. However, at that meeting, Members asked officers to provide further options regarding the depth of the main and learner pools and the inclusion of a splash pad.

The report provided the further information and options requested by the C&E Board for consideration by Members.

#### **Resolved**

#### **a That the pool depths are agreed as follows:**

**Main pool: 1m-1.8m**

**Learner Pool: 0.9m–1.2m;**

- b That the inclusion of a 35sq m splash pad to meet the needs of the local community be included; and**
- c That the final decision on the detailed of the preferred pool options be delegated to the Interim Corporate Director Streetscape, in consultation with The Chair of Community Environment Board, and the Corporate Director of Resources (Section 151).**

**26 Confidential Extract of the minutes of the Community and Environment Board held on 20 August 2025.**

The confidential minutes of the Community and Environment Board held on 20 August 2025, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

Margaret Bell  
Chair

## **Agenda Item 6**

### **Community and Environment Board**

**13 October 2025**

#### **Report of the Chief Executive**

#### **Fly Tipping Progress Report**

### **1 Summary**

- 1.1 This report provides Members with an update on the work that the Environmental Health team have undertaken to try and reduce fly tipping across the Borough.

#### **Recommendation to the Board**

**Report to be noted.**

### **2 Background**

- 2.1 This report provides Members with an update on the work that Environmental Health have undertaken regarding fly tipping enforcement and to produce a new Drone Policy. A copy of the draft Drone Policy is attached as Appendix A.

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### **3 Introduction**

- 3.1 In the first quarter of 2025 Streetscape cleared 263 fly tipping Incidents. Environmental Health received 20 cases with potential evidence.
- 3.2 Environmental Health currently have 38 open cases. During quarter one, the team issued 5 fixed penalty notices. On 24 September 2025, Legal Services and Environmental Health Teams successfully prosecuted Bozena Mecesova at Birmingham Magistrates' Court in connection with a fly-tipping offence. was found guilty under Section 34 of the Environmental Protection Act 1990 for failing to meet her legal duty of care and was ordered to pay a total of £1,168 in fines and costs.  
Two further prosecutions are scheduled on 27 October 2025 at the Birmingham Magistrates Court.
- 3.3 A Drone has been purchased by Environmental Health using the funding provided by DEFRA's fly tipping grant, 2024. The drone has been insured and is licenced under the CAA authority.
- 3.4 The Environmental Health team have produced a Drone Policy. This provides the team and members of the public a framework on the use of Drones, Model Aircrafts and Unmanned Aerial Vehicle on council land.
- 3.5 The team are working with the Communications team to produce a webpage which will provide members of the public with information on the drone policy

and scheduled flight for transparency. In order to comply with the Data Protection Regulations, the Team will also complete a Data Processing Impact Assessment which will be reviewed yearly or upon any changes to Policy of Legislation.

- 3.6 Following feedback from Councillors, the team are utilising social media weekly. We have posts called 'Fly tipping Friday's' which appeal for witnesses, shares good practice and successful enforcement actions.

## **4 Report Implications**

### **4.1 Financial Implications**

- 4.1.1 There are no additional financial implications arising from this report.

### **4.2 Safer Communities Implications**

- 4.2.1 An increased focus on fly tipping to achieve better outcomes, which will lead to residents feeling safe in their community.

### **4.3 Legal Data Protection and Human Rights Implications**

- 4.3.1 Fly tipping is an offence under the Environmental Protection Act 1990. There is also a Duty of Care specified in this Act which requires producers of waste, including householders, to take all reasonable measures to ensure that their waste is disposed of correctly and legally and where applicable is only transferred to someone who is authorised to transport or dispose of it.
- 4.3.2 The use of the security cameras is subject to a protocol to ensure compliance with the relevant legal requirements for CCTV surveillance. The protocol has been reviewed as required to comply with the UK General Data Protection Regulations, the Data Protection Act 2018 and updated guidance prepared by the Surveillance Camera Commissioner. It is also necessary to obtain authorisation for covert surveillance under RIPA, which must then be approved by the Magistrates Court. It is essential that this authorisation is obtained prior to deployment for covert surveillance.

### **4.4 Environment, Climate Change and Health Implications**

- 4.4.1 Tackling fly tipping will make positive contributions towards improving the environment and sustainability. The fly tips create adverse impacts on the local environment and use significant resources in removing them and carrying out investigations.
- 4.4.2 By reducing fly tipping the quality of life in local communities will be improved.

### **4.5 Risk Management Implications**

- 4.5.1 None relating to this report.

#### **4.6 Equality Implications**

- 4.6.1 There are no known adverse impacts on any of the groups defined in the Equality Act 2010 under the protected characteristics. The adverse impacts of fly tipping on the local environment is often in rural locations although not exclusively.

#### **4.7 Links to Council's Priorities**

- 4.7.1 The ongoing actions will contribute towards the priorities of creating safer communities and protecting our countryside and heritage.

The Contact Officers for this report are Sharon Gallagher (719292) and Milen Woldeab (719326).



North Warwickshire  
Borough Council

# **Appendix A:**

## **Drones, Model Aircraft and Unmanned Aerial Vehicle (“UAV”) Policy**

**October 2025.**

**Environmental Health Team.**

**Council House, South Street, Atherstone CV9 1DE**

## North Warwickshire Borough Council's Policy on Drones, Model Aircraft and other Unmanned Aerial Vehicle ("UAV")

### 1. Introduction

North Warwickshire Borough Council has introduced this Policy for land it owns and operates such as parks and open spaces in response to increasing use of UAVs and the resulting increase in the number of enquiries received about the operation of UAVs on land owned by the Council.

Enquiries have tended to focus on the following issues:

- The nuisance caused by the noise of UAVs flying overhead causing a disturbance to members of the public enjoying their leisure time, going about their daily lives or working.
- The potential for UAVs to carry surveillance equipment, which may result in an invasion of privacy or safeguarding concerns.
- The potential injury UAVs may cause to people, animals and wildlife whilst in operation.

### 2. Parameters/ Scope

This policy covers the flying of UAVs within the North Warwickshire Borough Council area and more particularly the Council's position in relation to the flying a UAV from, to, on and over Council owned land and premises.

The policy covers all types of UAV as set out below.

### 3. Legislation

#### What are UAVs?

UAVs are simply machines that are remotely controlled by a person on the ground. They were once exclusively used by the military where it was deemed too dangerous, inaccessible or otherwise inappropriate to send a manned aircraft. Essentially,

a UAV is a flying robot that can be remotely controlled or fly autonomously through software-controlled flight plans in their embedded systems, working in conjunction with on-board sensors and GPS.

UAVs are now also used in a wide range of civilian roles ranging from search and rescue, surveillance, traffic monitoring, weather monitoring and firefighting, to business drone-based photography, as well as videography, agriculture and even delivery services. UAVs are also now becoming more popular with hobbyists as technology improves and the cost goes down.

### **Are UAVs legal?**

Yes, however, there are rules and regulations that UAV owners and users must adhere to in order to ensure they are on the right side of the law. As many UAVs, particularly drones, are still relatively new to the commercial and leisure market, the law around their use is constantly evolving so it is a good idea for UAV owners and users to ensure that they are fully up-to-date with the latest changes.

The Civil Aviation Authority (CAA) has guidance on using drones for both private and commercial use.

### **Do I need to register my UAV or myself?**

Anyone responsible for a UAV or flying a UAV between 250g and 20kgs now has to be registered. This includes the requirements that:

- Anyone who wishes to fly a drone must pass a theory test to get a flyer ID
- The person that is responsible for the drone or model aircraft must register to get an operator ID

More details regarding registration can be found on the Civil Aviation Authority website. <https://register-drones.caa.co.uk/individual>

## **Airfield restrictions**

On 13 March 2019 the drone flight restriction zone around airports changed. Find more detailed information regarding airport and airfield restrictions on the Civil Aviation Authority page. <https://www.caa.co.uk/Consumers/Unmanned-aircraft/Our-role/Airspace-restrictionsfor-unmanned-aircraft-and-drones/>

## **What are the rules for flying drones in an open place the UK?**

Reference should be made to the CAA website and all owners and operators must satisfy themselves that they are operating in way that complies with the relevant rules and regulations. Importantly, if a UAV weighs between 250g and 20kg:

- The UAV must not fly above 400 feet in altitude or 500 metres from the operator horizontally
- Ensure the UAV is always in sight
- The UAV must always keep away from aircraft, helicopters, airports and airfields
- The UAV must fly safely

If a UAV is fitted with a camera, there are additional limitations:

- The UAV must not fly within 50 metres of people, vehicles, buildings or vessels
- The UAV must not be flown within 150 metres of a congested area or any large group of people such as a concert or sporting event as prosecution may follow.
- If the UAV is being used to record in an area where people are present, the operator must inform them before the start of operations.

Any use of a UAV for commercial purposes must have permission from the CAA and comply with additional laws governing their use. To get guidance on operating permissions for drones see the CAA's website for the latest information and regulations regarding drone use.

#### Wildlife & Countryside Act (1981)

All operators should be aware of the WCA and the legal protection for birds and wildlife against disturbance, in particular during the breeding season.

#### **4. Objective/ Enforcement**

The Council's policy is that:

(a) It will not allow any UAVs, which weigh more than 20kgs to fly from, to, on or over Council-owned land without the relevant CAA exemptions being in place.

(b) It will not allow any UAVs, which weigh between 250g and 20kg to fly from, to, on or over Council land without the appropriate CAA registrations being in place. This means that

- The person who is responsible for the UAV must have completed his or her registration to get an operator ID.
- Anyone who is operating the UAV must have passed a theory test to get a flyer ID.

(c) It will continue to monitor the operation and use of UAVs weighing less than 250g.

### Informative:

A drone operator has legal accountability for the safe 'management' of their drones. The Drone code issued in October 2019 provides simple steps to make sure you are flying safely and legally. [https://dronesafe.uk/wp-content/uploads/2019/11/Drone-Code\\_October2019.pdf](https://dronesafe.uk/wp-content/uploads/2019/11/Drone-Code_October2019.pdf)

This includes when someone else is flying it. Owners of drones may want to insure them or make sure appropriate insurance cover is held.

The Council as a landowner will request any person flying a UAV from, to, on or over its land or premises for the relevant operator's identification and flyer identification. Failure to provide this information may result in the operator being asked to stop immediately and leave the site. Persistent misuse may result in enforcement action being taken by the Council against the owner and/or operator of the UAV.

If a UAV used from, to, on or over a Council owned site is considered by the Council to be causing harassment, alarm or distress to members of the public the operator may be asked to stop immediately and leave the site. Further, the Council may consider taking enforcement action against the owner and/or operator of the UAV.

### Reporting misuse of a UAV.

Although the Council has formulated this policy to address certain aspects of UAV use on Council sites, the Police are generally responsible for taking action in respect of offences in respect of UAV misuse and have agreed, with a signed memorandum of understanding with the CAA, that they will take the lead in dealing with UAV misuse and other breaches.

If you have any concerns about a UAV being used in your area, either from a safety or privacy perspective, call the Police on 101.

## **5. Exceptions**

(a) The Police have been granted conditional permission by the Council in respect of the Council's land to fly UAVs in order to prevent and detect crime and maintain public safety.

(b) The Council may grant conditional permission to fly UAVs in respect of its land for certain activities of a professional or commercial nature, which will be purpose and time limited and must be covered by the appropriate public liability insurance.

(c) The Council may grant conditional permission to fly UAVs in respect of its land in circumstances where they are being used for the purpose of risk reduction such as for health and safety purposes, highway and building survey work.

## **6. Permission**

Permission under paragraphs 5(b) or 5(c) above should be requested by letter or by email using the following addresses as appropriate. Any general enquiries about permissions should be directed to the same address.

Post: North Warwickshire Borough Council, Council House, South Street, Atherstone CV9 1DE.

Email address: [Environmentalhealth@northwarks.gov.uk](mailto:Environmentalhealth@northwarks.gov.uk)

Applicants must provide the following information with the request for permission.

- A full detailed description of the flight detail and purpose.
- A Copy of their CAA Licence
- Provide a copy of your public liability insurance.

- Detail of launch and landing points.
- Please provide a copy of the risk assessment for the proposed flight (s)
- Full contact details - phone and email.

Upon receipt of all documents, consideration and approval or rejection will be provided in seven (7) working days.

#### **7. Working with event organisers / third parties / licencees.**

Once the Council is notified of potential use of a UAV within the North Warwickshire Borough, the Council will liaise with event organisers to provide advice and guidance on the potential permission and charges associated with this.

#### **8. Policy Monitoring, Assessment and Review.**

The Council will inform event organisers of this policy by means of including relevant information within booking forms and other promotional materials.

Policy to be reviewed every two (2) years or as required.

## **Agenda Item No 7**

### **Community and Environment Board**

**13 October 2025**

#### **Report of the Chief Executive**

#### **Air Quality Progress Report**

### **1 Summary**

- 1.1 This report provides Members with an update on the work that the Environmental Health team have undertaken to monitor air quality in the Borough.

#### **Recommendation to the Board**

**That the report be noted.**

### **2 Background**

- 2.1 The purpose of this report is to update Members on the actions being undertaken by the Environmental Health Team on Air Quality.

#### **2.2 Air Quality Actions**

- The Annual status report 2025 has been approved by DEFRA and is available on the NWBC website.
- North Warwickshire Borough Council undertook non- automatic (i.e. passive) monitoring of NO<sub>2</sub> at 27 sites during 2024. These sites have been reviewed and updated to ensure we are capturing new potential hotspots and this number has increased to 32 sites for 2025.
- Continuously evaluating the locations means if changes in travel patterns and movement cause new issues, Environmental Health are able to capture it.
- The results from the monitoring have not identified any exceedances therefore NWBC does not currently have an Air Quality Management Area (AQMA).

### **3 Summary**

- 3.1 Airly Sensors are in situ in 8 locations around the borough. Airly sensor's measures PM (1, 2.5, 10), NO/O<sub>3</sub> and NO<sub>2</sub>, temperature, air pressure and humidity.
- 3.2 Since installation in October 2024, the data shows there are no exceedances against government guidelines.
- 3.3 Following Consultation with the Health and Wellbeing Party, 3 sensors will be moved from one Water Orton location, Polesworth and Hartshill. Proposed new locations will be Coleshill, Atherstone and Curdworth.

- 3.4 Environmental Health have reviewed the smoke and dust complaints received since April 2025 – 22 September 2025.

Dust Commercial	2
Smoke Industrial/Commercial	29
Domestic Dust	1
Domestic Bonfire	25

The location of the residents is dispersed across the Borough and the data does not show a hotspot.

- 3.5 This year, Environmental Health will be focusing on the Air Quality Strategy and review of the Smoke Control Areas.

#### 4 **Report Implications**

##### 4.1 **Finance and Value for Money Implications**

- 4.1.1 None relating to this report.

##### 4.2 **Legal Data Protection and Human Rights Implications**

- 4.2.1 The Council have a responsibility to monitor Air Quality under the Environment Act 1995 Local Air Quality Management, as amended by the Environment Act 2021.

##### 4.3 **Environment, Climate Change and Health Implications**

- 4.3.1 Monitoring Air Quality will make positive contributions towards improving the environment and sustainability. Cleaner air will improve the health and wellbeing of residents in North Warwickshire and the surrounding areas

##### 4.4 **Risk Management Implications**

- 4.4.1 None relating to this report.

##### 4.5 **Equality Implications**

- 4.5.1 There are no known adverse impacts on any of the groups defined in the Equality Act 2010 under the protected characteristics.

##### 4.6 **Links to Council's Priorities**

- 4.6.1 Links to Local Plan Priorities to avoid and address unacceptable impacts upon neighbouring amenities through air quality.

The Contact Officers for this report are Sharon Gallagher (719292) and Milen Woldeab (719326).

## **Agenda Item No 8**

### **Community and Environment Board**

**13 October 2025**

#### **Report of the Interim Corporate Director- Streetscape**

#### **Leisure Project, Statutory Requirements for NWBC**

## **1 Summary**

- 1.1 This report sets out the requirement for the Council to ensure statutory compliance during the Design and Construction of the Leisure Project. It is the Council's responsibility and statutory obligation to comply with all stages of the Construction, Design Management (2015), generally known as 'CDM Regulations'.
- 1.2 The Council's responsibility under the CDM Regulations 2015 involves ensuring that construction projects comply with health and safety requirements. This includes providing suitable arrangements for planning, managing and monitoring the Leisure Project to ensure it complies with all relevant requirements upon completion.
- 1.3 The Council must also provide building information to designers and contractors, take reasonable steps to appoint competent designers and contractors, and manage the application of building control approval where the project involves higher-risk building work.
- 1.4 In the case of the proposed Atherstone Leisure Centre project, it is imperative that CDM is applied at the initial stages of the project to ensure compliance throughout the life of the design and construction phases and beyond.

### **Recommendation to the Board:**

**That authority be given to the Interim Corporate Director Streetscape to appoint a nominated, competent person(s) to discharge the Council's CDM duties, for the duration of the Design, Construction and Defects Liability period of the Atherstone Leisure Centre Project.**

## **2 Consultation**

- 2.1 Members of the Community and Environment Board will have an opportunity to comment upon the report at the meeting.

### 3.1 The Council's Duty under CDM Regulations 2015

- 3.1 The Construction (Design and Management) Regulations 2015 (CDM 2015) apply to all construction work. The Regulations are supported by a HSE guidance document L153 Managing health and safety in construction.
- 3.2 The Council is committed to ensuring that any construction work carried out at its workplaces, is done so without risks to the health and safety of its employees and others in compliance with CDM 2015.
- 3.3 The HSE must be notified (by the client) of all projects where construction work is expected to:
- a) Last more than 30 working days and have more than 20 workers working simultaneously at any point in the project; or
  - b) Involve more than 500-person days.
- 3.4 The regulations are intended to focus attention on planning and management throughout construction projects, from design concept onwards. They specify four main duty holders: namely
- 1) clients (this is the role of the Council)
  - 2) designers/principal designers;
  - 3) contractors/principal contractors and;
  - 4) workers.
- 3.5 The Council through its nominated officer(s) can assume two of these roles. Typically, the role of 'client' when commissioning construction and build work, and 'designer/principal designer' when undertaking design of new projects. The regulations lay down specific duties for the 'duty holders' for non-notifiable construction projects and additional duties if the project is notifiable. For clarity the leisure project is a notifiable project.
- 3.6 **Council's Duty Holder** – The Council's duty holders should take account of the general principles of prevention during all stages of the project. They should use these principles to direct their approach to identifying and implementing precautions which are necessary to control risks associated with the project. The general principles of prevention are:
- a) avoiding risks where possible;
  - b) evaluating those risks that cannot be avoided; and
  - c) putting in place proportionate measures that control them at source.
- 3.7 No 'duty holder' shall appoint a principal designer/designer, principal contractor/contractor unless reasonable steps have been taken by the duty holder to ensure that the person(s) to be appointed have the necessary skills, knowledge and experience.
- 3.8 The principal contractor and other contractors must identify the hazards and assess the risks relating to their work, including the risks they create for others.

Using this information, the principal contractor must develop a plan suitable for managing health and safety in the construction phase of the project.

#### **4 Record Keeping**

- 4.1 **The Health and Safety file** must contain information about the current project that is likely to be needed to ensure health and safety during any subsequent work such as maintenance, cleaning, refurbishment or demolition. The information in the file should be in enough detail to enable those doing the work to identify and address the likely risks and be proportionate to those risks. The file should not contain things that will be of no help when planning future construction work.
- 4.2 **Worksite health and safety requirements** - Part 4 of the Regulations covers a number of general health and safety requirements for construction sites. These include safe place of work, security, stability, demolition, explosives, excavations, energy distribution installations, prevention of drowning, traffic routes, vehicles, fire and emergency procedures and welfare facilities. This would also include the site inspection report requirements.
- 4.3 **Records** – Comprehensive records must be kept in relation to any construction work carried out at the premises: risk assessments, emergency procedures, records outlining the appointment, resources and competence assessment of designers, principal designers, principal contractors and contractors, records of information provided to them, records in relation to pre-qualification systems, minutes of meetings, health and safety plans and records relating to the hand-over of the health and safety file where interest in a property is disposed of, or leased the health and safety file must be made available to the new owner, or leaseholder.
- 4.4 **Compliance** - The arrangement set out in sections 3 to 4 above will enable the Council to conform to statutory requirements and best current practice.

#### **5 Implications**

##### **5.1 Finance and Value for Money Implications**

- 5.1.1 There are financial implications for the Council when appointing a principal designer and construction partner. The competent person(s) is required to be employed or contracted for the duration of the Design and Construction Phases through to the Defects Liability period. Currently, the Council do not have the in-house expertise to fulfil this duty, therefore the Council will be using the Construction Consultancy AtkinsRealis, under the current contract framework to fulfil the duties of a CDM co-ordinator.

- 5.1.2 The costs involved with such an appointment usually are shown in the overall costs of employing a full design team (around 10% - 15% of the build cost). The costs of a CDM co-ordinator are generally expected to be between 1% - 2% within the overall design fees cost envelope.

## **5.2 Safer Communities Implications**

- 5.2.1 Complying with all CDM 2015 regulations in addition to the required Health & Safety at Work Act(s), will ensure that the safety and wellbeing of Council staff, contractors on site and the general public are considered at all times.

## **5.3 Legal, Data Protection and Human Rights Implications**

- 5.3.1 Complying with all CDM regulations in addition to any legal, data protection and human rights in respect of the development and construction of a new leisure facility will ensure that the Council meets with its statutory obligations.

## **5.4 Environment, Climate Change and Health Implications**

- 5.4.1 Any impact or changes that the design, demolition, construction, operation of the leisure facility will be considered through an environmental impact assessment prior to works taking place as part of the construction contractor procurement and award exercise currently underway.

## **5.5 Health, Wellbeing and Leisure Implications**

- 5.5.1 The purpose of creating this new leisure facility is to ensure that the aspirations of the Council in terms of Health and Wellbeing are met. Following CDM 2015 regulations during the design, construction & beyond of the new facility, will serve to meet the Council's statutory obligations.

## **5.6 Human Resources Implications**

- 5.6.1 The Council will need to ensure that any council staff employed to work within the scope of the leisure build project, where relevant, will have training provided around CDM and will be fully conversant with the Council's CDM Policy and Procedure documents.

## **5.7 Equalities Implications**

- 5.7.1 It is intended that during the design and construction of the new leisure facility, equality considerations, including impact assessments, will be undertaken.

## 5.8 Links to Council's Priorities

5.8.1 The proposals to develop new leisure centres provides positive links to the corporate priorities in respect of:

- Efficient and sustainable organisation,
- Safe, liveable, locally focussed communities,
- Prosperous, active, and healthy,
- Sustainable growth, protected rurality.

The Contact Officer for this report is Mike Brown (719295).

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date

## Equality Impact Assessment Summary Sheet

Please complete the following table summarised from the equality impact assessment form. This should be completed and attached to relevant Board reports.

Name of Policy Procedure/Service	CDM 2015 Regulations
Officer Responsible for assessment	Mike Dix

Does this policy /procedure /service have any differential impact on the following equality groups /people

- (a) Is there a positive impact on any of the equality target groups or contribute to promoting equal opportunities and improve relations or:
- (b) could there be a negative impact on any of the equality target groups i.e. disadvantage them in any way

Equality Group	Positive impact	Negative impact	Reasons/Comments
<b>Racial</b>	N/A	N/A	
<b>Gender</b>	N/A	N/A	
<b>Disabled people</b>	Yes		The CDM regulations and duty of the Council are to ensure design and construction takes into considerations disabilities and accessibility as set out within the legislation
<b>Gay, Lesbian and Bisexual people</b>	N/A	N/A	
<b>Older/Younger people</b>	Yes		The CDM regulations and duty of the Council are to ensure design and construction takes into considerations accessibility and use of the facility by all people.
<b>Religion and Beliefs</b>	N/A	N/A	

<b>People having dependents caring responsibilities</b>	Yes		The CDM regulations and duty of the Council are to ensure design and construction takes into considerations disabilities and supporting facilities, as set out within the legislation
<b>People having an offending past</b>	N/A	N/A	
<b>Transgender people</b>	N/A	N/A	

If you have answered **No** to any of the above please give your reasons below

N/A

## **Agenda Item No 9**

### **Community & Environment Board**

**13 October 2025**

#### **Report of the Interim Corporate Director - Streetscape**

#### **Atherstone Leisure Centre Construction Programme**

### **1 Summary**

- 1.1 The number of issues and closures of the pools at Atherstone Leisure Centre since the start of the year have raised questions about how much longer the existing facilities can remain open without further significant investment, and a strong argument can be made to fast track the construction programme of a new facility to minimise disruption and reputation to the service and reduce the impact of inflation on the capital cost of construction.
- 1.2 In November 2024, Members instructed officers to proceed with the design, planning and procurement of a new leisure facility at Atherstone, to replace the existing Atherstone Leisure Centre and Memorial Hall off Long Street. In May 2025, Members selected a brief for the new leisure facility and in August 2025 Members instructed officers to progress with a preferred design concept for the new building.
- 1.3 This report sets out how the delivery programme can be expedited by delegating decisions to ensure that the new facility can be completed and opened by Spring 2028.

#### **Recommendation to the Community & Environment Board:**

- a That the report be noted;**

#### **Recommendation to the Executive Board:**

- b That a capital commitment of up to £27m be made for the delivery of the replacement Leisure Centre in Atherstone, and that authority be delegated as set out in the report to commit expenditure within this sum; and**
- c That all decisions required to deliver the project to RIBA stage 7 including, but not limited to, those set out in section 3.8 of this report be delegated to the Interim Corporate Director, Streetscape in consultation with the Leader of the Council, the Chair of Community & Environment Board, the Member Leisure Working Group, S151 Officer and the Monitoring Officer.**

## **2 Consultation**

- 2.1 All Members have been invited to a drop-in session in advance of the Community & Environment Board. Any comments received will be reported verbally at the meeting.

## **3 Condition of the Atherstone Leisure Centre and the Memorial Hall**

- 3.1 The Atherstone Leisure Centre and Memorial Hall have served the community well for over 50 years, but they are now at the end of their economic lives.
- 3.2 In the past 12 months there have been 16 closures of the pools in ALC, including eight instances where the closure has been for one or more days, with the longest period being 15 days. The Memorial Hall is also in poor condition and the roof leaks into the main hall.
- 3.3 Because of the condition of the existing facilities and ongoing closures, which are frustrating for users and incur significant expenditure for repairs, Members have agreed to progress with a replacement facility and AtkinsRealis have been appointed to lead the Design Team.
- 3.4 Members are keen to progress with the construction of a new facility as soon as possible. There is a risk that further closures may be un-economic to resolve and could result in the permanent closure of Atherstone Leisure Centre and/or the Memorial Hall well in advance of a contractor being appointed to build the new facility.
- 3.5 In addition, construction inflation is expected to increase by 13% over the next three years, with inflation for complex Mechanical & Electrical works (such as those required for swimming pools) to increase further owing to a skilled labour shortage. Consequently, delaying the start of the construction of the new Atherstone Leisure facility would result in less purchasing power for the Council's budget.

### **Expediting the Delivery Programme**

- 3.6 Members are keen that the delivery programme for a new leisure facility is not delayed and have created the Member Leisure Working Group to provide a mechanism that guides officers in advance of recommendations being taken to Board.
- 3.7 The Member Working Group has representatives from all the political groups but does not have decision-making powers. Formal decisions relating to the new build must currently be taken by Board, and this requires a lead-in of several weeks. Consequently, retaining all decisions at Council or Board will constrain the Council's ability to make decisions at the pace needed to minimise the programme and carries the risk that the delivery of the project could be slowed down.

- 3.8 A streamlined decision-making process is therefore required to avoid delay and to minimise the period during which provision of leisure services in Atherstone are reduced or absent. Authority that would need to be delegated includes (but is not limited to):

#### Programme & Delivery

- Approval of the detailed delivery programme and milestones.
- Authority to accelerate the delivery programme or amending the sequencing of works.
- Decisions on providing temporary service provision during the construction phase.

#### Design

- Approval on overall design, including Mechanical & Electrical and energy strategy, landscape design.
- Authority to approve amendments of the design.
- Authority to agree Rights of Light decisions and awards, Party wall and resolution of neighbour matters.

#### Finance:

- Authority to approve spending within the approved budget (for example design fees, surveys, enabling works, Principal Construction Contractor payments).
- Approval to enter into contracts (for example consultants, legal advisor, Principal Construction Contractor).
- Authority to manage variations and contingencies within the approved budget.

#### Procurement & Contractual Decisions

- Appointment of the AtkinsRealis Design Team from RIBA 4 (Technical design) to RIBA 7 (In-Use, post-handover).
- Tendering and award of the main construction contract on a two-stage basis (Pre-Construction Services Agreement and Main Construction Contract).

#### Planning & Development Management

- Authority to submit a planning application and associated technical reports.
- Decisions on minor amendments to the scheme to address planning conditions or statutory consultee requirements.
- Undertakings that are necessary to discharge planning conditions.

#### Land & Property Decisions

- Authority to approve site preparation, demolition and enabling works
- Approvals for land acquisition, easements, or access agreements (if required).

#### Risk, Legal & Compliance

- Approval of risk management plans and authority to agree mitigation measures.

- Delegation to approve and sign off on legal agreements.
- Authority to develop, approve and apply any policies specific to the project (for example, social value, communications, energy, materials, finishes, fit-out).

#### Communications & Engagement

- Authority to approve the communications and consultation strategy.
- Decision-making on how to address representations and objections during delivery.

### **Proposed Approach**

3.9 It is proposed that all necessary decisions relating to planning, procurement, design, land, legal agreements, finance (within approved budgets), and stakeholder engagement be delegated to the Corporate Director, Streetscape in consultation with the Leader of the Council, the Chair of Community & Environment Board, the Member Leisure Working Group, the Section 151 Officer and the Monitoring Officer. The Member Leisure Working Group to be called as required with three working-days' notice, or as scheduled.

3.10 These delegations will:

- Allow the Council to make decisions quickly.
- secure the Principal Construction Partner as early as is practicable.
- Provide the flexibility needed to keep the project on programme.
- Help manage risks effectively while ensuring that the programme remains within the agreed financial envelope and delivery timetable
- Reduce the risk of delay caused by lengthy governance cycles.
- Ensure decisions are made in line with the Council's approved budget and strategic priorities.
- Minimise the impact of inflation and maximise the purchasing power of the Council
- Maintain accountability through ongoing consultation with Members and regular reporting back to C&E Board.

### **Reporting**

3.11 Decisions taken under delegated authority will be formally recorded to ensure transparency and compliance with the Council's Constitution. The Corporate Director, Streetscape will provide regular (retrospective) progress reports to relevant Boards, including updates on programme, risks, costs, and delivery milestones.

## **4 Report Implications**

### **4.1 Finance and Value for Money Implications**

4.1.1 A project of this size will clearly have significant capital and revenue financial implications. These will remain variable throughout the procurement and build phases of the project due to volatility in markets and related inflation. In this

circumstance time really is money and the more expedient we can be the lower the final cost will be.

- 4.1.2 In establishing the process to drive the governance proposed at 3.8, it is also necessary to commit to the capital expenditure required to deliver the centre. This will form part of the budget setting process in February, which will include the detailed costing and funding proposals that make up the budget.
- 4.1.3 As has already been stated the Council has been working with AtkinsRealis to develop a cost plan for the new leisure centre. The summary of that cost plan is set out at **Exempt Agenda Item No 12**.
- 4.1.4 The recommendation therefore is that the Council make a commitment of up to £27m for the new leisure centre.

#### **4.2 Safer Communities Implications**

- 4.2.1 The Authority's leisure facilities contribute to community safety by providing well-managed services that afford opportunities for positive activity and, therefore, a creative alternative to potential criminal and / or anti-social behaviour.

#### **4.3 Legal, Data Protection and Human Rights Implications**

- 4.3.1 The Council has powers under Section 19(1) of the Local Government (Miscellaneous Provisions) Act 1976 to provide such recreational facilities as it thinks fit including indoor sports centres. That Act and other legislation gives the Council broad management powers for those facilities.

Freeth's are the Council's external Legal advisor on the project and are working together with the Head of Legal Services and Monitoring Officer to review all legal documentation and provide advice to protect the Council's interests. The Head of Legal Services is consulted before entering any new contracts. Planning permission will be required for any demolition and construction works. The Council is required to achieve best interest and is also required to comply with Procurement Regulations. Legal advice is being sought on any existing third-party legal rights and easements on the Land.

- 4.3.2 The Council is to ensure that Human Rights are not infringed, and that the Council complies with relevant Legislation, including the Data Protection Act 2018 and the Freedom of Information Act 2000.
- 4.3.3 Legal Services will be consulted before entering any new contracts and in relation to whether any intended changes to processes are legally compliant or expose the Council to legal risk. Specific legal advice on compliance and risk will be included in any reports made to the Council or its Boards.

#### **4.4 Environment, Climate Change and Health Implications**

- 4.4.1 There are no direct Environment or Climate Change impacts resulting from this report, but environmental sustainability has been identified as a consideration

to be taken into account as the design of the new leisure centre is developed. The impact on health is set out below.

#### **4.5 Health, Wellbeing and Leisure Implications**

- 4.5.1 Leisure facilities have a positive impact on the physical and mental wellbeing of individuals and the sustainability of local communities by providing opportunities for formal and informal recreation and by contributing to an improved quality of life.

#### **4.6 Human Resources Implications**

- 4.6.1 Whilst there are no human resources implications resulting directly from this report, there is a potential impact as we progress through the project. Discussions have therefore already commenced with Unions and staff and will be continued at the appropriate times.

#### **4.7 Risk Management Implications**

- 4.7.1 Delivery of a major capital project of this scale carries a number of risks, including:
- Programme risk – delays in decision-making, procurement, or planning consent could impact the delivery timetable.
  - Financial risk – construction inflation, unforeseen site conditions, or design changes could increase costs.
  - Operational risk – closure and demolition of the existing centre during construction will affect service users and income.
  - Reputational risk – failure to deliver the new facility on time or within budget could undermine confidence in the Council.
- 4.7.2 The delegation arrangements recommended in this report are specifically intended to reduce programme risk by enabling timely decision-making.
- 4.7.3 The Council is working with RSM who provide the Councils risk service to establish a detailed risk register that will be maintained and regularly reviewed by the officer project board. Risks will be reported to Community & Environment Board through progress updates.

#### **4.8 Equalities Implications**

- 4.8.1 There is a general principle that Councils should exercise fairness in the exercise of their functions. There is no specific statutory duty to consult however a full and meaningful consultation is considered necessary to support the Council's public sector equality duty and is considered good practice, to ensure the local community is engaged and that consideration of local needs such as equality and accessibility is considered at this formative stage. Feedback will inform the future facility.

#### 4.9 Links to Council's Priorities

4.9.1 The proposals to develop a new leisure facility provides a positive link to the corporate priorities in respect of:

- Efficient and Sustainable organisation.
- Safe, Liveable, locally focussed communities.
- Prosperous, active and healthy.
- Sustainable growth, protected rurality.

The Contact Officer for this report is Mike Dix (715341).

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date

## Health and Wellbeing Working Party Minutes

**22 September 2025**

Present: Cllr. Smith (Chairperson), Cllr. Bates, Cllr. Bell, Cllr. Hobley, Cllr. Melia, Cllr. Davey, Cllr. Jackson, Cllr. Whapples, Becky Evans (NWBC), Paul Murphy (NWBC), Milen Woldeab (NWBC)

Apologies for Absence: Cllr. Fowler, David Simkins (WCAVA), Sally Roberts (NWBC), Jane Coates (WCC)

Item	Notes	Action
2	<p><b>Minutes of the Last Meeting (23 June 2025) and Matters Arising</b></p> <p>The minutes of the meeting held on 23 June 2025 were agreed as an accurate record of the proceedings.</p>	
3	<p><b>River Anker Access and Nature Study</b></p> <p>A presentation was given by Atherstone Town Council on the River Anker Access and Nature Study which has been commissioned using UKSPF funding.</p> <p>The Working Party was asked to endorse the project.</p> <p>Two specific areas of NWBC-owned land are identified within the feasibility study; the green space area off Carlyon Road and Royal Meadow Drive.</p> <p>The recommendations within the feasibility study relating to these areas are:</p> <ul style="list-style-type: none"> <li>• Small copse at Royal Meadow Drive pitches <i>This is a planted copse which has not been thinned since planting. It would benefit from thinning and the structure being diversified. A 'Miyawaki area' planted close to the copse and connecting to the nearby trees would be an ideal project for children and would provide a stepping stone area for wildlife.</i></li> <li>• Rough grassland north of Royal Meadow Drive play area <i>Could be improved through some small areas of native scrub. The topsoil could be scraped off and some wildflowers sown. This would be more appropriate in this area (not the area south of Ratcliffe Road) as the wildflowers would create an attractive addition to the amenity area.</i></li> <li>• Designate Local Nature Reserve</li> </ul>	

	<p><u>NWBC Green Space Strategy 2020 to 2033 (GSS)</u></p> <p>The adopted GSS states that NWBC should:</p> <ul style="list-style-type: none"> <li>• <i>Support partners to enhance and conserve biodiversity on publicly accessible sites</i></li> <li>• <i>Work with partners to increase opportunities for community engagement in habitat creation and management projects.</i></li> <li>• <i>Support and encourage the development of ‘green and blue corridors’.</i></li> <li>• <i>Support existing, and develop new, “Friends Groups” to participate in the development and oversight of local green spaces.</i></li> <li>• <i>Develop Atherstone Riverside as a Local Nature Reserve.</i></li> </ul> <p>As the development of a new local nature reserve (“Atherstone Riverside”) has already been approved by Members through the adopted GSS, £20k of funding has already been secured through Rural England Prosperity Funding to establish the site in 2025 / 26.</p> <p>The Working Party endorsed the project and approved £5,000 towards an interpretation board and benches within the new local nature reserve.</p> <p>A “Friends of” Group would be established to maintain the access route.</p> <p>The project will be included in the report to C&amp;E on green space which will be tabled in January.</p>	<p>Communities Officers</p> <p>BE</p>
4	<p><b>Smoke-free Places update</b></p> <p>In a previous meeting of the Working Party, Members approved funding to support signs on all NWBC-owned play areas to promote smoke-free places.</p> <p>The final designs were circulated and approved.</p>	
5	<p><b>Cancer Awareness</b></p> <p>A request was made to the Working Party to endorse a Cancer Awareness Day through Cancer Research UK <a href="#">Cancer awareness for your employees   Workplace Cancer Awareness</a></p> <p>This would include one talk and a cancer awareness stall which is available throughout the day.</p> <p>This would be available and promoted to all employees and Councillors to access.</p>	

	Members requested that additional activities / fundraising could be included. Leisure to provide health checks.	
6	<p><b>Budget requests</b></p> <p>£5,000 awarded to support the local nature reserve as part of the River Anker Access and Nature Study. <b>Approved</b></p> <p>£600 awarded to part-fund a Cancer Awareness Day in the Council House. <b>Approved</b></p>	
7	<p><b>Partner Updates</b></p> <p><u>Environmental Health</u></p> <p>Annual status report has been approved by DEFRA and will be published.</p> <p>Focus currently on Air Quality Strategy and Smoke Control Areas.</p> <p>3 current monitors measuring air quality. One monitor will be kept at Dordon and the other two will be moved. One has been agreed for Coleshill.</p> <p><u>Leisure</u></p> <p>A design team has been identified to progress a new leisure centre to replace the current Atherstone Leisure Complex.</p> <p>An offer is being created for current members to continue swim, gym and classes during the period of closure.</p>	
8	<p><b>AOB</b></p> <p>Request to liaise with Public Health regarding their Neighbourhood Hubs within their 10-year plan (Adam Cardon – Swift)</p> <p>Real Birth Company – request from Cllr. Whapples for the company to give a presentation at a future meeting of the Working Party</p>	
	<p><b>Future Meeting Dates</b></p> <p>15 December</p> <p>16 February 2026</p> <p>27 April</p>	

## **Agenda Item No 11**

### **Community and Environment Board**

**13 October 2025**

**Report of the  
Chief Executive**

**Exclusion of the Public and Press**

#### **Recommendation to the Board**

**To consider whether, in accordance with 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.**

## **Agenda Item No 12**

**Atherstone Leisure Centre Construction Programme – Report of the Interim Corporate Director, Streetscape**

Paragraph 3 – By reason of the report containing information relating to the financial or business affairs of any particular person (including the authority holding that information).

In relation to the items listed above members should only exclude the public if the public interest in doing so outweighs the public interest in disclosing the information, giving their reasons as to why that is the case.

The Contact Officer for this report is Julie Holland (719237).