

# **AGENDA**

for

the **ANNUAL MEETING** of the  
Council to be held at

**THE COUNCIL HOUSE  
ATHERSTONE**

on

**17 MAY 2023**

at

**6.30pm**



## North Warwickshire Borough Council

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

The Council House  
South Street  
Atherstone  
Warwickshire  
CV9 1DE

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Date : 9 May 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 17 May 2023 at 6.30pm.

The following business will be transacted:

- 1 Evacuation Procedure.
- 2 To elect the Mayor of the Borough for the ensuing year. (The Mayor will then make a declaration of acceptance of office and the Mayor and Mayoress/Consort will be invested with the Chain and Badge of Office by the retiring Mayor. The retiring Mayor and Consort will then be presented by the Mayor with Past Mayor's and Consorts' Badges).
- 3 Apologies for absence / Members away on official Council business.
- 4 Declarations of Personal or Prejudicial Interest.
- 5 The Mayor to move, in accordance with Standing Order No 6(1):  
**"That the minutes of the Meeting of the Council held on 19 April 2023 be approved as a correct record"**.
- 6 To appoint the Deputy Mayor of the Borough for the ensuing year. (The Deputy Mayor will then make a declaration of acceptance of office and the Deputy Mayor and Deputy Mayoress/Consort will be invested with their Badges of Office by the Mayor).
- 7 To receive the Mayor's announcements.

- 8 To receive the Returning Officer's report upon the 2023 Borough Council Elections (copy herewith).
- 9 (a) To decide, in accordance with Standing Order No 23(2), the number of Members on each of the following for the ensuing year (current numbers in brackets):-
- Executive Board (12)
  - Community and Environment Board (14)
  - Resources Board (12)
  - Planning and Development Board (16)
  - Standards Committee (6)
  - Alcohol & Gambling Licensing Committee (15)
  - Taxi and General Licensing Committee (15)
  - Special Sub-Group (6)
  - Safer Communities Sub-Committee (11)
  - Local Development Framework Sub-Committee (6)
- (b) After considering recommendations from the Leader of the Council and the Leader of the other political group on the Council (to be circulated at the meeting), to appoint Chairmen/Vice-Chairmen, as appropriate, and other Members to the bodies referred to in (a) above;
- (c) After consideration of the recommendations of the Leader of the Council and the Leader of the other political group on the Council, to appoint representatives of the Council to serve on outside bodies, in accordance with Standing Order No 40.
- 10 To receive and consider any Notice of Motion under Standing Order No 10.
- 11 To authorise the Chief Executive, in accordance with Article 13.05 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.

Yours faithfully



Chief Executive

**MINUTES OF THE MEETING OF THE  
NORTH WARWICKSHIRE BOROUGH COUNCIL  
HELD AT THE COUNCIL HOUSE  
ON TUESDAY 19 APRIL 2023**

Present: Councillor T Clews in the Chair

Councillors Bell, Chambers, D Clews, Davey, Dirveiks, Farrow, Gosling, Hancocks, Hayfield, M Humphreys, Jarvis, Jenns, Jordan, Macdonald, McLauchlan, Morson, K Parker, M Parker, Parsons, H Phillips, O Phillips, Reilly, Simpson, Singh, S Smith, Symonds, A Wright and D Wright.

Apologies for absence were received from Councillors D Humphreys, Moss, Osborne and L Smith.

**88 Disclosable Pecuniary and Non-Pecuniary Interests**

None were declared at the meeting.

**89 Minutes of the Meetings of the Council held on 22 February and 21 March 2023**

The minutes of the meetings of the Council held on 22 February and 21 March 2023 were approved as a correct record and signed by the Mayor.

**90 Mayor's Announcements**

The Mayor presented a cheque in the sum of £1,125.50 to Tam Webster, a volunteer from North Warwickshire Veterans – Contact Point, which had been his nominated charity in his year of office.

**91 Questions Pursuant to Standing Order No 7**

No questions had been received.

**92 Minutes of Planning and Development Board – 6 March and 3 April 2023**

It was proposed by Councillor Simpson, seconded by Councillor D Clews and

**Resolved:**

- a That the minutes of the meeting of the Planning and Development Board held on 6 March 2023 be approved and adopted;**

**b Planning Enforcement Plan**

**That the Council's Constitution be changed to reflect the necessary amendments to the Scheme of Delegation;**

**c That the minutes of the meeting of the Planning and Development Board held on 3 April 2023 be approved and adopted;**

**d Government Consultation Planning Fees**

**That the additional funding is ring-fenced for the Planning Service; and**

**e Scheme of Delegation – Enforcement**

**i That the Appendix to the adopted Scheme of Delegation in respect of the Determination of Planning Applications, referring to planning enforcement actions be adopted, and the Constitution be amended accordingly; and**

**ii That the post titles in the existing scheme be amended to match the current Council structure.**

**93 Minutes of Resources Board – 13 March 2023**

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

**Resolved:**

**a That the minutes of the meeting of the Resources Board held on 13 March 2023 be approved and adopted; and**

**b Treasury Management Strategy**

**i That the clauses, set out in paragraph 3.5 of the report of the Corporate Director – Resources, be adopted; and**

**ii That the proposed strategies for 2023/24 be approved.**

**94 Safer Communities Sub-Committee – 16 March 2023**

It was proposed by Councillor Jarvis, seconded by Councillor K Parker and

**Resolved:**

**That the minutes of the meeting of the Safer Communities Sub-Committee held on 16 March 2023 be approved and adopted.**

95 **Minutes of Executive Board – 21 March 2023**

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

**Resolved:**

a **That the minutes of the meeting of the Executive Board held on 21 March 2023 be approved and adopted; and**

b **Pay Policy Statement**

**That the Pay Policy Statement 2023/23 be adopted.**

96 **Minutes of Community and Environment Board – 27 March 2023**

It was proposed by Councillor Bell, seconded by Councillor K Parker and

**Resolved:**

**That the minutes of the meeting of the Community and Environment Board held on 27 March 2023 be approved and adopted.**

97 **Notice of Motion under Standing Order No 10**

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

98 **Common Seal**

It was proposed by Councillor D Wright and seconded by Councillor Morson 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.**

99 **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.**

100 **Confidential Extract of the Minutes of the Council – 21 March 2023**

It was proposed by Councillor T Clews, seconded by Councillor D Wright and

**Resolved:**

**That the confidential extract of the minutes of the meeting of the Council held on 21 March 2023 be approved and adopted.**

101 **Confidential Extract of the Minutes of the Planning and Development Board - 3 April 2023**

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

**Resolved:**

**That the confidential extract of the minutes of the meeting of the Planning and Development Board held on 3 April 2023 be approved and adopted.**

The Mayor thanked Councillors and Officers for their support throughout his mayoral year.

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

## **North Warwickshire Borough Council**

### **Election of Councillors**

#### **Result of Poll – 4 May 2023**

**Set out below are the Councillors elected to North Warwickshire Borough Council**

#### **Arley and Whitacre Ward**

Councillor Jodie Claire Gosling, 92 George Street, Gun Hill, CV7 8GP

Councillor Micheala Louise Jackson, 141 Ansley Common, Ansley Common, CV10 0PR

Councillor Nigel Turley, 11 Hill Top, Gun Hill, New Arley, CV7 8FZ

#### **Atherstone Central Ward**

Councillor Neil Adrian David Dirveiks, 74A Croft Road, Atherstone, CV9 1HQ

Councillor Rachel Margaret Taylor

#### **Atherstone North Ward**

Councillor Ray Jarvis, 45 Witherley Road, Atherstone, Warwickshire, CV9 1LZ

Councillor Mejar Singh, 8 Holte Road, Atherstone, Warwickshire, CV9 1HW

#### **Atherstone South and Mancetter Ward**

Councillor Martin Keith Barnett, 28 Mancetter Road, Atherstone, Warwickshire, CV9 1NZ

Councillor Denise Sandra Clews, Address in North Warwickshire



### **Baddesley and Grendon Ward**

Councillor Bernadette Davey, Address in North Warwickshire

Councillor Andy Wright, Address in North Warwickshire

### **Coleshill North Ward**

Councillor Jane Margaret Farrow, 53 Ravenswood Hill, Coleshill, North Warwickshire, B46 1BN

Councillor Peter John Fowler, Hilltop View, Grimstock Hill, Coleshill, B46 1LE

### **Coleshill South Ward**

Councillor Colin Charles Hayfield, Church Farm, Shawbury Lane, Shustoke, Warwickshire,

Councillor Caroline Symonds, 89 Coventry Road, Coleshill, Birmingham, B46 3EA

### **Curdworth Ward**

Councillor Sandra Anne Smith, Moorash Farm, Bodymoor Heath, Sutton Coldfield, B76 0EE

Councillor Martin Lee Watson, Address in North Warwickshire

### **Dordon Ward**

Councillor Byron John Lewis Melia, 8 New Street, Dordon, Tamworth, Staffordshire, B78 1TQ

Councillor Davina Mary Ridley, Dordon Hall, Dordon Hall Lane, Dordon, B78 1RU

### **Fillongley Ward**

Councillor Mark Simpson, Hubbards Cottage, Bentley Lane, Maxstoke, Warwickshire, B46 2QR

Councillor David Alan Wright, 3 Simmonds Way, Atherstone, Warwickshire, CV9 3AX

### **Hartshill Ward**

Councillor Margaret Bell, Abbey Field, Castle Road, Hartshill, Warwickshire, CV10 0SE

Councillor Katie-Rose Mary Hobley, 25 Meadow Road, Hartshill, Nuneaton, CV10 0NL

### **Hurley and Wood End Ward**

Councillor Hayden Albert Phillips, 31 Wood Street, Wood End, Atherstone, Warwickshire, CV9 2QJ

Councillor Owen George Phillips, 20 Smith Street, Wood End, Atherstone, Warwickshire, CV9 2QP

### **Kingsbury Ward**

Councillor Debbie Bates, 29 Pear Tree Avenue, Kingsbury, B78 2LG

Councillor Andrew Roy Jenns, 23 Mill Crescent, Kingsbury, Tamworth, Staffs, B78 2LX

### **Newton Regis and Warton Ward**

Councillor David John Humphreys, 5 Elms Court, Austrey, Atherstone, Warwickshire, CV9 3SS

Councillor Brynne Elizabeth Ririe, 14 Newborough Close, Austrey, Atherstone, CV9 3EX

### **Polesworth East Ward**

Councillor Neil Henry Chapman, 41 Long Street, Dordon, Tamworth, Staffordshire, B78 1SW

Councillor Dave Parsons, 12 Goodere Drive, Polesworth, Tamworth, Staffs, B78 1BZ

**Polesworth West Ward**

Councillor Michael Edward Osborne, Address in North Warwickshire

Councillor Emma Louise Whapples, Address in North Warwickshire

**Water Orton Ward**

Councillor David Reilly, 4 School Lane, Lea Marston, Sutton Coldfield, B76 0BW

Councillor Steven Guy Stuart, 26 Orton Close, Water Orton, B46 1SY

**Agenda Item No 9**

**Council**

**17 May 2023**

**Report of the Head of Legal Services and  
Monitoring Officer**

**Appointment of Boards,  
Chairpersons / Vice Chairpersons,  
Spokespersons, and  
representatives on outside bodies**

**1 Summary**

- 1.1 This report sets out the requirements for the Council to appoint Boards, and Committees and for deciding the number of members on those bodies in accordance with rules on political balance; along with the appointment of Chairpersons and Vice-Chairpersons for each body, spokespersons and for representatives on outside bodies.

<p><b>Recommendation to the Council</b></p> <p><b>a That Council notes the requirements which apply to making such appointments;</b></p> <p><b>b That Council appoints such bodies and allocates seats to members having regard to the wishes of each political group; and</b></p> <p><b>c That Council makes such appointments to Outside Bodies as it considers appropriate.</b></p>
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**2 Consultation**

- 2.1 The options mentioned below have been discussed with Councillors D Wright and Gosling as Group Leaders. Further discussions will take place with Members and any comments received will be circulated and reported verbally at the meeting.

**3 Report**

**Background**

- 3.1 As detailed elsewhere on this agenda, the May 2023 elections resulted in 17 Conservative Councillors, 15 Labour Councillors and 3 Independent Councillors. The percentage of seats on the Council are therefore as follows:

- 3.1.1 Conservative Group            48.62%
- 3.1.2 Labour Group                    42.90%
- 3.1.3 Independents                    2.86% each (total 8.585).

3.2 Members will be aware that each year at Annual Council various appointments are made to Boards and other bodies, along with the Chairpersons and Vice Chairpersons of those bodies.

3.2 Boards, Committees and Sub-Committees are appointed under the Local Government Act 1972. Details of the number of appointments to each body for the Council year 2022-23 are set out in Appendix A to this report.

...

3.3 Standing Orders set out when and how these appointments are made. Legal rules also apply to appointing Boards, Committees and Sub-committees and representatives to certain outside bodies (but not to Working Parties). These requirements can be summarised as follows:

- (a) Seats on these bodies must be allocated in proportion to the number of seats which each political group holds on the Council overall; and
- (b) When appointing those bodies, the Council must take account of the wishes of each political group when deciding which Members to appoint.

3.4 Regulations state that the wishes of a political group can be expressed:

- (a) Orally in writing by the Leader or Deputy Leader of the political group; or
- (b) In a written statement signed by the majority of the members of the political group.

For that reason, a copy of Appendix A has been sent to each of the current group Leaders so that they may indicate the wishes of their groups when Council considers this report.

3.5 As stated above, seats must be allocated in proportion to the number of seats each political group holds on the Council. The legal principles which must be applied are as follows:

- (a) not all seats on the body are allocated to the same political group;
- (b) the majority of seats on the body is allocated to a political group *if* the number of persons belonging to that group is a majority of the authority's membership;
- (c) subject to (a) and (b) above, the number of seats on the ordinary committees of the authority which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of that authority as is borne by the number of members of that group to the membership of the authority; and

(d) subject to (a) to (c) above, the number of the seats on the body which are allocated to each political group bears the same proportion to the number of all the seats on that body as is borne by the number of members of that group to the membership of the authority.

Council is asked to note that due to the number of members of each group and the rules applying to allocation of seats, there is always a degree of tolerance to these calculations.

3.6 For completeness, Council should note that the Alcohol and Gambling Licensing Committee is established under the Licensing Act 2003 rather than under the 1972 Act so rules on political balance do not apply to it however, it is still a function of the Council to decide which members sit on that Committee. As suggested in a previous report relating to Licensing Committees, it makes practical sense for the same members to sit on both the Alcohol and Gambling Licensing Committee and the Taxi and General Licensing Committee due to the similarity to their roles.

#### 4.0 **Options**

4.1 The first suggestion is that the Independent Councillors are allocated seats on all Boards / Committees even though the law provides that only 'Groups' need seats allocating as it has been this Council's practice to allocate seats to all elected Members. The current overall number of seats allows just under 3 seats on average for each Member and it is therefore suggested that each Independent Councillor be offered 3 seats.

4.2 It has been this Council's practice to offer one of those seats on the 'Policy Boards' (Executive, Resources and Community and Environment) and it is proposed therefore that an Independent Councillor be offered one of the seats on each of those Boards.

4.3 Two seats would need to be offered on either the Planning and Development Board, Special Sub-Group, Local Development Framework Sub Committee, the Licensing Committees, the Standards Committee, and the Safer Communities Sub-Committee. For the avoidance of doubt, that is two seats for each of the Independent Councillors across all of these bodies, and not two seats on any one (nor indeed on all of them). Council is asked to resolve which seats are offered.

4.4 For those Boards on which there is an Independent Member, there are two options, either to allocate the Conservatives, the largest Group, the same number of seats as the Labour and Independents collectively, or to allocate the same number of seats to the Conservatives and Labour, with 1 Independent seat.

4.5 In the first option, the following would be suggested for the Policy Boards:

Executive Board – 6 Conservative, 5 Labour, 1 Independent  
Resources Board – as above

Community and Environment Board – 7/6/1 respectively.

4.6 In the second option, the following would be suggested for the Policy Boards:

Executive Board – 6 Conservative, 6 Labour, 1 Independent (increase to 13 members)

Resources Board – 6 Conservative, 6 Labour, 1 Independent (increase to 13 members)

Community and Environment Board – 7 Conservative, 7 Labour, 1 Independent (increase to 15 members).

5.0 The Council must also make appointments to outside bodies as set out in Appendix B.

## 6. Report Implications

6.1 There are the following implications to the recommendations in this report

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

6.2 There are no resources implications in relation to the proposals in this report.

### **Safer Communities Implications**

6.3 There are no Safer Communities implication in relation to the proposals in this report.

### **Legal and Human Rights Implications**

6.4. The legal implications are set out in the body of this report.

### **Environment and Sustainability Implications**

6.5 There are no Environmental and Sustainability implications to the proposals in this report.

### **Human Resources Implications**

6.6 There are no Human Resources implications to the proposals in this report.

### **Risk Management Implications**

6.7 There are no Risk Management implications to the proposals in this report.

### **Equalities Implications**

6.8 There are no Equalities implications to the proposals in this report.

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

- 6.9 Good governance in decision making supports the Council's Priority of Responsible Financial and Resource Management.

The Contact Officers for this report are Steve Maxey (719438) and Clive Tobin (719251).

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

<b>Background Paper No</b>	<b>Author</b>	<b>Nature of Background Paper</b>	<b>Date</b>



**NORTH WARWICKSHIRE BOROUGH COUNCIL****CONSTITUTION OF BOARDS/COMMITTEES FOR 2023/2024 AND THE APPOINTMENT OF MEMBERS AND THE CHAIRMAN AND VICE-CHAIRMAN THERETO**

<u>Executive Board (12)</u>		<u>Community &amp; Environment Board (14)</u>	
1		1	
2		2	
3		3	
4		4	
5		5	
6		6	
7		7	
8		8	
9		9	
10		10	
11		11	
12		12	
		13	
		14	

<u>Resources Board (12)</u>		<u>Planning and Development Board (16)</u>	
1		1	
2		2	
3		3	
4		4	
5		5	
6		6	
7		7	
8		8	
9		9	
10		10	
11		11	
12		12	
		13	
		14	
		15	
		16	

<u>Alcohol &amp; Gambling Licensing Committee (15)</u>			
1		9	
2		10	
3		11	
4		12	
5		13	
6		14	
7		15	
8			

Taxi and General Licensing Committee (15)

1		9	
2		10	
3		11	
4		12	
5		13	
6		14	
7		15	
8			

Special Sub-Group (6)

1	
2	
3	
4	
5	
6	

Safer Communities Sub-Committee (11)

Local Development Framework Sub-Committee (6)

1		1	
2		2	
3		3	
4		4	
5		5	
6		6	
7			
8			
9			
10			
11			

Standards Committee (6)

1	
2	
3	
4	
5	
6	

### Working Party and Task and Finish Groups

<u>Parking Task and Finish Group</u>		<u>Health and Wellbeing Working Party</u>	
1		1	
2		2	
3		3	
4		4	
5		5	
6		6	

<u>Housing Task and Finish Group</u>		<u>Climate Change Member Group</u>	
1		1	
2		2	
3		3	
4		4	
5		5	
6		6	

<b>*Spokesperson for Health, Wellbeing and Leisure</b>	Spokesperson *Shadow
<b>Lead Councillor no HS2</b>	Spokesperson Shadow
<b>*Young Persons and Safeguarding Champion</b>	Spokesperson *Shadow
<b>Design Champion</b>	Spokesperson Shadow
<b>*Lead Councillor on CCTV</b>	Spokesperson *Shadow
<b>Armed Forces Covenant Member Champions</b>	Spokesperson Shadow
<b>Climate Change Member Champions</b>	Spokesperson Shadow

<b>Leader of the Council</b>	
<b>Deputy Leader of the Council</b>	
<b>Leader of the Opposition</b>	
<b>Deputy Leader of the Opposition</b>	

(\* Appointments that require a Disclosure and Barring Service Check (DBS) – in addition the Mayor and Deputy Mayor will also require a DBS check)

**REPRESENTATION ON OUTSIDE BODIES**

Appointments made for a period of one year expiring in May 2024

<b>Body</b>	<b>Representation</b>	<b>Name</b>
Age UK – Warwickshire	1 plus substitute	Councillor Substitute: Councillor
Beeline Community Car Service	1 plus substitute	Councillor Substitute: Councillor
Birmingham Airport Consultative Committee	1	Councillor
Coleshill Grammar School Endowment Foundation	2	Councillor + 1
Coventry and Warwickshire Joint Committee	1 plus substitute	Councillor Substitute: Councillor
Coventry and Warwickshire Local Enterprise Partnership Board	1	Leader of the Council – Councillor
George Eliot Hospital – Board of Governors	1	Councillor
Hartshill Hayes Country Park Advisory Committee	1 plus substitute	Councillor Substitute: Councillor
JLR Baddesley Liaison Group	2	Councillor Councillor
Local Government Association	1	Leader of the Council – Councillor Substitute: Councillor
Local Government Information Unit	1 plus substitute	Councillor Substitute: Councillor
Middleton Hall Trust	1	Councillor
MIRA Liaison Group	1	Councillor Substitute: Councillor
North Warwickshire Citizens Advice Bureau – Management Committee	1	Mayor
North Warwickshire Community Partnership	3	3 Councillors
North Warwickshire Community Safety Partnership	2	Chairman of the Safer Communities Sub-Committee (Councillor ) and Opposition Spokesperson for Safer Communities (Councillor )
Northern Warwickshire Financial Inclusion Partnership	2	2 Councillors

Central Building Control Partnership	2	2 Councillors
Piccadilly Community Association	1	Councillor
Rowan Organisation	1	Councillor
Safer Warwickshire Partnership Board	1	Chairman of the Safer Communities Sub-Committee (Councillor )
Sherbourne Recycling Limited (Shareholder Representative)	1	Councillor
Stanyer's Charity	2	2 Councillors
Warwickshire County Council – Adult Social Care and Health Overview and Scrutiny Committee	1	Councillor
Warwickshire Health and Wellbeing Board	1	Councillor
Warwickshire Police and Crime Panel	1	Councillor
Warwickshire Waste Partnership	1 plus substitute	Chairman of the Community and Environment Board (Councillor )  Substitute: Vice-Chairman of the Community and Environment Board (Councillor )
West Midlands Combined Authority	1 plus substitute	Councillor Substitute: Councillor