

**MINUTES OF THE MEETING OF THE
NORTH WARWICKSHIRE BOROUGH COUNCIL
HELD AT THE COUNCIL HOUSE
ON WEDNESDAY 27 SEPTEMBER 2023**

Present: Councillor Humphreys in the Chair

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

Apologies for absence were received from Councillors Hayfield, O Phillip and A Wright.

25 Disclosable Pecuniary and Non-Pecuniary Interests

None were declared at the meeting.

26 Minutes of the Meeting of the Council held on 28 June 2023

The minutes of the meeting of the Council held on 28 June 2023 were approved as a correct record and signed by the Mayor.

27 Mayor's Announcements

The Mayor had recently attended a Carers Award Ceremony and the King Richard painting unveiling at the Red Lion Hotel, Atherstone which will be touring around the Country before being placed in a museum. The Mayor had also attended the Motor Show.

The Mayor announced that Norman Henderson, a former Councillor had passed away. Norman was a Councillor for Coleshill North from 1995 to 1999. Councillor Fowler paid a tribute.

28 Questions Pursuant to Standing Order No 7

The following question was received pursuant to Standing Order No 7:-

Dr David Samson:

“Please could Councillors explain why the Council is spending thousands of pounds of North Warwickshire Resident's Council Tax money on applying for an injunction to stop protestors at the Valero Oil terminal site in Kingsbury, especially as the Police already have power to arrest protestors if necessary and the oil company has millions of pounds to spend on protecting their own site?”

The response from Councillor David Wright, Leader of the Council was:-

“I understand completely the frustration that this Council has had to spend considerable resource in dealing with the unacceptable and criminal elements of the protests centred on Kingsbury Oil Terminal. This is not how I, nor I suspect any Councillor here, would have preferred to have spent this money. We are in discussions with central Government to seek to recover these costs.

The background to this case is set out in the report that I asked Officers to bring to the last Executive Board earlier this month. Whilst the oil companies have lots of resources, the main issue here is public safety and as set out in the report the injunctions that oil operators can apply for cannot include a power of arrest. The injunction that the oil company obtained here prior to ours was proving ineffectual because of this. The Police do have a power of arrest for criminal activity but usually have to release people straight away or very shortly afterwards.

As set out in the report, a local authority injunction with a power of arrest is more effective than a civil injunction or the Police’s general powers, in cases such as this. Being prosecuted some months after the event provides little disincentive to highly committed protestors whereas increasing periods of detention under our injunction has proved to be the only effective way to bring these protests under control.”

29 Minutes of Local Development Framework Sub - Committee – 4 July and 11 September 2023

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

Resolved:

That the minutes of the Local Development Framework Sub – Committee held on 4 July and 11 September be approved and adopted.

30 Minutes of the meetings of the Planning and Development Board held on 10 July, 7 August and 4 September 2023.

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

Resolved:

That the minutes of the Planning and Development Board held on 10 July, 11 September and 4 September be approved and adopted.

31 Minutes of Special Sub-Group – 17 July and 15 August 2023

It was proposed by Councillor Clews, seconded by Councillor Jarvis and

Resolved:

That the minutes of the meeting of the Special Sub-Group held on 17 July and 15 August 2023 be approved and adopted.

32 **Minutes of Executive Board – 19 July and 18 September 2023**

It was proposed by Councillor D Wright and seconded by Councillor Gosling that the membership of the Electoral Review Advisory Group be amended to 4 Conservatives, 3 Labour and 1 Dordon Independent and the membership of the Senior Recruitment Sub-Committee be amended to 4 Conservatives, 3 Labour and 1 Dordon Independent.

It was proposed by Councillor D Wright, seconded by Councillor Gosling and

Resolved:

That the minutes of the meeting of the Executive Board held on 19 July 2023 be approved and adopted, subject to .

Resolved:

a External Auditors Report

That the 2020/21 Draft Annual Audit Letter received from the Council's external auditors, Ernst & Young LLP be noted;

b Budgetary Control Report 2023/23 Ended 30 June 2023

That the Budgetary Control Report 2023/23 Period Ended 30 June 2023 be noted;

c Electoral Review – Local Government Boundary Commission

i That the Electoral Review – Local Government Boundary Commission report be noted; and

ii That an Advisory Committee be appointed in order to consider the Borough Council's response to the consultations undertaken by LGBCE as part of this review, with the proposed terms of reference set out at Appendix 1 to the report; and the amendment of the membership to 4 Conservatives, 3 Labour and 1 Dordon Independent

That the minutes of the meeting of the Executive Board held on 18 September 2023 be approved and adopted.

d Capital Programme – 2022/23 Final Position

i **That the level of expenditure incurred to the end of March 2023 against the 2022/23 Revised Capital Programme be noted;**

- ii **That the requests to carry forward schemes identified in column 6 of Appendix A to the report of the Corporate Director – Resources be approved and added to the 2023/24 Capital Programme;**
- e **Budgetary Control Report 2023/24 Period Ended 31 August 2023**

That the Budgetary Control Report 2023/24 Period Ended 31 August 2023 be noted.

As there was disturbance within the public gallery, the Mayor adjourned the meeting for a short period whilst order was restored.

33 The following question was received pursuant to Standing Order No 7 (1):-

Councillor Gosling:

“A year ago tomorrow, in light of the national grief felt by the loss of her late majesty Queen Elizabeth II, this Council voted unanimously to support a motion proposed by myself and seconded by the Leader of the Council.

To honour the outstanding life and legacy of Her late Majesty Queen Elizabeth II and the love and respect felt for her by the people of North Warwickshire by providing a permanent tribute (or collection of tributes), which will be identified following a wide-ranging consultation.

A Member Working Group of five Councillors would be established to oversee this work.

Despite all the emotion of that Evenings speeches, despite what appeared to be a shared ambition to mark the incredible contribution she made and to provide our residents with spaces to celebrate and morn the late queen, no consultation has been initiated, no tributes have been planned or proposed and the ironically named working group seems to not really be working.

On the recent anniversary of Her Majesty's death, having a memorial community spaces or tributes that could have provided solace, a place to remember, to celebrate her many achievements, it could have been a focal point for those in our community who wished to recognise and mark the day, those who still feel the loss. Not actioning this motion has denied our resident that opportunity; it has denied them the opportunity to contribute positively through consultation and community action to create a fitting tribute, a community asset.

Could the council please update the Labour group and the people of North Warwickshire as to when we are likely to see action and whether we shall have achieved this goal by 8 of September 2024 or will this be another missed opportunity?”

The response from Councillor David Wright, Leader of the Council was:-

“I agree with Councillor Gosling that all Members were agreed that the Council should work with partners to create a permanent tribute, or series of tributes, and that objective still remains. There was no suggestion either in the motion nor in the discussion at Full Council that it would be ready for the first anniversary. I am also surprised that if this was Councillor Gosling’s expectation that she has not mentioned it in any meeting since the motion was unanimously agreed.

By way of context, Councillor Gosling may not be aware that the National Memorial Committee has only just been established with its Chairman, Lord Janvrin, appointed on 3 September. The plan is for a national memorial and a national legacy programme to be developed over the coming months, with the memorial not likely to be in place until 2026, in order to mark the 100th anniversary of our late Queen’s birth.

When we discussed this last year, it was suggested that one potential source of funding might be the UK Shared Prosperity Fund or the Rural England Prosperity Fund, neither of which had been confirmed at that point. As Councillor Gosling will be aware as she is on the Shared Prosperity Fund Panel, no schemes have yet been suggested.

However, I do agree that the working group should have met by now and I have asked the Chief Executive to convene this Group to meet hopefully next month. Given the current composition of the Council I would suggest 6 Members – 3 Conservative, 2 Labour and 1 from the Dordon Independent Group. I also agree that, having not received any suggested schemes, the Council should now proactively seek ideas from the public and we will discuss this at the forthcoming annual meeting with the Town and Parish Councils as well as explicitly making it a theme for further funding rounds of the Shared Prosperity scheme. In addition, we will include this in the upcoming consultation on residents’ priorities which will help inform the new Corporate Plan.”

34 Minutes of Community and Environment Board – 8 August 2023

It was proposed by Councillor Bell, seconded by Councillor Fowler and;

Resolved:

That the minutes of the meeting of the Community and Environment Board held on 8 August 2023 be approved and adopted.

35 Minutes of Resources Board held on 5 September 2023

It was proposed by Councillor Symonds, seconded by Councillor Taylor and;

Resolved:

That the minutes of the meeting of the Resources Board held on 5 September 2023 be approved and adopted.

36 Minutes of Standards Committee held on 6 September 2023

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

Resolved:

That the minutes of the meeting of the Standards Committee held on 6 September 2023 be approved and adopted.

37 Notice of Motion under Standing Order No 10

The following Notice of Motion was proposed by Councillor Gosling and Seconded by Councillor Hobley.

“As our residents will face another worrying winter period due to the ongoing cost of living crisis, this Council should take positive practical steps to help. Council is recommended to give delegated powers to the Chief Executive, in consultation with the Leader of the Council and the Leader of the Opposition to create a Financial Hardship Fund with £5,000 per Ward for residents, community groups or organisations to support residents in emergency financial crisis.”

An amendment to the Motion was then proposed by Councillor Bell and Seconded by Councillor Davey

“That this Council refers this matter to the Executive Board to consider holistically the issue of what further financial inclusion work the Council can undertake in order to assess what measures can be put in place to prevent residents falling into financial crisis.”

An amendment to the Notion of Motion was then proposed by Councillor Gosling and Seconded by Councillor Hobley.

“As our residents will face another worrying winter period due to the ongoing cost of living crisis, this Council should take positive and practical steps to help. Council is recommended to give delegated powers to the Chief Executive, in consultation with the Leader of the Council and the Leader of the Opposition to create a Financial Hardship Fund with £5,000 per Ward for residents, community groups, organisations and schools who support residents in financial hardship and that this Council refers this matter to the Executive to consider holistically the issues of what further financial inclusion work this Council can undertake, in order to access what measures can be put into place to prevent our residents falling into financial crisis.”

In accordance with Standing Order No 11(1) the recorded vote on the amendment by Councillor Bell was as follows:

For – Bates, Bell, Clews, Davey, Fowler, Humphreys, Jarvis, Jenns, Reilly, Simpson, Singh, Smith, Symonds, Watson and D Wright.

Against – Barnett, Chapman, Dirveiks, Farrow, Gosling, Hobley, Jackson, Melia, Osborne, Parsons, H Phillips, Ridley, Ririe, Stuart, Taylor and Whapples.

Upon being put to the meeting the Mayor declared the amended Motion, to be lost.

In accordance with Standing Order No 11(1) the recorded vote on the amendment by Councillor Gosling was as follow:

For – Barnett, Chapman, Dirveiks, Farrow, Gosling, Hobley, Jackson, Melia, Osborne, Parsons, H Phillips, Ridley, Ririe, Stuart, Taylor, and Whapples.

Against – Bates, Bell, Clews, Davey, Fowler, Humphreys, Jarvis, Jenns, Reilly, Simpson, Singh, Smith, Symonds, Watson and D Wright.

Upon being put to the meeting the Mayor declared the substantive Motion to be carried.

38 Common Seal

It was proposed by Councillor Fowler and seconded by Councillor Clews 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.

39 Exclusion of the Public and Press

Resolved:

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

40 Exempt Extract of the Planning and Development Board – 10 July 2023

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

Resolved:

That the exempt extract of the minutes of the meeting of the Planning Board held on 10 July 2023 be approved and adopted.

41 Exempt Extract of the Minutes of Special Sub-Group – 17 July and 15 August 2023

It was proposed by Councillor Clews, seconded by Councillor Reilly and

Resolved:

That the exempt extract of the minutes of the meeting of the Special Sub-Group held on 17 July and 15 August 2023 be approved and adopted.

42 Exempt Extract of the Minutes of Executive Board – 19 July and 18 August 2023

It was proposed by Councillor Wright, seconded by Councillor Symonds and

Resolved:

- a That the exempt extract of the minutes of the meeting of the Executive Board held on 19 July 2023 be approved and adopted;**
- b That the Senior Management Recruitment Sub-Committee be re-established with eight Councillors, 4 Conservative, 3 Labour and 1 Dordon Independent with the Chairman of the Executive Board appointed as Chairman;**
- c That the exempt extract of the minutes of the meeting of the Executive Board held on 18 September 2023 be approved and adopted.**

42 Exempt Extract of the Minutes of Standards Committee – 6 September 2023

It was proposed by Councillor Jarvis, seconded by Councillor Fowler

Resolved:

That the exempt extract of the minutes of the meeting of Standards Committee held on 6 September 2023 be approved and adopted.

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