

**MINUTES OF THE MEETING OF THE
NORTH WARWICKSHIRE BOROUGH COUNCIL HELD AT THE
COUNCIL HOUSE, ATHERSTONE ON
WEDNESDAY 4 JULY 2012**

Present: Councillor L Dirveiks in the Chair.

Councillors Barber, Butcher, Davis, N Dirveiks, Ferro, Forwood, Fowler, Fox, Freer, Hayfield, Holland, Humphreys, Johnston, 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.

Apologies for absence were received from Councillors Lea and Simpson.

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

10 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, B Moss and Sweet and membership of the various Town or Parish Councils of Councillors Barber (Ansley), Butcher (Polesworth), Davis (Athersone), 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.

On behalf of the Conservative Group, Councillor Hayfield declared a personal and prejudicial interest in Minute No 25 (Request to Purchase a Licence to Occupy Garden Land in Shustoke) of the meeting of the Resources Board held on 11 June 2012 by reason of their political association with one of the applicants.

11 Minutes

The minutes of the meetings of the Council held on 16 May 2012 were approved as a correct record and signed by the Mayor.

12 Mayor's Announcements

The Mayor reported that on 1st July the process by which complaints that Councillors had breached the Code of Conduct were decided had been changed. One of the results of this was that there would no longer be any Independent Members on the Standards Committee. The current Independent Members were Mr Stan Orton (who had served as the

Committee's Chairman since 2007), Mr Richard Prosser, Mrs Elizabeth Shilton, Councillor Martin Shaw (Atherstone Town Council) and Councillor Trevor Hopkins (Mancetter Parish Council).

It was proposed by the Mayor seconded by Councillor Hayfield and

Resolved

That a vote of thanks be sent for the service these people had given to the Council and that Steve Maxey, Assistant Chief Executive and Solicitor to the Council, be asked to write to them all on the Council's behalf accordingly.

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

The following question was received from Mr Richard Hancocks, Maple Cottage, Castle Green, Monwode Lea Lane, Monwode Lea, Over Whitacre, Coleshill, B46 2NP

“Is it right and proper for the Council to allow major planning applications to be determined by a planning officer under delegated powers?”

The response from Councillor Sweet, Chairman of the Planning and Development Board, was as follows

"Over recent years, successive Governments have recommended that Local Planning Authorities deal efficiently with the large number of planning applications that are regularly submitted. One measure is for the Authority to delegate decisions to authorised officers. As a consequence it is now common practice and nationally over 90% of applications are decided in this way. Our performance is in line with this average. The Council has adopted a Scheme of Delegation which sets out the limitations of this delegation, and this is regularly reviewed. Referral of applications to the Planning and Development Board is undertaken in accordance with this Scheme, which also enables Members themselves to refer applications to the Board. The scheme is available to view on the Council's website. So if the terms of the Scheme are met, then it is right and proper for major applications to be delegated to an authorised officer".

Mr Hancocks then asked the following supplementary question

“Is the Council satisfied that the present scheme of delegation takes account of the recent changes in law brought about by the Localism Act?”

Councillor Sweet responded

“Yes – the Council continues to work in accordance with the policies set by successive Governments and I have every confidence in the

Planning Division and its Officers.”

14 Minutes of Boards/Committees

a) Area Forum (South) – 23 February and 28 June 2012

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

Resolved:

That, subject to the inclusion of Councillors Barber, Sherratt and Smith in the apologies for absence for the meeting held on 28 June 2012, the notes of the meetings of Area Forum (South) held on 23 February and 28 June 2012 be approved and adopted.

b) Area Forum (West) – 28 February and 31 May 2012

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

Resolved:

That the notes of the meetings of Area Forum (West) held on 28 February and 31 May 2012 be approved and adopted.

c) Planning and Development Board – 19 March, 16 April, 21 May and 18 June 2012

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

Resolved:

That the minutes of the meetings of the Planning and Development Board held on 19 March, 16 April, 21 May and 18 June 2012 be approved and adopted.

d) Community and Environment Board – 26 March and 28 May 2012

It was proposed by Councillor Phillips, seconded by Councillor Lewis and

Resolved:

That the minutes of the meetings of the Community and Environment Board held on 26 March and 28 May 2012 be approved and adopted.

e) Resources Board – 2 April and 11 June 2012

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

Resolved:

That the minutes of the meetings of Resources Board held on 2 April and 11 June 2012, together with the recommendations contained therein, be approved and adopted.

f) Licensing Committee – 28 May 2012

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

Resolved:

That, subject to the deletion of the second reference to Councillor Forwood in the list of attendees, the minutes of the meeting of the Licensing Committee held on 28 May 2012, together with the recommendations contained therein, be approved and adopted.

g) Area Forum (East) – 12 June 2012

It was proposed by Councillor Forwood, seconded by Councillor Fox and

Resolved:

That, subject to the addition of Councillor L Dirveiks in the list of attendees, the notes of the meeting of Area Forum (East) held on 12 June 2012 be approved and adopted.

h) Area Forum (North) – 14 June 2012

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

Resolved:

That, subject to the inclusion of Councillors Butcher and May in the apologies for absence, the notes of the meeting of Area Forum (North) held on 14 June 2012 be approved and adopted.

i) Scrutiny Board – 19 June 2012

It was proposed by Councillor Pickard, seconded by Councillor Forwood and

Resolved:

That the minutes of the meeting of the Scrutiny Board held on 19 June 2012 be approved and adopted.

j) Executive Board – 23 April and 25 June 2012

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

Resolved:

That the minutes of the meetings of Executive Board held on 23 April and 25 June 2012, together with the recommendations contained therein, be approved and adopted.

k) Special Sub-Group – 2 July 2012

i) Minute No 2 – Member Code of Conduct

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

Resolved:

That in addition to Mr Orton and Mrs Shilton, Mr Tabbinor and Miss Jacques be added to the list of Independent Persons.

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

Resolved:

That the minutes of the meeting of Special Sub-Group held on 2 July 2012, together with the recommendations contained therein as amended at i) above, 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 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