

**MINUTES OF THE MEETING OF THE
NORTH WARWICKSHIRE BOROUGH COUNCIL HELD AT THE
COUNCIL HOUSE, ATHERSTONE ON
WEDNESDAY 28 SEPTEMBER 2011**

Present: Councillor Butcher in the Chair.

Councillors Barber, Davis, L Dirveiks, N Dirveiks, Ferro, Forwood, Fowler, Fox, Freer, Hayfield, Holland, Humphreys, Johnston, Lea, Lewis, May, Moore, Morson, B Moss, M Moss, Payne, Phillips, Pickard, Sherratt, Smith, A Stanley, M Stanley, Y Stanley, Sweet, Turley, Watkins, Winter and Wykes.

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

An apology for absence was received from Councillor Simpson.

Before the commencement of business, Father Philip Wells led the Council in Prayer.

20 Declarations of Interest

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, May, Lea, B Moss and Sweet and membership of the various Town or Parish Councils of Councillors Barber (Ansley), Butcher (Polesworth), Davis (Atherstone), Fox (Shustoke), Freer (Atherstone), Lewis (Kingsbury), Moore (Baddesley Ensor), Morson (Dordon), B Moss (Kingsbury), M Moss (Kingsbury), Phillips (Kingsbury), Pickard (Atherstone), M Stanley (Polesworth), Y Stanley (Polesworth) and Winter (Dordon) all of which interests were deemed to be declared at this meeting.

Councillor M Moss declared a personal and prejudicial interest in Minute No 35 of the meeting of the Planning and Development Board held on 12 September 2011 (Planning Application No 2011/0417 (50 Mill Crescent, Kingsbury).

21 Minutes

The minutes of the Meeting of the Council held on 29 June 2011 and the Extraordinary Meeting of the Council held on 18 July 2011 were approved as correct records and signed by the Mayor.

22 Mayor's Announcements

The Mayor reported that

- Mayor's Civic Service was to be held on 9 October 2011 at 10.00 am at Polesworth Abbey.
- The former Chief Executive, David Monks had recently retired
- Local Democracy Week was to be held 10 – 16 October 2011
- Mayor's Charity evening was to be held on 17 December 2011 at Polesworth Sports and Social Club.

23 Questions Pursuant to Standing Order No. 7

The following question was received from Councillor Hayfield:

“Given the Leader of the Council's personal commitment to the last Executive Board that his Administration would not be cutting frontline services, can he now reassure the people of North Warwickshire that means that his administration will:

- **continue to maintain a weekly black bin collection for all residents?**
- **continue to maintain Borough Care as a free service?**
- **continue to keep free car-parking in all Borough Council car parks?”**

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

“Clearly the Council has some difficult financial decisions to make over the next few years and the full impact of pending legislative changes are not yet known.

We intend to protect frontline services, and we will of course need to keep the method and cost of service delivery under review, including the way that we fund services.

There will be a thorough review of budgets and we will be announcing our conclusions shortly. Announcements will be made in accordance with the Councils proper budgetary process and reports will be coming to Boards for discussion in the normal way.”

24 Minutes of Boards/Committees

- a) **Scrutiny Board – 5 July and 19 September 2011**

The minutes of the meeting of the Board held on 19 September 2011 were circulated at the meeting. It was proposed by Councillor Pickard, seconded by Councillor Winter and

Resolved:

That the minutes of the meetings of the Scrutiny Board held on 5 July and 19 September 2011, together with the recommendations contained therein, be approved and adopted.

b) Resources Board – 11 July and 5 September 2011

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

Resolved:

That the minutes of the meetings of Resources Board held on 11 July 2011 and 19 September 2011, together with the recommendations contained therein, be approved and adopted.

c) Area Forum (South) – 12 July 2011

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

Resolved:

That the minutes of the meeting of Area Forum (South) held on 12 July 2011, be approved and adopted.

d) Area Forum (North) – 14 July 2011

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

Resolved:

That, subject to the inclusion of Councillor May in the list of those present and the deletion of an apology for absence from Mr Stan Orton, the minutes of the meeting of Area Forum (North) held on 14 July 2011, be approved and adopted.

e) Planning and Development Board – 18 July, 15 August and 12 September 2011

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

Resolved:

That, subject to the minutes of the meeting held on 12 September 2011 being amended to note that Councillor May left the meeting before the consideration of Minute No 35b (Planning Application 2011/0332), the minutes of the meetings of the Planning and Development Board held on 18 July, 15 August and 12 September 2011, together with the recommendations contained therein, be approved and adopted.

e) Area Forum (East) – 21 July 2011

It was proposed by Councillor Forwood, seconded by Councillor N Dirveiks and

Resolved:

That the minutes of Area Forum (East) held on 21 July 2011 be approved and adopted.

f) Area Forum (West) – 28 July 2011

It was proposed by Councillor B Moss, seconded by Councillor Lewis and

Resolved:

That the minutes of Area Forum (West) held on 28 July 2011 be approved and adopted.

g) Executive Board – 13 September 2011

(i) Minute No 27 – Council Vision, Priorities and Corporate Plan Key Actions – Implications Arising from the 2011 Elections

It was proposed by Councillor Hayfield, seconded by Councillor Smith by way of amendment

“a That the Council does not go to the expense of altering either its ‘Logo’ or ‘Vision’; and

b That consideration of the Administration’s Priorities and Corporate Plan Key Actions be deferred until all the appropriate budget provisions have been identified for

their implementation.”

Upon being put to the meeting the Mayor declared the amendment to be lost.

The Substantive Motion as follows was then put to the meeting

- “a That the Council’s Vision and Priorities be confirmed as set out in Appendix 1 to the report of the Chief Executive; and**
- b That Appendix 2 be adopted as the format for the Council’s Priorities and Corporate Plan Key Actions and that further reports be brought on any proposals for the areas in italics in Appendix 2 which require additional budget provision to take forward in the current financial year.”**

The Mayor declared the Substantive Motion to be carried.

(ii) Minute No 30 – Earmarked Reserves 2011/12

It was proposed by Councillor Smith, seconded by Councillor Fox by way of amendment

- “a That earmarked reserves of £211,985.81 be moved into the General Fund balance and £5,765.50 into the Housing Revenue Account balance to ease anticipated budget pressure against front-line services.”**

Upon being put to the meeting the Mayor declared the amendment to be lost.

The Substantive Motion as follows was then put to the meeting

- “a That earmarked reserves of £111,985.81 be moved into the General Fund balance, £100,000 into a one-off initiative reserve and £5,765.50 into the Housing Revenue Account balance; and**
- b That the remaining reserves held at 31 March 2011 (detailed in Appendix A) and the planned use of reserves in 2011/12 be approved.”**

The Mayor declared the Substantive Motion to be carried.

(iii) Minute No 31 – Council Office Accommodation

It was proposed by Councillor Smith, seconded by Councillor Johnston by way of amendment

- “e That the agreed preferred mechanism for progress on the project being reported back to Members on an ongoing basis be meetings of the Resources Board and that the accommodation project be deleted from the Terms of Reference of the Special Sub-Group; and**
- h That a further report be brought to the Resources Board (or Special Sub-Group if the above amendment is not carried) giving more detail on how the Council intends to finance the Option 2 refurbishment and that a spending ceiling be identified as a cap to these refurbishments.”**

Upon being put to the meeting the Mayor declared the amendment to be lost.

The Substantive Motion as follows was then put to the meeting

- “a That the Council agrees to pursue Option 2 (Full Mechanical and Electrical Refurbishment) as set out in the body of the report of Management Team at section 5.2 as its preferred option for the refurbishment of the Council House;**
- b That a specialist contractor to project manage the design, tendering and delivery of the preferred option is appointed as soon as possible;**
- c That a budget as set out in the report be established to fund the appointment and initial fees of that contractor;**
- d That once the refurbishments are completed, all staff currently located at Old Bank House be moved to the main Council House building to free up Old Bank House for disposal or rental to a third party;**
- e That the agreed preferred mechanism for progress on the project being reported back to Members on an ongoing basis be meetings of the Special Sub-Group;**
- f That the most appropriate methods of keeping both staff and the public up to date with progress on this project in the future should include North Talk, the staff Insider newsletter and the Council’s web-site; and**
- g That recommendations (a) to (f) above be made available to the public.”**

The Mayor declared the Substantive Motion to be carried.

(iv) Minute No 33 – Changes to Boards and the Special Sub-Group

It was proposed by Councillor M Stanley, seconded by Councillor Sweet and

Resolved:

That Councillor Ferro be appointed as Portfolio Holder for Community Life.

(v) Minute No 35 – Public Speaking at Planning and Development Board Meetings

It was proposed by Councillor Hayfield, seconded by Councillor Humphreys by way of amendment

- “a That the scheme for public speaking at the Planning and Development Board detailed in the revised Appendix circulated at the meeting be adopted; and**
- b That this Council believes in the principal of public speaking at its meetings, that the same opportunities for the public to speak should be extended to all public parts of Board and Sub-Committee agendas across the Council and that a report be prepared for consideration by the Boards.”**

Upon being put to the meeting the Mayor declared the amendment to be lost.

The Substantive Motion as follows was then put to the meeting

- “a That the scheme for public speaking at the Planning and Development Board detailed in the Appendix to the report of the Assistant Chief Executive and Solicitor to the Council be adopted; and**
- b That the scheme be reviewed in twelve months time.”**

The Mayor declared the Substantive Motion to be carried.

(vi) Minute 45 – Draft National Planning Policy Framework

It was proposed by Councillor Winter, seconded by Councillor Sweet by way of amendment

- “a That an urgent meeting of the Local Development Framework Sub-Committee be arranged to discuss the Council’s response to the Draft National Planning Policy Framework consultation and that all Members be invited to attend and speak at that meeting; and**
- b That the Chief Executive be delegated to write to the two Members of Parliament covering the Borough to express the Council’s concerns.”**

Upon being put to the meeting the Mayor declared the amendment to be carried.

The Substantive Motion as follows was then put to the meeting

- “a That an urgent meeting of the Local Development Framework Sub-Committee be arranged to discuss the Council’s response to the Draft National Planning Policy Framework consultation and that all Members be invited to attend and speak at that meeting; and**
- b That the Chief Executive be delegated to write to the two Members of Parliament covering the Borough to express the Council’s concerns.”**

The Mayor declared the Substantive Motion to be carried.

Resolved:

That the minutes of the meeting of Executive Board held on 13 September 2011, together with the recommendations contained therein as amended at (iv) and (vi) above, be approved and adopted.

25 Notice of Motion Under Standing Order No. 10

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

26 The Common Seal

It was proposed by Councillor Butcher, seconded by Councillor Winter 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