

AGENDA

and

MINUTES of BOARDS and COMMITTEES

to be considered at the meeting of the Council to
be held at

**THE COUNCIL HOUSE
ATHERSTONE**

on

28 June 2023

at

6.30pm



North Warwickshire Borough Council

Steve Maxey BA (Hons) Dip LG Solicitor
Acting Chief Executive

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Date : 20 June 2023

To: All Members of the Council

Dear Sir / Madam

You are hereby summoned to attend the Annual Meeting of the Council, to be held in the Council Chamber, the Council House, South Street, Atherstone, on Wednesday 28 June 2023 at 6.30pm.

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.
- 4 The Mayor to move, in accordance with Standing Order No 6(1):
“That the minutes of the Meeting of the Council held on 17 May 2023 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 the minutes and notes of the meetings of the
 - a **Planning and Development Board** – 22 May and 12 June 2023
(Pages 13 to 20)

circulated herewith and to make the necessary Orders thereon.

- 8 To receive and consider the minutes and notes of the meeting of the
Community and Environment Board – 5 June 2023 (Pages 21 to 22)
circulated herewith and to make the necessary Orders thereon.
- 9 To receive and consider the minutes and notes of the meeting of the
Resources Board – 19 June 2023 (Pages 23 to 24)
circulated herewith and to make the necessary Orders thereon.
- 10 To receive and consider the minutes and notes of the meeting of the
Executive Board – 20 June 2023 (Page 25) – To Follow
circulated herewith and to make the necessary Orders thereon.
- To receive and consider the recommendations of the meeting of the
Executive Board - 20 June 2023 – **The Serious Violence Duty**
(Appendix 1)
- i To adopt the Serious Violence Strategy, and to include it in the Council’s Constitution in the list of Council Plans and Strategies; and
 - ii To amend the Terms of Reference for the Safer Communities Sub-Committee to include a specific reference to scrutiny of crime and disorder and serious violence duties.
- circulated herewith and to make the necessary decisions thereon.
- 11 To receive and consider the minutes and notes of the meeting of the
Special Sub-Group – 26 June 2023 (Page 26) - To Follow
circulated herewith and to make the necessary Orders thereon.
- 12 To receive and consider any Notice of Motion under Standing Order No 10.
The following Notice of Motion has been received from Councillor Ridley:
“The Council supports an immediate review of the Local Plan, once the Government’s revised guidelines are issued.”
- 13 To authorise the Chief Executive, in accordance with Article 11.05 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, including any passed during part of the meeting which is held in private.

14 **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 items of business, on the grounds that they involve the likely disclosure of exempt information as defined by Schedule 12A to the Act.

15 To receive and consider the exempt extract of the minutes and notes of

Executive Board – 20 June 2023 (Page 28) – To Follow

circulated herewith and to make the necessary Orders thereon.

16 To receive and consider the exempt extract of the minutes and notes of

Special Sub-Group – 26 June 2023 (Page 29) – To Follow

circulated herewith and to make the necessary Orders thereon.

Yours faithfully

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke.

Chief Executive

**MINUTES OF THE ANNUAL MEETING OF THE
NORTH WARWICKSHIRE BOROUGH COUNCIL HELD AT THE
COUNCIL HOUSE, ATHERSTONE ON WEDNESDAY 17 MAY 2023**

Present: Councillor T Clews in the Chair.

Councillors Barnett, Bates, Bell, Chapman, D Clews, Davey, Dirveiks, Farrow, Fowler, Gosling, Hayfield, Hobley, Humphreys, Jackson, Javis, Jenns, Melia, Osborne, Parsons, H Phillips, O Phillips, Reilly, Ridley, Singh, Smith, Stuart, Symonds, Taylor, Turley, Watson, Whapples, A Wright and D Wright.

Apologies for absence were received from Councillors Ririe and Simpson.

1 Election of Mayor

It was proposed by Councillor Taylor and seconded by Councillor Parsons that Councillor Dirveiks be elected Mayor of the Borough of North Warwickshire for the ensuing year.

It was then proposed by Councillor D Wright and seconded by Councillor Jarvis that Councillor Humphreys be elected Mayor of the Borough of North Warwickshire for the ensuing year.

On being put to the vote, it was

RESOLVED:

That Councillor Humphreys be and is hereby elected Mayor of the Borough of North Warwickshire for the ensuing year.

Councillor Humphreys then made and signed the declaration of acceptance of office, was invested with the Chain and Badge of office by the retiring Mayor and took the Chair.

Councillor Humphreys in the Chair

Councillor Humphreys then thanked Council Members for the honour they had bestowed on him.

The Mayor's Charity for his term of office would be Warwickshire Search and Rescue.

2 Retiring Mayor

The Mayor presented T Clews and Councillor D Clews with past Mayor's and Consort's Badges. T Clews then thanked Members, Officers and the people of North Warwickshire for their support during his year in office.

Councillor Symonds then offered a vote of thanks to T Clews for his service to North Warwickshire during his year in office.

3 **Disclosable Pecuniary and Non-Pecuniary Interests**

None were declared at the meeting.

4 **Minutes**

The minutes of the meeting of the Council held on 19 April 2023 were approved as correct record and signed by the Mayor.

5 **Appointment of Deputy Mayor**

It was proposed by Councillor Taylor and seconded by Councillor Gosling that Councillor Dirveiks be elected Deputy Mayor of the Borough of North Warwickshire for the ensuing year.

It was then proposed by Councillor Reilly and seconded by Councillor D Clews that Councillor Hayfield be elected Mayor of the Borough of North Warwickshire for the ensuing year.

On being put to the vote, it was

RESOLVED:

That Councillor Hayfield be and is hereby elected Mayor of the Borough of North Warwickshire for the ensuing year.

Councillor Hayfield then thanked Council Members for the honour they had bestowed on him.

6 **Mayor's Announcements**

There were no Mayor's Announcements.

7 **Returning Officer's Report**

The Chief Executive submitted his report as Returning Officer upon the election of Councillors for the Borough held on 4 May 2023, which was received.

8 **Appointments of Boards, Chairpersons, Vice Chairpersons, Spokespersons, and representative on outside bodies**

In accordance with Standing Order No 23(2) a schedule of the number of Members to Boards for the ensuing year and appointments of Chairmen/Vice-Chairmen and representatives to outside bodies was placed before the Council.

It was proposed by Councillor D Wright and seconded by Councillor Bell that Appendix A (green and purple sheets) detailing the number of Members to Boards for the ensuing year and appointments of Chairmen/Vice-Chairman and representatives to outside bodies be approved.

It was then proposed by Councillor Gosling and seconded by Councillor Whapples by way of amendment that Appendix A (salmon sheets) detailing the number of Members to Boards for the ensuing year and appointments of Chairmen/Vice-Chairman and representatives to outside bodies be approved.

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

It was then proposed by Councillor D Wright and seconded by Councillor Bell and

RESOLVED:

That the schedule of numbers and appointments to the Boards, Committees and Sub-Committees and appointments of representatives to outside bodies, as shown in Schedule 1 hereto, be approved.

9 Notice of Motion

The following Notice of Motion, submitted by Councillor Gosling, was withdrawn:

‘That a full review of the local plan be initiated immediately. That the work programme in the Local Development Scheme be amended to recognise this and a series of detailed alternative options be prepared’.

10 Common Seal

It was proposed by Councillor Fowler and seconded by Councillor Jarvis and

Resolved:

That the Chief Executive be authorised to affix the Common Seal to any Orders, Deeds and Documents as necessary to give effect to the decisions of the Council, including any passed during part of the meeting which is held in private, in accordance with Article 11.05 of the Articles of the Constitution.

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

NORTH WARWICKSHIRE BOROUGH COUNCIL

**MINUTES OF THE
PLANNING AND DEVELOPMENT BOARD**

22 May 2023

Present: Councillor Simpson in the Chair

Councillors Barnett, Bates, Bell, Chapman, Dirveiks, Fowler, Gosling, Hayfield, Hobley, Humphreys, Jarvis, H Phillips, O Phillips, Ridley and Reilly

Apologies for absence were received from Councillors Parsons (Substitute O Phillips) and Ririe (Substitute Barnett)

The Chairman asked for thanks be passed on to previous Members who were no longer standing Members.

1 Disclosable Pecuniary and Non-Pecuniary Interests

Councillor Barnett disclosed a Pecuniary interest in Minute No 6b (Peel House, 79 Witherley Road, Atherstone, CV9 1NA) by reason of being an Atherstone Town Council member and took no part in the discussion and voting thereon.

Councillor Reilly declared a Non-Pecuniary interest in Minute No 6g (164, Long Street, Dordon, Tamworth, B78 1QA) by reason of being Clerk to Dordon Parish Council.

Note: Due to the number of members of the public who had attended in relation to the Applications at Minute No 6 below the Chairman proposed and the Board agreed to consider those items first.

2 Minutes

The minutes of the meeting of the Planning and Development Board held on 3 April 2023, copies having previously been circulated, were approved as a correct record, and signed by the Chairman.

3 Government Consultation – Infrastructure Levy

The Head of Development Control brought this report for information only and described the Government's proposals for replacement of the Community Infrastructure Levy and the use of Section 106 Agreements, with a mandatory Infrastructure Levy in order to assist in the delivery of new infrastructure related to new development.

Resolved:

That the Report be noted and that further reports are brought to the Board so that the implications of the change can be considered and to detail any further Government announcements.

4 Government Consultation - Environmental Outcomes Report

The Head of Development Control brought this report for information only and described the Government's proposals for replacement of the current way which the Environmental Effects of new developments are to be assessed and monitored.

Resolved:

That the report be welcomed and noted and that further reports are brought to the Board so that the implications of the change can be considered and to detail any further Government announcements.

5 Submission of Nether Whitacre Neighbourhood Plan for Public Consultation

The Chief Executive informed Members of the submission of the Nether Whitacre Neighbourhood Plan and sought approval to go out for a formal consultation in accordance with regulation 16 of the Neighbourhood Planning (General) Regulations 2012.

Resolved:

That the Nether Whitacre Neighbourhood Plan be publicised for a six-week public consultation.

6 Planning Applications

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

Resolved:

- a That in respect of Application No PAP/2023/0071 (Land 800 Metres South Of Park House Farm, Meriden Road, Fillongley) Board noted the receipt of this application and agreed that a site visit be arranged prior to its determination;**

[Speakers Diana Wardley and Lee Adams]

- b That Application No PAP/2020/0164 (Peel House, 79 Witherley Road, Atherstone, CV9 1NA) be granted, subject to the conditions set out in the report of the Head of Development Control and to an additional condition requiring the removal of Class E Part One permitted development rights and that condition 3 be amended to also ensure that the building be used for garaging purposes only;**

[Speaker Lawrence King]

- c That in respect of Application No PAP/2023/0108 (Dafferns Wood, St Michaels Close, New Arley, Warwickshire) the Management Plan be agreed subject to a review date in May 2027 and that the Council be notified when those works are to be carried out;**

[Speaker Edward Asbury]

- d That Application No PAP/2023/0133 (Hartshill Hayes Country Park, Oldbury Road, Hartshill) be granted, subject to the conditions set out in the report of the Head of Development Control;**

[Speaker Christopher Lewis]

- e That Application No PAP/2023/0058 (25, Wood Street, Wood End, Tamworth, CV9 2QJ) be deferred for a site visit;**

[Speaker Gordon Richards]

- f That Application No PAP/2022/0544 (Land 550 Metres East of Vauls Farm, Astley Lane, Astley) be deferred to await the outcome of a forthcoming Parish Council meeting; and**

[Speakers Debra Spicer and Ben Parkins]

- g That Application No PAP/2022/0350 (164, Long Street, Dordon, Tamworth, B78 1QA) be deferred for a site visit.**

[Speaker S Glover]

7 Tree Preservation Order Land West of Water Orton

The Head of Development Control informed Members of the action taken in respect of the making of an Emergency Tree Preservation Order, following the receipt of authority to serve under delegated powers, and sought further confirmation of the action taken.

Resolved:

- a That the Board confirms the action taken in the issue of an Emergency Tree Preservation Order for the protection of 15 trees on land to the west side of Water Orton.**
- b That a further report considering confirmation of the Order be brought back to the Planning and Development Board following the passage of the opportunity for receipt of representations.**

8 Tree Preservation Order 81 Austrey Road, Warton

The Head of Development Control sought confirmation of action taken by the Chief Executive in respect of the making of a Tree Preservation Order for a London Plane tree at this address.

Resolved:

That the Board confirmed the making of a Tree Preservation Order in respect of a London Plane tree at 81 Austrey Road, Warton.

9 Proposed New Use Class

The Head of Development Control described a consultation initiated by the Government to introduce a new Use Class for the "Short Term Lets" of residential property.

Resolved:

That the Report be noted and that a further report be brought to the Board in due course once final details governing the new Use Class are known.

10 Appeal Update

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

Resolved:

That the report be noted.

11 Tree Preservation Order Warton Lane, Austrey

The Head of Development Control reported on a Tree Preservation Order that has been placed on two Cedar Trees located on Warton Lane, Austrey. It came into force on 9 December 2022 and lasts six months until the 9 June 2023. This report sought to make the Order permanent.

Resolved:

- a That the Chair of the Board confirmed that by reasons of special circumstances, namely the fact that the Order will cease to protect the trees if this matter is not considered by the Board, this report should be considered as a matter of urgency.**
- b That the Board confirmed the making of a Tree Preservation Order for the protection of 2 Cedar Trees located on Warton Lane, Austrey.**

12 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 paragraphs 5 and 6 of Schedule 12A to the Act.

13 Confidential Extract of the Minutes of the Planning and Development Board held on 3 April 2023

The confidential extract of the minutes of the Planning and Development Board held on 3 April 2023, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

M Simpson
Chairman

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

12 June 2023

Present: Councillor Simpson in the Chair

Councillors Bates, Bell, Chapman, Clews, Dirveiks, Fowler, Gosling, Hayfield, Hobley, Humphreys, Jarvis, Parsons, H Phillips, Ridley and Ririe

Apologies for absence were received from Councillor Riley (Substitute Clews)

14 **Disclosable Pecuniary and Non-Pecuniary Interests**

Councillor Jarvis disclosed a Non-Pecuniary interest in Minute No 16c (Public Conveniences, Station Street, Atherstone) by reason of his prior involvement with the proposals at pre-application stage.

15 **Minutes**

The minutes of the meeting of the Planning and Development Board held on 22 May 2023, copies having previously been circulated, were approved as a correct record, and signed by the Chairman.

16 **Planning Applications**

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

Resolved:

- a **That Application No PAP/2022/0374 (Land North of Stone Cottage, Lower House Lane, Baddesley Ensor) be deferred for a site visit;**

[Speakers Robert Cole and Robert Gandy]

b That Application No's PAP/2022/0569 and PAP/2022/0570 (95, Long Street, Atherstone, CV9 1BB) be granted, subject to the conditions set out in the Officer's report as amended to include the following matters:

- 1. Synchronising the two screens in terms of changes – i.e. when things change, they would change at the same time.**
- 2. No videos would be played on the screens**
- 3. The screens would change no quicker than once every 10 seconds**
- 4. The luminance levels of the screens would be reduced to 600 candelas per square metres.**
- 5. The two screens would be repositioned, set back 1 metre behind the front of the shopfront but still facing forward.**

[Speaker Brandon Carter]

c That Application No PAP/2023/0108 (Public Conveniences, Station Street, Atherstone) be granted, subject to the conditions set out in the report of the Head of Development Control but with a revised condition clarifying the opening times of the WC in consultation with the Chair, Vice Chair and Local Members;

d That Application No's PAP/2022/0457 and PAP/2022/0458 (Coach Hotel, High Street, Coleshill, B46 3BP) be granted temporarily for six months, subject to the conditions set out in the report of the Head of Development Control;

e That Application No PAP/2023/0058 (25, Wood Street, Wood End, Tamworth, CV9 2QJ) be granted, subject to the condition set out in the report of the Head of Development Control;

[Speaker Gordon Richards]

f That Application No PAP/2023/0117 (89 - 91, Main Road, Austrey, Atherstone, CV9 3EG) is refused subject to the reasons set out in the report of the Head of Development Control;

[Speaker Richard Nield]

- g That Application No PAP/2022/0350 (164 Long Street, Dordon, Tamworth, B78 1QA) be granted subject to the conditions set out in Appendix A of the report of the Head of Development Control, but with a variation of Condition 6 so as to preclude the implementation of the extant planning permission for one house at the rear of number 164.**

[Speaker Chris Robinson]

- h That in respect of Application No PAP/2022/0544 (Land 550 Metres East of Vauls Farm, Astley Lane, Astley) the Council refer the matter to the Secretary of State under the 2009 Direction supporting the granting of planning permission subject to the conditions set out in Appendix A of the report of the Head of Development Control together with the noise conditions as previously agreed and with amendments to Conditions 4 and 5 to provide greater certainty over remediation measures following de-commissioning..**

[Speakers Debra Spicer and Ben Parkins]

M Simpson
Chairman

NORTH WARWICKSHIRE BOROUGH COUNCIL**MINUTES OF THE
COMMUNITY AND ENVIRONMENT BOARD****5 June 2023**

Present: Councillor Bell in the Chair.

Councillors Barnett, Dirveiks, Fowler, Gosling, Hobley, Jackson, Jarvis, Jenns, Melia, Singh, Smith, Turley and A Wright

Apologies for absence were received from Councillor H Phillips (Substitute Councillor Barnett)

Councillor Whapples was also in attendance and with the consent of the Chair spoke on Minute No.3 (Overview of the Services which provide reports and updates to the Board).

1 Disclosable Pecuniary and Non-Pecuniary Interests

None were declared at the meeting.

2 Minutes of the Meeting of the Board held on 27 March 2023

The minutes of the meeting held on 27 March 2023, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

3 Officers gave an overview of the services which provide reports and updates to the Board. Members were asked to identify any matters that they may wish to see coming forward to the Board.**4 Leisure Facilities: Service Improvement Plan (June 2023)**

The Director of Leisure and Community Development reported on the Service Improvement Plan (SIP), detailing activity through to the end of April 2024, through which the Board had agreed to monitor the operational performance of the leisure facilities at each of its meetings. The appended SIP detailed related activity undertaken within the facilities through to the end of April 2023.

Resolved:

That the progress made against the requirements identified in the approved 2023/24 Leisure Facilities Service Improvement Plan, through which operational performance is monitored, be noted.

5 **King's Coronation Celebratory Grants Scheme**

The Director of Leisure and Community Development updated Members on the successful delivery of the King's Coronation Celebratory Grants programme.

Resolved:

That the successful delivery of the King's Coronation Celebratory Grants programme, as detailed in the report of the Director of Leisure and Community Development, be noted.

Margaret Bell
Chairman

NORTH WARWICKSHIRE BOROUGH COUNCIL

**MINUTES OF THE
RESOURCES BOARD**

19 June 2023

Present: Councillor Symonds in the Chair

Councillors Barnett, Bates, Chapman, Clews, Davey, Humphreys, Parsons, Stuart, Taylor and Watson

Apologies for absence were received from Councillor Simpson (Substitute D Bates)

1 Disclosable Pecuniary and Non-Pecuniary Interests

Councillor Taylor disclosed a pecuniary interest in Minutes No 9 (Policy - Dealing with Damp and Mould in Council Properties) and 11 (Asset Management Plan for the Council's Landlord Stock) by virtue of owning a flat within a Council block, remained in the meeting but took no part in the discussion or voting thereon.

2 Minutes of the Resources Board held on 13 March 2023

The minutes of the Resources Board held on 13 March 2023, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

3 Resources Board – Scope and Services

Officers gave an overview of the services which provide reports and updates to the Board.

4 Internal Audit and Corporate Fraud – 2022/23 Progress Report

The Corporate Director – Resources detailed the proposed internal Audit function against the agreed plan of work for 2022/23. It also summarised the work undertaken by the Council's Corporate Fraud Officer during 2022/23.

Resolved:

That progress against the approved Internal Audit plan at Appendices A and B be noted.

5 Disabled Facilities Grants – Housing Assistance Policy

The Director of Housing submitted a reviewed Assistance Policy for the delivery of Disabled Facilities Grants to the Board for its consideration and agreement.

Resolved:

- a That the revised Housing Assistance policy be considered;
and
- b That the new funding arrangements for grant provision set out in the Policy be approved.

6 Policy – Dealing with Damp & Mould in Council Properties

The Director of Housing presented a policy statement which provided a clear direction for services when they are dealing with damp and mould conditions in the Council's landlord stock.

Resolved:

That the policy statement about services to deal with conditions of damp and mould be considered and approved.

7 Members' Allowance 2022/23

The Corporate Director – Resources detailed this report to advise Members of the allowances paid for 2022/23. The Council also has a duty to publish the amounts paid to Members under the Members' Allowance Scheme.

Resolved:

- a That the report be noted.
- b That future reports include a description of the Special Responsibility.

8 Asset Management Plan for the Council's Landlord Stock

The Director of Housing presented a refreshed Asset Management Plan for the Council's Landlord stock for comment and consideration.

Resolved:

That the refreshed Asset Management Plan be considered and approved.

Councillor C Symonds
Chair

Agenda Item No 14

Full Council

28 June 2023

**Report of the
Chief Executive**

Exclusion of the Public and Press

Recommendation to the Board

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 items of business, on the grounds that they involve the likely disclosure of exempt information as defined by Schedule 12A to the Act.

Agenda Item No 15

Confidential Extract of the Minutes of the meeting of Executive Board held On 20 June 2023.

Paragraph 1 – Information relating to an individual; and

Agenda Item No 16

Confidential Extract of the Minutes of the meeting of Special Sub Group held on 26 June 2023.

Paragraph 1 – Information relating to an individual; and

Paragraph 3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information).

In relation to the item 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).