

**To: Leader and Members of the Executive Board
(Councillors Hayfield, Bowden, Fox, Lewis, May,
Moore, Morson, B Moss, Phillips, Simpson,
Smith, Swann, Sweet and Zgraja).**

For the information of other Members of the Council

**For general enquiries please contact
David Harris, Democratic Services Manager,
on 01827 719222 or via e-mail -
davidharris@northwarks.gov.uk.**

**For enquiries about specific reports please
contact the officer named in the reports.**

**The agenda and reports are available in
large print if requested.**

EXECUTIVE BOARD AGENDA

29 NOVEMBER 2010

The Executive Board will meet in the Council Chamber at
The Council House, South Street, Atherstone,
Warwickshire on Monday 29 November 2010 at 6.30 pm.

AGENDA

- 1 Evacuation Procedure.**
- 2 Apologies for Absence / Members away on
official Council business.**
- 3 Declarations of Personal or Prejudicial Interests**

(Any personal interests arising from the
membership of Warwickshire County Council of
Councillors Hayfield, Fox, May, B Moss and Sweet
and membership of the various Town/Parish
Councils of Councillors Fox (Shustoke), Lewis
(Kingsbury), Moore (Baddesley Ensor), B Moss
(Kingsbury), Phillips (Kingsbury) and Zgraja (Over
Whitacre) are deemed to be declared at this
meeting).

- 4 **Minutes of the Meetings of the Board held on 28 June and 14 September 2010** – copies herewith to be agreed as a correct record and signed by the Chairman.
- 5 **Requests for discussion of En Bloc items.**

PART A – ITEMS FOR DISCUSSION AND DECISION

(WHITE PAPERS)

- 6 **2009/10 Annual Audit Letter and 2010/11 Audit Plan** – Report of the Deputy Chief Executive

Summary

This report presents the 2009/10 Annual Audit Letter received from the Council's external auditors, PricewaterhouseCoopers LLP, and also their audit plan for 2011/12.

The Contact Officer for this report is Sue Garner (719374).

- 7 **Comprehensive Spending Review** - Report of the Deputy Chief Executive

Summary

This report identifies the main issues arising from the Comprehensive Spending Review (CSR) and comments on the potential implications for the Council.

The Contact Officer for this report is Chris Brewer (719259)

- 8 **New Homes Bonus** - Report of the Deputy Chief Executive

Summary

The Government has issued a consultation paper on the New Homes Bonus. Closing date for comments is 24 December 2010. This report outlines the main issues in the consultation and authorises the Deputy Chief Executive to formulate a response in consultation with the leader of the Council and the Leader of the Opposition.

The Contact Officer for this report is Chris Brewer (719259)

- 9 **High Speed 2 - HS2** - Report of the Assistant Chief Executive and Solicitor to the Council

Summary

This report outlines the current situation in relation to the proposed construction of a high speed railway line called HS2. The report outlines the

current information and how the suggested route will affect North Warwickshire.

The Contact Officer for this report is Dorothy Barratt (719250)

PART B – ITEMS FOR EN BLOC DECISIONS (YELLOW PAPERS)

- 10 **Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April 2010 – September 2010** - Report of the Chief Executive and the Deputy Chief Executive.

Summary

This report informs Members of the actual performance and achievement against the Corporate Plan and Performance Indicator targets relevant to the Executive Board for the period April 2010 to September 2010.

The Contact Officer for this report is Robert Beggs (719238).

- 11 **Meetings Timetable 2011/12** – Report of the Chief Executive.

Summary

The purpose of this report is to approve a timetable of meetings for 2011/12.

The Contact Officer for this report is David Harris (719222)

- 12 **Officer/Member Protocol** - Report of the Assistant Chief Executive and Solicitor to the Council

Summary

The purpose of the report is to consider a draft Officer/Member Protocol.

The Contact Officer for this report is Steve Maxey (719438)

- 13 **Petitions Scheme** - Report of the Assistant Chief Executive and Solicitor to the Council

Summary

This report informs Members of the need for the Council to adopt a Petitions Scheme and seeks approval for the scheme proposed.

The Contact Officer for this report is Steve Maxey (719438)

- 14 **Extension to Sick Pay** - Report of the Assistant Director (Finance and Human Resources) to follow

Summary

The Board is asked to consider whether or not to continue the extension to sick pay scheme

The Contact Officer for this report is Janis McCulloch (719236).

- 15 **Policy for Relocation Expenses** - Report of the Assistant Director (Finance and Human Resources)

Summary

This report updates the existing relocation expenses policy, which was originally written in 2002.

The Contact Officer for this report is Janis McCulloch (719236).

- 16 **Review of Polling Districts, Polling Places and Polling Stations** – Report of the Chief Executive

Summary

The Council is invited to approve the polling districts and polling places scheme for North Warwickshire.

The Contact Officer for this report is David Harris (719222).

- 17 **Budgetary Control Report 2010/11 Period Ending 31 August 2010** - Report of the Assistant Director (Finance and Human Resources)

Summary

The report covers revenue expenditure and income for the period from 1 April 2010 to 31 August 2010. The 2010/2011 budget and the actual position for the period, compared with the estimate at that date, are given, together with an estimate of the out-turn position for services reporting to this Board.

The Contact Officer for this report is Nigel Lane (719371).

- 18 **Equality Act Update** - Report of the Assistant Chief Executive and Solicitor to the Council

Summary

This briefing sets out the main elements in the Equality Act 2010 and updates Members on the Council's overall approach to improving equality and diversity. The work will support the delivery to improve equity and equality of opportunity for all through our service delivery and as an employer.

The Contact Officer for this report is Simon Weaver (719331).

- 19 **Section 106 Agreements –Variations** – Report of the Assistant Chief Executive and Solicitor to the Council and the Head of Development Control

Summary

This report provides a draft paper, at the request of the Board, outlining the options that the Council could consider to increase flexibility in Section 106 Agreements as a consequence of the current economic conditions.

The Contact Officer for this report is Dorothy Barratt (719250).

- 20 **Local Growth – White Paper from the Department for Business Innovation and Skills** - Report of the Assistant Chief Executive and Solicitor to the Council

Summary

This report informs Members of the above White Paper.

The Contact Officer for this report is Steve Maxey (719438)

- 21 **Corporate Plan Targets – Planning and Development Board** - Report of the Assistant Chief Executive and Solicitor to the Council

Summary

This report informs Members of changes to Corporate Plan Targets suggested by the Planning and Development Board

The Contact Officer for this report is Steve Maxey (719438)

**PART C - EXEMPT INFORMATION
(GOLD PAPERS)**

- 22 **Exclusion of the Public and Press**

Recommendation:

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.

- 23 **Minutes of the meeting of the Special Sub-Group held on 1 November 2010 copy herewith and 22 November 2010 to be circulated at the meeting, to be received and noted.**

- 24 **Shared Legal Services** - Report of the Assistant Chief Executive and Solicitor to the Council

The Contact Officer for this report is Steve Maxey (719438)

JERRY HUTCHINSON
Chief Executive

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE EXECUTIVE BOARD

28 June 2010

Present: Councillor Hayfield in the Chair

Councillors Fox, Lewis, May, Moore, Morson, B Moss, Phillips, Simpson, Smith, Swann and Sweet.

Councillors Butcher, Davis, Forwood, Fox, Johnston, Lea and Winter were also in attendance.

1 **Declarations of Personal or Prejudicial Interest.**

Any personal interests arising from the membership of Warwickshire County Council of Councillors Fox, Hayfield, May, B Moss and Sweet and membership of the various Town/Parish Councils of Councillors Fox (Shustoke), Lewis (Kingsbury), Moore (Baddesley Ensor), B Moss (Kingsbury) and Phillips (Kingsbury) were deemed to be declared at this meeting.

2 **Minutes of the meeting of the Board held on 19 April 2010.**

The minutes of the meeting of the Board held on 19 April 2010, copies having been circulated, were approved as a correct record and signed by the Chairman.

3 **Capital Programme – 2009/10 Final Position**

The Assistant Director (Finance and Human Resources) updated Members on the final position of the 2009/10 Capital Programme and highlighted those schemes which had not progressed as quickly as expected and which were recommended to be carried forward into the 2010/11 Capital Programme.

Recommended:

- a **That the level of expenditure incurred (both actual and committed) to the end of March 2010 against the 2009/10 Revised Capital Programme be noted;**
- b **That the committed expenditure be agreed as slippage to be carried forward into the 2010/11 Capital Programme;**
- c **That it be noted that the additional Disabled Facility Grant of £86,800 has been received, and that the request of the Assistant Director (Housing) to use this to increase the DFG budget in the 2010/11 Capital Programme be approved; and**

- d That an increase in the Borough Care Lifelines Budget of £6,000 be approved.**

4 Annual Governance Statement 2009/10

The Director of Resources reported on the Annual Governance Statement setting out the arrangements the Council had put in place for the governance of its affairs and facilitating the effective exercise of its functions, including arrangements for the management of risk. Members were asked to approve the Statement and Improvement Plan.

Recommended:

- a That the Annual Governance Statement for 2009/10, attached as Appendix A to the report of the Director of Resources be approved; and**
- b That the Improvement Plan, attached as Appendix B to the report be approved and progress against the plan be reported to Board.**

5 Financial Statement 2009/10

The Director of Resources submitted the Annual Financial Statements for 2009/10 for approval.

Resolved:

That the Financial Statements 2009/1009 be approved subject to audit.

6 Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April 2009 to March 2010

The Chief Executive reported on the progress with the achievement of the Corporate Plan and Performance Indicator targets applicable to Executive Board for April 2009 to March 2010.

Resolved:

That the report be noted.

7 Housing Finance Reform

The Director of Resources reported that the Department of Communities and Local Government (DCLG) had issued a consultation paper on proposals to reform the Housing Finance System. Members were informed of the potential implications for the Council and asked to endorse a proposed response.

Recommended:

That the proposed response to the DCLG, attached as Appendix C to the report of the Director of Resources, be agreed as the Council's response to the consultation paper on Housing Finance Reform.

[Note: This minute was considered and agreed by the Full Council at its meeting on 28 June 2010].

8 Powers Delegated to the Director of Community and Environment

The Assistant Chief Executive and Solicitor to the Council sought approval to changes in delegated powers following the retirement of the Director of Community and Environment.

Recommended:

That the changes in the delegated powers as detailed in the report of the Assistant Chief Executive and Solicitor to the Council be approved and the Constitution be amended accordingly.

9 Issues for Local Authorities Arising from the Change of Government

The Chief Executive circulated a list of some of the issues arising from the change of Government which may affect the Council.

Resolved:

That the list be circulated to all Members of the Council and updates provided as things progress.

10 Information Security Policy 2010-2012

The Assistant Director (Corporate Services) sought approval for the Council's Information Security Policy for the period 2010 - 2012.

Recommended

That the Information Security Policy be continued without the changes recommended in the report of the Assistant Director (Corporate Services).

11 Budgetary Control Report 2010/2011 Period Ended 31 May 2010

The Assistant Director (Finance and Human Resources) reported on the revenue expenditure and income for the period from 1 April 2010 to 31 May 2010. The 2010/2011 budget and the actual position for the period, compared

with the estimate at that date, were given, together with an estimate of the out-turn position for services reporting to the Board.

Resolved:

That the report be noted.

12 Capital Accounts 2009/10

The Board was informed that the Capital Accounts for 2009/10 had been prepared. Members were invited to approve the methods of funding used. A revised Appendix A was circulated at the meeting.

Recommended:

That the methods of funding to meet capital expenditure incurred in 2009/10 be approved.

13 Earmarked Reserves 2009/10

The Director of Resources reported on the level of reserves at 31 March 2010. Members were asked to approve the proposed use of reserves in 2010/11.

Recommended:

That the reserves held at 31 March 2010, and the planned use of reserves in 2010/11 be approved.

14 Value for Money Efficiency Update 2009/10

The Director of Resources reported on the details of the Council's Value For Money (VFM) efficiency achievements in 2009/10. It also detailed the progress made against the 2009-10 VFM Action Plan and proposed a new VFM Action Plan for 2010-11.

Recommended:

- a That the VFM Efficiency gains for 2009/10 to be reported to the CLG, as shown in Appendix A to the report of the Director of Resources be agreed;**
- b That the progress made against the 2009-10 VFM Action Plan be noted; and**
- c That the VFM Action Plan for 2010-11, as shown in Appendix B, be approved.**

15 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 Schedule 12A to the Act.

16 Minutes of the meetings of the Special Sub-Group held on 19 April, 17 May and 24 May 2010

i) Meeting held on 24 May 2010 Minute No 2 – Exclusion of the Public and Press.

It was agreed that the following be added at the end of the minute “save for the car park report”.

Resolved:

That, subject to the amendment at i) above, the minutes of the meetings of the Special Sub-Group held on 19 April, 17 May and 24 May 2010 be agreed.

C Hayfield
Chairman

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE EXECUTIVE BOARD

14 September 2010

Present: Councillor Hayfield in the Chair

Councillors Fox, May, Moore, Morson, B Moss, Phillips, Smith, Swann, Sweet and Zgraja.

Apologies for absence were received from Councillors Bowden, Lewis and Simpson.

17 **Declarations of Personal or Prejudicial Interest.**

Any personal interests arising from the membership of Warwickshire County Council of Councillors Fox, Hayfield, May, B Moss and Sweet and membership of the various Town/Parish Councils of Councillors Fox (Shustoke), Moore (Baddesley Ensor), B Moss (Kingsbury), Phillips (Kingsbury) and Zgraja (Over Whitacre) were deemed to be declared at this meeting.

18 **External Auditors Report**

The Deputy Chief Executive submitted a report informing Members of changes to the 2009/10 Statement of Accounts following the audit and the External Auditors' report to those charged with governance.

In addition there was also a report from the External Auditors on grant work undertaken relating to 2008/09

Alison Breedon and Leon Mayfield from PricewaterhouseCoopers were in attendance at the meeting and presented their report on which Members asked a number of questions.

Resolved:

That the contents of the External Auditors' report be noted.

19 **Corporate Plan 2011/12 – Key Corporate Issues**

The Chief Executive drew Members' attention to the key corporate issues facing the Council over the next 18 months and sought Members' agreement to addressing those issues during the formulation of the 2011/12 Budget and Corporate Plan.

Recommended:

That the issues raised in the report of the Chief Executive are the main areas which should be considered for inclusion in the 2011/12 Corporate Plan.

20 Consultation on Formula Grant Distribution

The Deputy Chief Executive reported that the Department of Communities and Local Government had issued a consultation paper regarding how formula grant was distributed to Local Authorities. The Board was to consider a draft response.

Recommended:

That the draft response be approved.

21 Financial Strategy 2011-15

The Deputy Chief Executive submitted a report summarising the Authority's Financial Strategy, projected forward the Authority's General Fund budgets to 2014/15, and suggested a detailed budget approach for the 2011/12 General Fund Budget.

Recommended:

- a That the Financial Strategy shown as Appendix A to the report of the Deputy Chief Executive be approved;**
- b That the General Fund budget projections for 2011/12 to 2014/15 be noted;**
- c That the budget approach, set out in paragraph 13.1 and 13.2 of the report, be adopted; and**
- d That growth bids be assessed according to the criteria set out in 9.2 of the report.**

22 Progress Report on Achievement of Corporate Plan and Performance Indicator Targets – April to June 2010

The Chief Executive and the Deputy Chief Executive reported on the actual performance and achievement against the Corporate Plan and Performance Indicator targets relevant to Executive Board for the first quarter of 2010/11 from April to June.

Resolved:

That the report be noted.

23 Policing in the 21st Century: Reconnecting Police and the People

The Chief Executive reported on a national consultation by the Coalition Government on plans for policing reform and Members were asked to agree a suggested course of action. Members were of the view that the response should emphasise that local Community Safety Partnerships on Borough boundaries were effective, reflected local priorities and should be retained.

Recommended:

- a That the report be noted; and**
- b That following consultation with the Chairman, the Opposition Spokesperson and the Portfolio Holder and Shadow Portfolio Holder for Safer Communities, the Chief Executive be authorised to prepare a response to the Policing in the 21st Century: Reconnecting Police and the People consultation taking account of the views expressed at the meeting.**

24 Interim Planning Policy Statement

The Assistant Chief Executive and Solicitor to the Council reported on the recent changes to the Planning system and set out the Borough Council's planning policy stance in order to give clarity to residents, landowners, developers and other stakeholders on how the Council would consider development proposals. A Draft Interim Planning Policy Statement had been prepared and would be taken into account as a relevant material consideration in determining planning applications.

Recommended:

- a That the Draft Interim Planning Policy Statement be approved for consultation;**
- b That representations be brought back to Board;**
- c That the Interim Planning Policy Statement be considered as a material planning consideration; and**
- d That the Statement be kept under review as further changes are announced.**

25 Review of Area Forum Working

The Assistant Chief Executive and Solicitor to the Council reported on a review of Locality/Area Forum working conducted by Warwickshire County Council. The County Council had asked for comments and Members were asked to agree a suggested response. Members discussed ways in which forum meetings could be made more effective and inclusive.

Recommended:

That the draft response be endorsed.

26 Local Enterprise Partnerships

The Chief Executive reported on the abolition of Regional Development Agencies and proposals for their replacement with Local Enterprise Partnerships.

Recommended:

That the report be noted and the action of the Chief Executive, including the specific action taken since the report was prepared in relation to the cross boundary arrangements with Hinckley and Bosworth and Nuneaton and Bedworth, be endorsed.

27 Review of Polling Districts, Polling Places and Poling Stations

The Board was invited to agree a process for the review of polling districts, polling places and polling stations in accordance with the Electoral Administration Act 2006.

Recommended:

That the Chief Executive be authorised to carry out a review of polling districts, polling places and polling stations in consultation with relevant Ward Councillors and other stakeholders and a report be submitted to Full Council following completion of the review.

28 Value for Money Efficiency Update

The Deputy Chief Executive reported on the Council's Value for Money efficiency achievements to date in 2010/11.

Recommended:

That the progress made against the 2008-11 Value for Money and Efficiency target be noted.

29 Budgetary Control Report 2010/11 – Period Ended 31 August 2010

The Assistant Director (Finance and Human Resources) reported on the revenue expenditure and income for the period from 1 April 2010 to 31 August 2010. The 2010/2011 budget and the actual position for the period,

compared with the estimate at that date, were given, together with an estimate of the out-turn position for services reporting to the Board.

Resolved:

That the report be noted.

30 Warwickshire County Council Overview and Scrutiny Board – Co-Opted Member

The Board was invited to consider a replacement for Councillor Davis as the co-opted Member on the County Council's Overview and Scrutiny Board.

In addition a request had been received from Councillor Phillips, Leader of the Labour Group, to change one of his representatives on the Environment Portfolio Group.

Recommended:

- a That Councillor Bowden be appointed as this Council's representative on the County Council's Overview and Scrutiny Board; and**
- b That Councillor Neil Dirveiks replace Councillor Pickard on the Environment Portfolio Group.**

31 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 Schedule 12A to the Act.

32 Minutes of the meetings of the Special Sub-Group held on 5 July and 9 August 2010

The minutes of the meetings of the Special Sub-Group held on 5 July and 9 August 2010 were received and noted.

C Hayfield
Chairman

Agenda Item No 6

Executive Board

29 November 2010

**Report of the
Deputy Chief Executive**

**2009/10 Annual Audit Letter and
2010/11 Audit Plan**

1 Summary

- 1.1 This report presents the 2009/10 Annual Audit Letter received from the Council's external auditors, PricewaterhouseCoopers LLP, and also their audit plan for 2011/12.

Recommendation to the Board

That the reports presented as Appendices A and B be noted.

2 Report

- 2.1 The Council's external auditors, PricewaterhouseCoopers LLP, have summarised the work they undertook relating to the 2009/10 financial year in an annual audit letter. This is attached as Appendix A. They have also prepared an audit plan for work to be undertaken relating to the 2010/11 financial year, and this is attached as Appendix B.

3 Report Implications

3.1 Finance and Value for Money Implications

- 3.1.1 Budget provision for external audit costs has been made in both years. The auditors review the financial arrangements of the Council, including an assessment of the council's use of resources in terms of economy, efficiency and effectiveness.

3.2 Risk Management Implications

- 3.2.1 An external audit process provides some assurance over the Council's internal control system, and highlights any areas where improvements could be made.

The Contact Officer for this report is Sue Garner (719374)

Government and Public Sector

North Warwickshire Borough Council

2009/10 Annual Audit Letter - DRAFT

November 2010

The Members
North Warwickshire Borough Council
Council Offices
South Street
Atherstone
Warwickshire
CV9 1DE

15 November 2010

Ladies and Gentlemen

We are pleased to present our Annual Audit Letter summarising the results of our 2009/10 audit. We look forward to presenting it to members on 29 November 2010.

We would like to thank all staff with whom we have had contact for their help and assistance throughout the course of our work during 2009/10.

Yours faithfully

PricewaterhouseCoopers LLP
Encs

Code of Audit Practice and Statement of Responsibilities of Auditors and of Audited Bodies

The 'Statement of Responsibilities of Auditors and of Audited Bodies' issued by the Audit Commission in April 2008 applies to our 2009/10 audit of North Warwickshire Borough Council under the Code of Audit Practice for Local Government Bodies issued by the Audit Commission in July 2008. A copy of the Statement is available from the Chief Executive of North Warwickshire Borough Council. The purpose of the Statement is to assist auditors and audited bodies by explaining where the responsibilities of auditors begin and end and what is expected of the audited body in certain areas. Our reports and letters are prepared in the context of this Statement and the Code of Audit Practice. Reports and letters prepared by appointed auditors and addressed to members or officers are prepared for the sole use of the audited body and no responsibility is taken by auditors to any Member or officer in their individual capacity or to any third party.

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Introduction

The purpose of this letter

The purpose of this letter is to provide a high level summary of the results of the 2009/10 audit work we have undertaken at North Warwickshire Borough Council (“the Authority”) that is accessible for members and other interested stakeholders.

We have already reported the detailed findings from our audit work to those charged with governance (the Council's Executive Board) in the following reports:

- report on the results of our audit of the 2009/10 financial statements under the requirements of the International Standard on Auditing (ISA) (UK and Ireland) 260; and
- our audit opinion on the 2009/10 financial statements, incorporating our conclusion on the Council's use of resources.

The matters reported here are those that we consider are most significant for the Authority.

Scope of work

Our audit work is conducted in accordance with the Audit Commission's Code of Audit Practice, International Standards on Auditing (UK and Ireland) and other guidance issued by the Audit Commission.

The Authority is responsible for preparing and publishing its financial statements, including the Annual Governance Statement. It is also responsible for putting in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources.

As auditors we are responsible for:

- forming an opinion on the financial statements;
- reviewing the Authority's Annual Governance Statement;
- forming a conclusion on the arrangements that the Authority has in place to secure economy, efficiency and effectiveness in its use of resources; and
- undertaking any other work specified by the Audit Commission.

Audit findings

Accounts

We audited the Authority's accounts in line with International Standards on Auditing (UK & Ireland) and issued an unqualified report on 16 September 2010.

The key issues from our audit are discussed below.

Accounting issues

As might be expected, the audit process identified some issues around the adequacy of disclosures within the financial statements, where we believed amendments to the accounts would enhance their accuracy and usefulness to the reader and the Authority agreed to process these amendments accordingly.

The adjustments to the 2009/10 financial statements reduced the surplus on the Authority's Income and Expenditure Account by £1.1 million. However, it is important to note that this had no impact on the Authority's General Fund balance for the year, and therefore no impact for Council Tax payers.

Only one of these adjustments was considered to be significant enough to require reporting to members in our report on the financial statements. This adjustment related to an error in accounting entries for grant funding relating to two schemes: Play Builder and Housing New Build. The Authority had recognised, in error, the total value of grant receivable for these schemes (£1.1 million) within the Income and Expenditure Account, rather than the amount equivalent to expenditure incurred on these schemes during 2009/10 (£0.07 million). The Finance Team corrected the error within the revised financial statements resulting in a reduction in the surplus reported in the Income and Expenditure Account for 2009/10 of £1 million. In accordance with recommended accounting practices this transaction was reversed out through the Statements of Movement of General Fund Balances negating the impact for Council Tax payers.

There were no misstatements identified during the course of our audit, which remained unadjusted.

Accounting systems and systems of internal control

We are required to report to any material weaknesses in the accounting and internal control systems identified during our audit. No material weaknesses were identified during our audit work. A small number of minor control weaknesses were identified these were reported to the Director of Resources in our Interim Controls Letter dated 30th June 2010.

Payroll processing

Since April 2009, the processing of the Authority's payroll has been outsourced to Warwickshire County Council. As a result Warwickshire County Council is responsible for controls over access to and the outputs from the Authority's payroll. However, at the time of completing our audit a Service Level Agreement setting out the scope of service provision, respective roles and responsibilities or assurance arrangements did not exist between the two parties.

In our report on the financial statements we highlighted this as an area needing immediate attention and we are informed that an Agreement between the two parties has now been signed.

Conclusion on Use of Resources

We were required to issue a conclusion on the adequacy of the Authority’s arrangements for ensuring economy, efficiency and effectiveness in its use of resources.

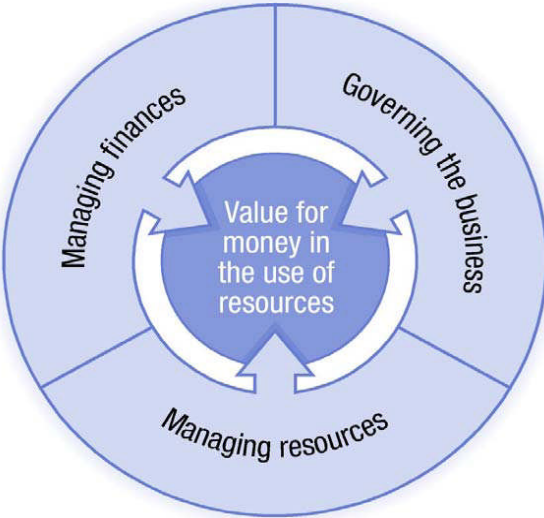
We issued an unqualified conclusion on the Authority’s arrangements for its use of resources on 16 September 2010.

Comprehensive Area Assessment

Following the Government’s announcement to abolish the Comprehensive Area Assessment (CAA) all work on Use of Resources ceased at the end of May 2010. Therefore, we did not complete this work as planned but provide a summary below of significant findings from Use of Resources work completed before the Government’s announcement. However, we stress that the comments below are based on our interim findings as at the end of May 2010 and do not constitute a full formal Use of Resources Assessment. Our findings were not moderated on a local or national basis with other local authorities given the decision to halt any work in this area.

We completed the fieldwork in relation to our indicative assessment in March and April 2010. Indicative scores were submitted to the Audit Commission on 20 April 2010.

The Use of Resources assessment reviewed the Authority’s arrangements against specified Key Lines of Enquiry (KLoEs). These are grouped into three themes, which form the Use of Resources framework. This is illustrated below. The assessment focused on the Authority’s achievements, outputs and outcomes, rather than the Authority’s processes.



Our initial work revealed that improvements had been made in a number of areas to strengthen both governance and financial arrangements. In summary, the Authority has continued to demonstrate good financial management by spending within its available resources and maintaining appropriate levels of reserves but has made better use of information to target hard to reach groups and to identify areas for future savings or improved service provision. Governance arrangements within the Authority continue to be developed with increased focus on member training in the past year and maintained focus on anti-fraud and corruption measures.

Financial Management

The Authority has continued to demonstrate a strong level of financial performance. For several years the Authority has exceeded its internally set savings targets.

A robust approach has been used to review the medium term financial position in light of the economic downturn. Both officers and members from across the organisation have been consulted as part of this process, although this is an area which will require continued focus as the level of savings required and the outcome of the Comprehensive Spending Review materialise.

Overall performance, as measured internally against the Authority's seven strategic priorities, has continued to be positive, an example of progress being investment in the Housing Direct Works team leading to an improvement in customer satisfaction and productivity. Customer satisfaction in general is comparatively higher than other similar authorities.

During the year the Authority has continued to make better use of information to target those who need its services. The *Mosaic* system has enabled the Authority's Branching Out Bus (BOB), to target hard to reach groups in the Borough.

The Authority has demonstrated an eagerness to employ "lean-thinking" across the Authority to provide value for money. The Authority is pro-active in seeking benchmarking information and uses this to complete internal self assessments of performance through Board reports and analysis. A structured approach has been taken, through the Officer Savings Group, to critique potential saving plans.

The Authority consistently produces financial reports to a good standard and within agreed timescales. Minimal amendments are required between draft and final accounts and there have been no unadjusted misstatements for a number of years. Good progress has been made for the transition to International Financial Reporting Standards (IFRS) and the Authority is currently on target to produce an IFRS compliant set of accounts in June 2011.

Governing the Business

There is a culture within the Authority to benchmark both service delivery and cost of delivery against neighbouring authorities.

As highlighted above, the Authority has continued to use data to better define service provision and in planning cost savings. Examples of this in 2009/10 included the analysis of usage of the Authority's sports centres and monitoring the use of refuse vehicles using GPS technology.

The Authority's approach to savings has predominantly been driven by the restructuring and streamlining of services, but further scope exists to examine the Authority's approach to purchasing and commissioning of services in order to achieve better value for money. The Authority has developed a new Procurement and Commissioning Strategy for the period 2010/11 to 2012/13. Through the implementation of this Strategy the Authority intends to have a more targeted approach to procurement in the future.

A sound system of internal control is in place, with checks built into systems. Where possible these are automated.

The Authority's approach to fraud is clearly set out and a Whistleblowing Policy is publicised within the Authority and is accessible on the Authority's website.

The Authority provides a full range of training and development opportunities for members and the Corporate Management Team. Members have been consulted on training needs and the results have been used to plan member training accordingly. This still needs to be fully embedded but is a positive step toward ensuring all members are supported to enable them to fulfil their responsibilities.

Following the decline in economic conditions, there has been an increased level of reporting of financial position, and capital projects. The Authority has been pro-active in evaluating the Medium Term Financial Plans and in reporting on the future financial position to members.

Managing resources

The only area for assessment in 2010 under the Managing Resources theme was how the Authority is making effective use of its natural resources. The Authority has adopted a Carbon Management Action Plan and Strategy. These documents set out the Authority's long and medium term goals for using use of natural resources, as well as annual targets for the short term. The plans cover water, waste and energy usage and link to the Authority's other Corporate Strategies.

The Authority is working well with other partners in relation to the management of the environmental risks it faces.

Whilst good progress has been made in determining the Authority's impact on the environment, work should continue to understand the Authority's baseline position for its use of natural resources.

Approach to Use of Resources work from 2010/11

The Audit Commission has reviewed its work programme for 2010/11 onwards. As part of this exercise, the Commission have been discussing possible options for a new approach to local use of resources audit work with key national stakeholders.

From 2010/11 we will therefore apply a new, more targeted approach to our local use of resources audit work. This will be based on a reduced number of reporting criteria specified by the Audit Commission, concentrating on:

- securing financial resilience; and
- prioritising resources within tighter budgets.

We will determine a local programme of audit work based on our audit risk assessment, informed by these criteria and our statutory responsibilities. We will no longer make annual scored judgements, instead we will report the results of all the audit work and the key messages to you in our reports to those charged with governance.

Annual Governance Statement

Local Authorities are required to produce an Annual Governance Statement (AGS) which is consistent with guidance issued by CIPFA / SOLACE. The Authority's AGS was included in the 2009/10 financial statements.

We reviewed the AGS to consider whether it complied with the CIPFA / SOLACE guidance and whether it is misleading or inconsistent with other information known to us from our audit work. No significant issues were identified from our review of the AGS.

Financial Standing

The Authority reported a surplus of £1.4 million in the Income and Expenditure Account for 2009/10. After adjustments for statutory accounting the Authority increased the General Fund balance and earmarked reserves. The following table details the movement in usable reserve balances during 2009/10.

	31/03/2010 (£'000)	31/03/2009 (£'000)	Movement (£'000)
General Fund	2,336	2,104	232
Earmarked Revenue Reserves	3,974	3,524	450
Total Revenue Reserves	6,310	5,628	682
Usable Capital Receipts	2,664	3,292	-628
Earmarked Capital Reserves	471	839	-368
Total Capital Reserves	3,135	4,131	-996
Housing Revenue Account Balance	670	517	153
Total	10,115	10,276	-161

The table above shows that during 2009/10 the Authority's revenue reserves increased by £0.7 million whilst the Authority's Capital Reserves decreased by £1 million. The Authority's Housing Revenue Account increased to £0.7 million from £0.5 million.

The reduction in capital reserves can be attributed to a reduction in the sales of Authority assets generating proceeds for future use. This is a situation not unique to the Authority and is reflective of the current economic uncertainties.

In September 2009, the Executive Board approved the Financial Strategy for the Authority for the period 2010/2013. The Authority's Financial Strategy continues to be based upon maintaining a minimum level of General Fund balances of £1 million over the medium-term, and growth, savings and service budget requirements are all determined taking this factor into account.

Following the Government's Comprehensive Spending Review in October 2010, officers have reconsidered the Financial Strategy and now estimate that future savings of up to £2 million may need to be made over the medium term. The Authority is continuing work to understand the impact of likely external funding changes on the level of savings required. The control of in-year cost pressures will be fundamental going forward given the significant additional financial challenges the Authority now faces. Tough decisions on the level of services provided will need to be made if the Authority is to avoid depleting its reserves.

Matters for future accounting periods

Transition to International Financial Reporting Standards (IFRS)

The Code of Practice on Local Authority Accounting in the United Kingdom 2010. will apply to next year's financial statements. The new Code is the first to be prepared under IFRS.

The Authority needs to ensure that it has a good grasp of the changes to accounting requirements under the new Code. The Authority should now have systems in place to collect and process the information needed to prepare IFRS based accounts and should at this stage be well progressed with preparation of comparative information as at 1 April 2010 for next year's financial statements.

The Audit Commission recently requested we conduct an assessment of the Authority's preparedness for transition to International Financial Reporting Standards (IFRS). We assessed the Authority as 'green' indicating that, at this stage, we believe the Authority is progressing well with the transition process to IFRS.

In our experience the key features of a successful IFRS conversion project have proven to be:

- a completed impact analysis and comprehensive conversion plans;
- the commitment of key stakeholders in the organisation;
- operational steering and technical groups;
- oversight by members;
- regular progress reporting against an Implementation Plan;
- the necessary project management resources; and
- appropriate and timely training for all members and officers with IFRS involvement.

Clarity International Standards on Auditing (UK & Ireland)

We will be required to apply Clarity International Standards on Auditing (ISAs) for UK and Ireland to next year's accounts audit for the first time.

The Clarity ISAs overhaul existing auditing standards, both improving clarity of existing standards and introducing new requirements designed to improve audit quality and financial reporting.

A number of standards have been completely revised. There will be approximately one-third more explicit requirements in the standards applying to our audit next year.

The actual impact on cost of our audit will depend on a variety of factors, including how effectively the Finance Team are able to obtain additional information needed to enable us to perform the required procedures.

Government and Public Sector

North Warwickshire Borough Council

2010/11 Audit Plan - DRAFT
November 2010

PricewaterhouseCoopers LLP
Cornwall Court
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Birmingham
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18 November 2010

The Members
North Warwickshire Borough Council
Council Offices
South Street
Atherstone
Warwickshire
CV9 1DE

Ladies and Gentlemen,

We are pleased to present to you our 2010/11 Audit Plan, which includes an analysis of key risks, our audit strategy, reporting and audit timetable and other matters. Discussion of our Plan with you ensures that we understand your concerns and that we agree on our mutual needs and expectations to provide you with the highest level of service quality. Our approach is responsive to the many changes affecting North Warwickshire Borough Council

If you would like to discuss any aspect of our Audit Plan please do not hesitate to contact either Alison Breadon or Leon Mayfield.

Yours faithfully,

PricewaterhouseCoopers LLP

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In March 2010 the Audit Commission issued a revised version of the 'Statement of Responsibilities of auditors and of audited bodies'. It is available from the Chief Executive of each audited body and on the Audit Commission's [website](#).

The purpose of the Statement is to assist auditors and audited bodies by explaining where the responsibilities of auditors begin and end and what is to be expected of the audited body in certain areas.

Our reports are prepared in the context of this Statement. Reports and letters prepared by appointed auditors and addressed to members or officers are prepared for the sole use of the audited body and no responsibility is taken by auditors to any Member or officer in their individual capacity or to any third party.

Introduction

The purpose of this Plan

Our Audit Plan has been prepared to inform the officers and Members of North Warwickshire Borough Council (the Council) about our responsibilities as your external auditors and how we plan to discharge them.

We issued our audit fee letter, setting out our indicative fees for 2010/11, in April 2010 in accordance with Audit Commission requirements. This Plan sets out in more detail our proposed audit approach for the year.

Every Council is accountable for the stewardship of public funds. The responsibility for this stewardship is placed upon the Members and officers of the Council. It is our responsibility to carry out an audit in accordance with the Audit Commission's Code of Audit Practice (the Code).

Based upon discussion with management and our understanding of the Council and the local government sector, we have noted in the next section recent developments and other relevant risks. Our Plan has been drawn up to consider the impact of these developments and risks.

Period covered by this Plan

This Plan outlines our audit approach for the period 1 April 2010 to 31 March 2011, including the 2010/11 final accounts audit which we will undertake in the summer of 2011.

Code of Audit Practice and Statement of Responsibilities of Auditors and of Audited Bodies

We perform our audit in accordance with the Audit Commission's Code of Audit Practice (the Code) which was last updated in March 2010. This is supported by the Statement of Responsibilities of Auditors and of Audited Bodies (the Statement) which was also updated in March 2010. Both documents are available from the Chief Executive or the Audit Commission's [website](#).

Risk assessment

Planning of our audit

We have considered the Council's operations and have assessed the extent to which we believe there are potential business and audit risks that need to be addressed by our audit. We have also considered our understanding of how your control procedures mitigate these risks. Based on this assessment we have determined the extent of our financial statements and use of resources audit work.

It is your responsibility to identify and address your operational and financial risks, and to develop and implement proper arrangements to manage them, including adequate and effective systems of internal control. In planning our audit work, we assess the significant operational and financial risks that are relevant to our responsibilities under the Code and the Audit Commission's Standing Guidance. This exercise is only performed to the extent required to prepare our Plan so that it properly tailors the nature and conduct of audit work to your circumstances. It is not designed to identify all risks affecting your operations nor all internal control weaknesses.

In this Plan we detail those areas which we consider to be significant risks relevant to our audit responsibilities and our response to those risks. Significant risks are those risks requiring special audit attention in accordance with auditing standards.

In addition, we also identify other risks affecting the Council and our response to these risks.

Our response is reflective of where we are intending to rely upon internal controls, other auditors, inspectors and other review agencies and the work of internal audit, if applicable.

The Audit as a shared responsibility

We believe that achieving a successful audit is a shared responsibility between the auditor and those charged with governance. A key element of an audit's success is the strength of the working relationship between the auditor and the Audit Committee (or equivalent). The Engagement Leader, Alison Breadon, is the focal point of that relationship directing the scope, execution and reporting of the audit.

Most importantly, the Engagement Leader is responsible for resolving the complex issues that can arise during the course of the audit. We are committed to building on our working relationship with the Council and assisting its members in discharging their duties.

Risk assessment results

The following table summarise the results of our risk assessment and our planned response.

Risks	Audit approach
<p data-bbox="67 331 379 360">Significant and elevated risks</p> <p data-bbox="67 376 424 405"><i>Management Override of Controls</i></p> <p data-bbox="67 412 550 562">In any organisation, management may be in a position to override the financial controls that you have in place. A control breach of this nature may result in a material misstatement. For all of our audits, we are required to consider this significant risk and adapt our audit procedures accordingly.</p>	<p data-bbox="598 376 1007 499">We will understand and evaluate internal control processes and procedures as part of our planning work and will seek to place reliance on internal audit work on key controls.</p> <p data-bbox="598 506 1007 629">We will review the appropriateness of journals processed during the year. We will also assess any management estimations for reasonableness based on their context and past trends.</p> <p data-bbox="598 636 1007 781">We will design and perform procedures in relation to the business rationale for significant transactions. Our audit procedures are also planned to include an unpredictable element that varies year on year.</p>

Impact of the economic climate: financial position

The Council is experiencing increased pressures on many of its budgets as the full force of the economic climate begins to impact on the public sector.

The Council already faces a number of financial challenges and there is every likelihood that, following the Comprehensive Spending Review, tough decisions on service provision will need to be made.

In difficult economic conditions pressure on individuals to misrepresent or miscode income or expenditure inevitably increases. At a time when the Council is likely to be experiencing increased demand for its services whilst funding decreases, risks relating to the processing and documentation of financial data increase.

We will understand and evaluate controls relating to this risk and seek to place reliance on internal audit work in this area, where appropriate.

We will consider the accounting policies adopted by the Council and subject income and expenditure to the appropriate level of testing to identify any material misstatement.

2010/11 – the first year of reporting under IFRS

The transition to IFRS involves both new and considerably revised financial statements and an increase in the depth of disclosures required in the notes to the accounts. There is a risk of material errors in the restatements and reclassifications required in preparing the accounts in their new format and of material omissions of information required to be disclosed by the new Code of Practice on Local Authority Accounting.

We are working closely with the Council to ensure that you are aware of the main differences between IFRS and UK GAAP and to resolve any accounting issues on a timely basis.

We will perform a review of draft financial statements to identify disclosure issues at the planning stage of the audit. We will communicate the results of this review to management so they may take action to address issues in advance of the final audit.

The following are some of the more significant areas of focus:

At the final audit stage we will perform an independent 'hot review' of the financial statements and disclosures.

Leases

IFRS requires building and land elements of leases to be analysed separately, increasing the possibility that the land element may need to be classified separately as an operating lease. The lease accounting rules have also been extended to cover arrangements that have the substance of a lease even though they do not have the legal form of a lease. There is a risk that relevant agreements might not be identified and classified correctly and that income and expenses relating to the agreements might be accounted for inappropriately.

We will understand and evaluate accounting policies adopted by the Council against Code requirements. We will perform detailed testing as appropriate to establish the completeness of all account balances, considering the process the Council has undertaken to satisfy itself that all information has been considered.

Component Accounting

The new Code requires the separate depreciation of components of an item of Property, Plant and Equipment whose cost is significant in relation to the total cost of the item and which have a shorter useful life than the item as a whole. Where items have been insufficiently broken down into their component parts, there is a risk that depreciation charges might be materially understated.

Accruals for Employee Benefits

The new Code has more rigorous requirements for the accrual of employee benefits earned during a year but untaken by the year-end and for the disclosure of termination benefits.

Other risks

Valuation of Assets and Revaluation Reserve

The economic climate has caused falls in the value of many land and building assets, and the risk of such assets being overvalued on the balance sheet remains high. We will expect the Council to have carried out impairment reviews to ensure that assets are not overvalued at the year end, and to process downward revaluations where appropriate.

It is therefore important that the Council's approach

We will inspect valuations undertaken during the year and ensure that movements in the value of fixed assets correctly reflect market conditions and that any subsequent downwards valuations have been treated correctly in accordance with the SORP requirements.

Risks	Audit approach
<p>to assessing the carrying value of fixed assets is well documented and the assumptions which have been made are clear.</p>	
<p>Bad debt The economic downturn is likely to have increased the risk of the Council suffering losses due to bad debt. The Council will need to have assessed the collectability of debts, and reviewed its bad debt provision, to avoid overstating its debtors.</p>	<p>We will assess the robustness of the Council's assessment of its exposure to bad debts, and review evidence as to the collectability of year end debtors.</p>
<p>Outsourcing arrangements for payroll Since April 2009 the Council's payroll has been operated by Warwickshire County Council. The Council will need to ensure that the governance in place surrounding this arrangement is robust and must recognise that this arrangement is not a substitute for adequate monitoring controls being maintained within the Council to ensure it meets its fiduciary and other legal responsibilities.</p>	<p>We will review the contractual terms which apply to this arrangement and consider the way in which the Council monitors the activities covered under the arrangement. Our approach to the audit of employee costs will depend upon our understanding of the Council's internal control over financial reporting performed by Warwickshire County Council. We will need to assess if there is sufficient appropriate audit evidence available from the Council in undertaking our work in this area, and if not, we will need to consider obtaining direct access to records held by Warwickshire County Council or their auditor.</p>
<p>Capital programme The Council has a significant capital programme to complete over the next 10 years. The programme is partially dependent on the release of funds through the rationalisation of the Council's estate. With lower levels of receipts now available to the Council in the Usable Capital Receipts reserve, future capital funding will need to come from increased borrowing or through the use of revenue resources.</p>	<p>We will update our understanding of how the Council maintains budgetary control over capital expenditure. We will also consider the content of the programme in relation to the Council's strategic priorities as part of our work on Use of Resources. We will identify material acquisitions and disposals during 2010/11 and undertake substantive audit work to validate the accounting entries included with in the financial statements.</p>

Our approach to the audit

Code of Audit Practice

Under the Audit Commission's Code there are two aspects to our work:

- Accounts including a review of the Annual Governance Statement; and
- Use of Resources.

We are required to issue a two-part audit report covering both of these elements.

Accounts

Our audit of your accounts is carried out in accordance with the Audit Commission's Code objective, which requires us to comply with International Standards on Auditing (ISAs) (UK & Ireland) issued by the Auditing Practices Board (APB). These standards have recently been fully updated and revised to improve their clarity and in some cases this is accompanied by additional audit requirements. We are required to comply with them for the audit of your 2010/11 accounts.

We plan and perform our audit to be able to provide reasonable assurance that the financial statements are free from material misstatement and give a true and fair view. We use professional judgement to assess what is material. This includes consideration of the amount and nature of transactions.

ISA (UK&I) 450 (revised) requires that we record all misstatements identified except those which are "clearly trivial". Matters which are clearly trivial are matters which we expect not to have a material effect on the financial statements even if accumulated. When there is any uncertainty about whether one or more items are clearly trivial, the matter is considered not to be clearly trivial. We will include a summary of any uncorrected misstatements identified during our audit in our year-end ISA (UK&I) 260 report. As discussed with the Executive Board in the previous year, we intend to report to those charged with governance all uncorrected misstatements identified during our audit, regardless of value.

Our audit approach is based on a thorough understanding of your business and is risk-driven. It first identifies and then concentrates resources on areas of higher risk and issues of concern to you. This involves breaking down the accounts into components. We assess the risk characteristics of each component to determine the audit work required.

We plan our work to have a reasonable expectation of detecting fraud where the potential effects would be material to the financial statements of the Council. Based on the level of management's control procedures, we consider whether there are any significant risks of fraud that may have a material impact on the financial statements and adapt our audit procedures accordingly. We also consider the risk of fraud due to management override of controls and design our audit procedures to respond to this risk.

Our audit approach is based on understanding and evaluating your internal control environment and where appropriate validating these controls, if we wish to place reliance on them. This work is supplemented with substantive audit procedures, which include detailed testing of transactions and balances and suitable analytical procedures.

We also aim to rely on the work done by internal audit wherever this is appropriate. We will ensure that a continuous dialogue is maintained with internal audit throughout the year. We receive copies of all relevant internal audit reports, allowing us to understand the impact of their findings on our planned audit approach.

We plan to rely on the work of internal audit for key controls as has been the case for a number of years. We will ensure that a continuous dialogue is maintained with internal audit throughout the year. We receive copies of all relevant internal audit reports, allowing us to understand the impact of their findings on our planned audit approach.

Work on the Whole of Government Accounts consolidation pack is included in the scope of the accounts audit.

Use of Resources

Our Use of Resources Code responsibility requires us to carry out sufficient and relevant work in order to conclude on whether you have put in place proper arrangements to secure economy, efficiency and effectiveness in the use of resources.

In accordance with recent guidance issued by the Audit Commission, in 2010/11 our conclusion will be based on two criteria:

- the organisation has proper arrangements in place for securing financial resilience; and
- the organisation has proper arrangements for challenging how it secures economy, efficiency and effectiveness.

Unlike in previous years, we will not be required to reach a scored judgement in relation to these criteria and the Audit Commission will not be developing 'key lines of enquiry' for each criteria. Instead, we will be carrying out sufficient work to allow us to reach a conclusion on your arrangements.

The Audit Commission will be issuing further information on the scope of the criteria and guidance to auditors. We will review that guidance to determine the exact scope of our work and we will communicate that to you.

Our team and independence

Audit Team	Responsibilities
Engagement Leader Alison Breadon 01509 604246 alison.breadon@uk.pwc.com	Engagement Leader responsible for independently delivering the audit in line with the Code of Audit Practice, including agreeing the Audit Plan, ISA (UK&I) 260 report and Annual Audit Letter, the quality of outputs and signing of opinions and conclusions. Also responsible for liaison with the Chief Executive and Members.
Engagement Manager Leon Mayfield 0121 265 5877 leon.c.mayfield@uk.pwc.com	Manager on the assignment responsible for overall control of the audit engagement, ensuring delivery to timetable, delivery and management of targeted work and overall review of audit outputs. Completion of the Audit Plan, Audit Memorandum and Annual Audit Letter.

Our team members

It is our intention that staff work on the Council's audit each year, developing effective relationships and an in depth understanding of your business. We are committed to properly controlling succession within the core team, providing and preserving continuity of team members.

We will hold periodic client service meetings with you, separately or as part of other meetings, to gather feedback, ensure satisfaction with our service and identify areas for improvement and development year on year. These reviews form a valuable overview of our service and its contribution to the business. We use the results to brief new team members and enhance the team's awareness and understanding of your requirements.

Independence and objectivity

We have made enquiries of all PricewaterhouseCoopers' teams providing services to you and of those responsible in the UK Firm for compliance matters. There are no matters which we perceive may impact our independence and objectivity of the audit team.

Other services provided to the Council

In addition to our audit under the Code, the Firm has also undertaken other work for you. In May 2010 we performed work which fell outside of the Code of Audit Practice relating to assistance to the Finance Team with their review of leases as part of the transition to IFRS. Our proposed and actual fee for this work was £2,500. We do not consider that provision of this additional work has impaired our independence as the Council's auditors, as the following safeguards were in place:

- the firm and staff involved were independent from officers and PwC personnel used in the delivery of the work were not engaged in the delivery of any audit work;
- management retained ownership of the process. PwC gave no assurance over the work performed and all decisions were made by management; and
- the Council was the only intended user of the advice given, therefore no advocacy risk was realised.

Relationships and Investments

Senior officers should not seek or receive personal financial or tax advice from PwC. Members who receive such advice from us (perhaps in connection with employment by a client of the firm) or who also act as director for another audit or advisory client of the firm should notify us, so that we can put appropriate conflict management arrangements in place.

Independence conclusion

At the date of this Plan we confirm that in our professional judgement, we are independent accountants with respect to the Council, within the meaning of UK regulatory and professional requirements and that the objectivity of the audit team is not impaired.

Communicating with you

Communications Plan and timetable

ISA (UK&I) 260 (revised) 'Communication of audit matters with those charged with governance' requires auditors to plan with those charged with governance the form and timing of communications with them. We have assumed that 'those charged with governance' are the Audit Committee. Our team works on the engagement throughout the year to provide you with a timely and responsive service. Below are the dates when we expect to provide the Audit Committee with the outputs of our audit.

Stage of the audit	Output	Date
Audit planning	Audit Fee letter	April 2010
	Audit Plan	November 2010
Audit findings	Internal control issues and recommendations for improvement (if applicable - may be communicated to the Director of Resources if no significant issues are identified)	May 2011
	ISA (UK&I) 260 report incorporating specific reporting requirements, including: <ul style="list-style-type: none">any expected modifications to the audit report;uncorrected misstatements, i.e. those misstatements identified as part of the audit that management have chosen not to adjust;material weaknesses in the accounting and internal control systems identified as part of the audit;our views about significant qualitative aspects of your accounting practices including accounting policies, accounting estimates and financial statements disclosures;any significant difficulties encountered by us during the audit;any significant matters discussed, or subject to correspondence with, Management;any other significant matters relevant to the financial reporting process; andsummary of findings from our use of resources audit work to support our value for money conclusion.	September 2011
Audit reports	Financial Statements including Use of Resources	September 2011
Other public reports	Annual Audit Letter A brief summary report of our work, produced for Members and to be available to the public.	November 2011

Audit budget and fees

The Audit Commission has provided indicative audit fee levels for Councils for the 2010/11 financial year, which depend upon the level of expenditure and potential risk.

Audit area	2010/11 (£)	2009/10 (£)
Financial statements including Use of Resources	97,510	91,500

The total fee for the audit for 2010/11 is £97,510 (exclusive of VAT) and reflects the impact of the introduction of International Financial Reporting Standards (IFRS).

From 2010/11, North Warwickshire Borough Council is required to prepare accounts in accordance with International Financial Reporting Standards (IFRS). The transition to IFRS will increase audit work, particularly in the first year when the previous year's accounts must be restated on the new basis, to provide prior year comparatives.

The Audit Commission has undertaken to subsidise authorities for the costs of implementation of IFRS in 2010/11. We understand that North Warwickshire Borough Council is entitled to subsidy of £6,010 which the Council receives directly from the Audit Commission. This fully offsets the proposed increase in the indicative audit fee for 2010/11 set out in the table above.

We have based the fee level on the following assumptions:

- officers meeting the timetable of deliverables, which we will agree in writing;
- we are able to place reliance, as planned, upon the work of internal audit;
- we are able to draw comfort from your management controls;
- we are able to place reliance on the following work of inspectors and internal audit in respect of our use of resources conclusion:
- no significant changes being made by the Audit Commission to the use of resources criteria on which our conclusion will be based;
- an early draft of the Annual Governance Statement being available for us to review prior to 31 March 2011; and
- our use of resources conclusion and accounts opinion being unqualified

If these prove to be unfounded, we will seek a variation order to the agreed fee, to be discussed in advance with you.

Certification of grant claims

Our fee for the certification of grant claims is based on the amount of time required to complete individual grant claims at standard hourly rates. We will discuss and agree this with the Director of Resources and his team.

Additional work outside of the Code

In addition to our audit under the Code, we have undertaken additional work outside of the Code of Audit Practice to the value of £2,500 as referred to above.

Appendices

Appendix A: Other engagement information

The Audit Commission appoint us as auditors to North Warwickshire Borough Council and the terms of our appointment are governed by:

- The Code of Audit Practice; and
- The Standing Guidance for Auditors

There are five further matters which are not currently included within the guidance, but which our firm's practice requires that we raise with you.

Electronic communication

During the engagement we may from time to time communicate electronically with each other. However, the electronic transmission of information cannot be guaranteed to be secure, virus or error free and such information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete or otherwise be adversely affected or unsafe to use.

PwC partners and staff may also need to access PwC electronic information and resources during the engagement. You agree that there are benefits to each of us in their being able to access the PwC network via your internet connection and that they may do this by connecting their PwC laptop computers to your network. We each understand that there are risks to each of us associated with such access, including in relation to security and the transmission of viruses.

We each recognise that systems and procedures cannot be a guarantee that transmissions, our respective networks and the devices connected to these networks will be unaffected by risks such as those identified in the previous two paragraphs. We each agree to accept the risks of and authorise (a) electronic communications between us and (b) the use of your network and internet connection as set out above. We each agree to use commercially reasonable procedures (i) to check for the then most commonly known viruses before either of us sends information electronically or we connect to your network and (ii) to prevent unauthorised access to each other's systems.

We shall each be responsible for protecting our own systems and interests and you and PwC (in each case including our respective directors, members, partners, employees, agents or servants) shall have no liability to each other on any basis, whether in contract, tort (including negligence) or otherwise, in respect of any error, damage, loss or omission arising from or in connection with the electronic communication of information between us and our reliance on such information or our use of your network and internet connection.

The exclusion of liability in the previous paragraph shall not apply to the extent that such liability cannot by law be excluded.

Appointed auditor

Alison Breadon, a director in the firm, will discharge the responsibilities of the appointed auditor and in doing so will bind the firm although Alison is not a partner.

Access to audit working papers

We may be required to give access to our audit working papers to the Audit Commission or the National Audit Office for quality assurance purposes.

Quality arrangements

We want to provide you at all times with a high quality service to meet your needs. If at any time you would like to discuss with us how our service could be improved or if you are dissatisfied with any aspect of our services, please raise the matter immediately with the partner responsible for that aspect of our services to you. If, for any reason, you would prefer to discuss these matters with someone other than that partner, please contact Paul Woolston, our Audit Commission Lead Partner at our office at 89 Sandyford Road, Newcastle Upon Tyne, NE1 8HW, or Richard Sexton, UK Head of Assurance, at our office at 1 Embankment Place, London, WC2N 6RH. In this way we can ensure that your concerns are dealt with carefully and promptly. We undertake to look into any complaint carefully and promptly and to do all we can to explain the position to you. This will not affect your right to complain to the Institute of Chartered Accountants in England and Wales or to the Audit Commission.

Events arising between signature of accounts and their publication

ISA (UK&I) 560 (revised) places a number of requirements on us in the event of material events arising between the signing of the accounts and their publication. You need to inform us of any such matters that arise so we can fulfil our responsibilities.

If you have any queries on the above, please let us know before approving the Audit Plan or, if arising subsequently, at any point during the year.

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Agenda Item No 7

Executive Board

29 November 2010

**Report of the
Deputy Chief Executive**

Comprehensive Spending Review

1 Summary

- 1.1 This report identifies the main issues arising from the Comprehensive Spending Review (CSR) and comments on the potential implications for the Council.

Recommendation to the Board

That the Implications of the CSR for the Council are noted.

2 Introduction

- 2.1 On 20 October 2010 the Chancellor of the Exchequer presented the CSR. The review allocates spending budgets for each Government Department to 2014/15.

3 Local Government Spending and (Grants)

- 3.1 The CSR assumes local government spending will fall from £51.8 billion in 2010/11 to £49.1 billion in 2014/15. This is a fall of 5% in cash terms and 14% when inflation is taken into account.
- 3.2 Funding for Formula Grant payable to local authorities will fall from £28 billion in 2010/11 to £21.9 billion in 2014/15. This is a fall of 21.8% in cash terms and 28% after inflation is taken into account. However, the reductions are front loaded with the following year on year cash reductions.

Year	Cash reduction
2011/12	10.7%
2012/13	6.4%
2013/14	0.9%
2014/15	5.6%

4 Council Tax

- 4.1 The CSR confirmed that local authorities who freeze their Council tax next year will have the resultant loss to their tax base funded at the rate of 2.5% in each of the 4 years of the spending review.
- 4.1.2 The Government will reduce spending on Council Tax benefit by 10% and localise it from 2013-14 while protecting the most vulnerable. In addition the Government will consider providing greater flexibilities to local authorities to manage pressures on Council tax from the same date.

5 Capital

- 5.1 The Government is maintaining the flexibility of prudential borrowing although interest rates on Public Works Loan Board (PWLB) loans have been increased by 1% above UK government gilts. This will increase the cost of funding capital schemes. Disabled Facilities Grants have been protected and the ring fence removed. Authorities will be able to borrow against future growth in business rates to fund infrastructure projects. Further details on this will be provided in the Local Growth White Paper.

6 Housing

- 6.1 Social Housing Grant to registered Social landlords has been the mechanism to provide new affordable homes. This grant is to be cut significantly in 2011/12 from £212m to £65m and reduced to zero from 2012/13. The Government aims to increase housing supply by reforming the planning system. In addition it will introduce a New Homes Bonus that will directly reward and incentivise local authorities and local communities to be supportive of housing growth. Starting in 2011/12 the scheme will match fund the additional Council tax for each new home and property brought back into use, for each of the 6 years after that home is built. A consultation will shortly be published setting out the government's proposed model for implementation.
- 6.2 The Housing Revenue Account (HRA) will be reformed, the current subsidy system will be abolished and be replaced with a self-financing model. This reform will build in the resources needed to carry out future disabled housing adaptations.
- 6.3 Homelessness grant has been protected at current levels. The ring fence on this grant has been removed so that authorities can make their own choices about making the most of this money.
- 6.4 The CSR also indicates that the Government wants social housing to more effectively reflect individual needs and changing circumstances. Social landlords will be able to offer a growing proportion of new social tenants new intermediate rental contracts at rent levels between current market and social rents. The terms of existing social tenancies and their rent levels remain unchanged.

6.5 Currently Authorities are able to keep 25% of the receipts from Council House sales the CSR indicates that these will be paid over to the Exchequer from 2011/12.

6.6 Supporting people grant has been reduced. The ring fence has been removed so that authorities can make their own choices about where to spend the monies. This grant is provided to the County Council.

7 Pensions

7.1 The CSR accepts the findings of the interim report on pensions from John Hutton. The report highlights the importance of providing good quality pensions to public servants, rejects a race to the bottom in pension provision but concludes there is a clear rationale for public servants to make a greater contribution to their pensions.

7.2 As part of the CSR the government indicates that they will implement progressive changes to the level of employee contributions equivalent to 3% points on average to be phased in from April 2012. The impact on the Local Government Pension Scheme is as yet unknown.

8 Welfare Reform

8.1 A number of changes were announced, some of which are detailed below:-

8.2 Household benefit payments will be capped from 2013 at £500p.w for couples and lone parent households and £350p.w for single adult households. Disability Living allowance claimants, war widows and working families claiming the working tax credit will be exempt from the cap.

8.3 Time limiting contributory employment and support allowance for those in the work related activity group to one year. This is a benefit for those unable to work because of a disability or health condition and there are currently no limits on how long people can receive this benefit of £91-£97p.w.

8.4 Extending the shared room rate in local housing allowance to all single claimants under 35. This rate currently applies to under 25s living in the private rented sector. These claimants are restricted to the rate for a single room in a shared house rather than the rate for a self-contained one bedroom property.

9 **Implications for the Council**

9.1 Formula Grant Proposals

9.1.1 The Council's Medium Term Financing strategy assumed a cash cut in grant of 16% in the period to 2014/15 and indicated that savings of £1.5 million would be required in that time. The CSR indicates a cash cut of 21.8% in that period.

9.1.2 The full effect of the proposals for this Council will not be known until the Local Government Settlement is announced in the first week of December. However, should the Council's grant fall in line with the overall figure in the CSR then the savings required would rise by £500,000 to £2 million by 2014/15.

10 Council Tax

10.1 Although authorities who freeze their Council Tax in 2011/12 will have their loss funded in each of the next 4 years, it is not clear what will happen afterwards. If funding does not continue then this would produce a shortfall of £100,000 for the Council.

11 Capital

11.1 The requirement to pool all sale of Council house capital receipts will have an impact on the Council's general fund capital programme which relies on these resources to finance projects. In the period to 2014/15 £470,000 of resources identified to finance the programme will have to be paid over to the Treasury. The impact is that that projects will have to be deleted from the programme or financed from borrowing with the consequential revenue costs.

11.2 In addition the increase of 1% in PWLB borrowing costs will increase the Council's costs of borrowing.

12 Housing

12.1 Although the details of the HRA self-financing proposals are not yet available, the increase in PWLB rates will significantly affect the figures that were presented to the Council earlier this year. Debt servicing costs would increase by £600,000 per annum and could significantly impact on the viability of the business plan.

12.2 The Council and its partners will have to find new ways of funding new affordable housing which does not rely on Social Housing Grant e.g. Cross subsidisation of schemes or utilising any surplus from HRA self funding. In addition there is an expectation that registered providers will charge higher rents and that County and District land is used to meet housing needs locally, which could cause difficulties for funding our capital programme if anticipated capital receipts are not realised.

12.3 The removal of the ring fence from homelessness, disabled facilities and supporting people grant allows local authorities to make their own choices where to spend this money. Supporting People Grant funds services in North Warwickshire such as the Council's own Older Persons Support Services as well as the Home Improvement Agency and those that provide support for people suffering domestic abuse, young homeless people, those with a learning disability and mental health difficulties. This grant is paid directly to the County Council and Supporting People providers will have to compete

with other priorities for funding. Currently homelessness and disabled facilities grants are paid directly to District Councils.

- 12.4 We are awaiting more detail on the changes to tenure and the link to higher rents to enable a clear analysis on the impact in North Warwickshire. The new tenure is to be called “Affordable Rent”. At the moment Local Authorities can only use the tenure type of tenancy set out for us in the Housing Act legislation. This means Secure or Introductory Tenancies for North Warwickshire Borough Council as a landlord. There would have to be a change in statute for North Warwickshire to offer a different type of tenancy. The information we have on this change is not sufficient to indicate whether it could apply to vacancies from our current stock or mainly new build homes. Tenants transferring from one tenancy to another are not usually classed as new tenants when we report on activity to Government.

13 Pensions

- 13.1 The potential increase in employee contributions should ease some of the pressure on employer contributions. However, it will undoubtedly influence future employee pay claims.

14 Welfare Reform

- 14.1 Changes to welfare reform will impact on the Revenues and Benefits and Housing sections. Arrears levels on Council tax and rents may be affected, the cap on housing benefit levels is unlikely to have a major impact in North Warwickshire. However, other changes, such as increasing the age threshold for the shared room rate from 25 to 35, may have implications. The implications of changes in welfare benefits are currently being considered with regard to potential increased pressure on the Council’s Housing Register.

15 **Report Implications**

- 15.1 The full implications of the Comprehensive Spending Review are not fully known at this stage and these will need to be assessed when decisions are made by the Council on future budget provisions for 2011/12 onwards.

The Contact Officer for this report is Chris Brewer (719259).

Background Papers

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

Background Paper No	Author	Nature of Background Paper	Date

Agenda Item No 8

Executive Board

29 November 2010

Report of the Deputy Chief Executive

New Homes Bonus

1 Summary

- 1.1 The Government has issued a consultation paper on the New Homes Bonus. Closing date for comments is 24 December 2010. This report outlines the main issues in the consultation and authorises the Deputy Chief Executive to formulate a response in consultation with the leader of the Council and the Leader of the Opposition.

Recommendation to the Council

- a That the consultation paper on the New Homes Bonus is noted: and**
- b The Deputy Chief Executive is authorised to provide a response following consultation with the leaders of both groups.**

2 Introduction

- 2.1 On 12 November 2010 the Government issued a consultation paper on its proposals for the New Homes Bonus. A copy of the consultation paper can be found at:
www.communities.gov.uk/housing/housingsupply/newhomesbonus

- ... 2.1.1 Comments on the consultation are required by 24 December 2010. A list of questions posed by the consultation are attached at Appendix A.

3 The Proposals

- 3.1 The consultation paper acknowledges that the current local government finance system does not provide the right incentive or rewards for Councils to build new homes or bring long term empty properties back into use, since any increase in council tax resulting from the new home is offset by a corresponding reduction in formula grant.

- 3.1.1 The aim of the New Homes Bonus is to create a powerful, simple, transparent and permanent incentive, which rewards local authorities that deliver sustainable housing development by paying a grant equal to the national average for the Council Tax band on each additional property and paying this

grant for six years. The grant will not be ring fenced and there will be an enhancement for affordable homes.

3.2 Unit of Reward

3.2.1 The proposal is to link the level of grant for each additional dwelling to the national average for the Council Tax band and to pay this for six years. The Government hopes this will incentivise local authorities to build the types of homes people want and need in the places that people want them.

3.2.2 This would mean that the amount of grant relating to an additional band D property would be about £1,439 p.a.

3.3 Affordable Housing Enhancement

3.3.1 The consultation paper acknowledges that it is crucial that there is a good balance of market and affordable housing. The Government wants to reward local authorities that provide the right balance of housing to meet the needs of local people. Particularly in bringing forward land for development, granting planning permissions and negotiating Section 106 Agreements. To ensure that affordable homes are sufficiently prioritised within supply, the proposal is for a flat rate enhancement of £350 p.a. for each additional affordable home.

3.4 Affordable Housing Definition

3.4.1 The Government considers that the housing market should offer a range of affordable housing options that meet peoples' varying needs, e.g. shared ownership, new "affordable" rent homes, traveller sites in public ownership.

... 3.4.2 They propose to define affordable homes using Appendix B of the Planning Policy Statement 3 (PPS 3) Appendix B and also include pitches on gypsy and traveller sites owned and managed by local authorities or registered social landlords.

3.5 Empty Homes

3.5.1 The Government is committed to bring empty homes back into use. The consultation paper proposes to strengthen the incentive for local authorities to identify empty properties and work with property owners to find innovative solutions that allow empty properties to be brought back into use. The proposal is therefore to reward local authorities for bringing empty properties back into use via the new homes bonus.

3.6 New Homes Bonus Allocation

3.6.1 The consultation acknowledges that for incentive to be most powerful, it must be strongest where the planning decision sits, which is District Council level in two tier areas. However, the consultation indicates that County Councils also have a role in the provision of services and infrastructure and the contribution they make to strategic planning. As a result of this, they propose that in two

tier areas the bonus will be split 80-20, in favour of Districts. However, in London, the whole of the bonus will go to London Boroughs.

3.7 Basis of Calculation

3.7.1 The proposal is to use the Council Tax base form, which is produced each year to calculate the grant entitlement. This form brings together data on additions, empty properties and demolitions in one place.

3.8 Timing of Grant Allocation and Payments

3.8.1 It is proposed to pay New Homes Bonus according to the local government finance timetable. This means provisional allocations would be announced in early December and final allocations in early February.

3.8.2 The Council Tax base form sets out the position as at October each year. This means there would be a time lag for houses built between October and March each year. Grant for houses built between October 2010 and March 2011 would not be paid until 2012/13.

3.9 Affordable Homes

3.9.1 The proposal is to use the Department for Communities and Local Government (DCLG) official statistics on gross additional affordable housing supply to calculate the affordable homes enhancement. These statistics measure affordable supply on a gross basis and do not deduct demolitions or other losses to stock.

4 **Report Implications**

4.1 **Finance and Value for Money Implications**

4.1.1 Using data from the Council Tax base forms for 2009 and 2010, the Council would not qualify for any new homes bonus for 2011 under the proposed criteria. Although the number of homes has increased by 95 during the year, the number of long term empty properties has increased by 185. This increase is artificially high as a result of a review of 2nd homes during January 2010, which resulted in a significant number being correctly reclassified as long term empty. At the moment officers are in discussions with DCLG to try to ensure the Authority is not unfairly penalised.

4.2 **Environment and Sustainability Implications**

4.2.1 Proposals to encourage the provision of affordable housing and bring empty homes into use will contribute towards sustainable communities. However the report highlights some issues about the implications from potential changes in the local government financial system which could have an adverse impact for North Warwickshire.

The Contact Officer for this report is Chris Brewer (719259).

Background Papers

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

Background Paper No	Author	Nature of Background Paper	Date
1	DCLG	New Homes Bonus Consultation	Nov 2010

Summary of Consultation Questions

1. Do you agree with our proposal to link the level of grant for each additional dwelling to the national average of the council tax band?
2. The Government proposes an affordable homes enhancement of £350 for each of the six years – what do you think the enhancement should be?
3. Do you agree with the proposal to use PPS3 and also include pitches on Gypsy and Traveller sites owned and managed by local authorities or registered social landlords to define affordable homes?
4. Do you agree with the proposal to reward local authorities for bringing empty properties back into use through the New Homes Bonus? Are there any practical constraints?
5. Outside London: Do you agree with the proposal to split the payment of the New Homes Bonus between tiers: 80% to the lower tier and 20% to the upper tier, as a starting point for local negotiation?

If not, what would the appropriate split be, and why?
6. Do you agree with the proposal to use the data collected on the Council Tax Base form as at October to track net additions and empty homes?
7. Do you agree with the proposal for one annual allocation based on the previous year's Council Tax Base form, paid the following April?
8. Do you agree that allocations should be announced alongside the local government finance timetable?
9. Do you agree with the proposal to reward local authorities for affordable homes using data reported through the official statistics on gross additional affordable supply?
10. How significant are demolitions? Is there a proportionate method of collecting demolitions data at local authority level?
11. Do you think the proposed scheme will impact any groups with protected characteristics?
12. Do you agree with the methodology used in the impact assessment?
13. We would welcome your wider views on the proposed New Homes Bonus, particularly where there are issues that have not been addressed in the proposed model.

PPS3, AFFORDABLE HOUSING DEFINITION

This Appendix should be read in conjunction with [Planning Policy Statement 3⁷](#).

Affordable housing is:

Housing which includes social rented and intermediate housing, provided to specified eligible households whose needs are not met by the market.

Affordable housing should:

- Meet the needs of eligible households including availability at a cost low enough for them to afford, determined with regard to local incomes and local house prices.
- Include provision for the home to remain at an affordable price for future eligible households or, if these restrictions are lifted, for the subsidy to be recycled for alternative affordable housing provision.

Social rented housing is:

Rented housing owned and managed by local authorities and registered social landlords, for which guideline targets are determined through the national rent regime. The proposals set out in the *Three Year Review of Rent Restructuring* (July 2004) were implemented as policy in April 2006. It may also include rented housing owned or managed by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Housing Corporation as a condition of grant.

Intermediate affordable housing is:

Housing at prices and rents above those of social rent, but below market price or rents, and which meet the criteria set out above. These can include shared equity products (e.g. HomeBuy), shared ownership, other low cost homes for sale and intermediate rent.

For the purpose of the New Home Bonus, this definition can include homes provided by private sector bodies and homes without grant funding provided that the above criteria are met.

⁷ <http://www.communities.gov.uk/documents/housing/pdf/152897.pdf>

Agenda Item No 9

Executive Board

29 November 2010

Report of the Assistant Chief Executive and Solicitor to the Council

High Speed 2 - HS2

1 Summary

- 1.1 This report outlines the current situation in relation to the proposed construction of a high speed railway line called HS2. The report outlines the current information and how the suggested route will affect North Warwickshire.

Recommendation to Council

- a That the Department of Transport and HS2 Ltd be notified of the Council's interim response of a holding objection;**
- b That a further report be brought back to Board once the formal consultation period has begun;**
- c That proposals for liaising with our local communities affected by the route be explored with the County Council and other affected Councils and reported back to Board; and**
- d That the action of the Chief Executive in pursuing a presentation by HS2 to Members be endorsed.**

2 Consultation

2.1 Portfolio Holder, Shadow Portfolio Holder and Ward Members

- 2.1.1 Members were notified of the HS2 proposals when they became public in March 2010.

- 2.1.2 A presentation to Members by HS2 Ltd. was arranged before the general election, but cancelled due to the election process. Officers have since tried to organise a substitute presentation but HS2 Ltd has notified officers that they are now not prepared to come to a meeting with this Council. They have offered a meeting with the County Council with a representative of this Council. A copy of the response of the Chief Executive to this refusal is attached as Appendix A.

...

3 Introduction

- 3.1 A report was brought before the Executive Board in April dealing with the introduction of the Exceptional Hardship Scheme, which is now in place. This

report outlines in more detail the route itself, the benefits / disadvantages and the implications on the Borough from the scheme.

- 3.2 A meeting with HS2 Ltd was convened by the County with District representatives in early November. A number of questions were posed and where possible the information they gave has been included in this report. If further information is made available before the meeting this will be given verbally.

4 **The Route**

- 4.1 A number of routes were investigated prior to the publication of a preferred route in March 2010. Unlike HS1 only one route has been suggested as a "Preferred Route" to avoid blight on the range of options and the Exceptional Hardship Scheme relates to this preferred route. (See Map 1).

- 4.2 The route extends through the western half of the Borough running north to south with a spur off into and out of Birmingham. A new station and multi-storey car park is proposed to the east of the NEC and Airport with access from the M6. The line then travels north through the Tame Valley. To the west of Coleshill the proposed line sweeps round under Water Orton and then travels to the centre of Birmingham. The mainline continues northwards where it is rejoined by a line out of Birmingham. The line then travels northwards to the west of Lea Marston but to the immediate east of Middleton. The line then goes round to the north-west eventually rejoining the West Coast Mainline (WCML) at Lichfield.

5 **Features**

- 5.1 There are two listed buildings along the route - Coleshill Hall Farm and Coleshill Manor. Both have outstanding planning permissions for hotel and offices respectively. It will travel through two SSSI's (Site of Special Scientific Interest) – the River Blythe and Coleshill & Bannery Pools). It will also be close to Middleton Pool which is also an SSSI.

6 **The Line**

- 6.1 Due to the contours of the route, the existence of flood plain and the need to keep the line as level as possible the majority of the route through the Tame Valley Corridor will be on a viaduct. As Members are aware part of the M42 is on a viaduct and the HS2 is likely to be at a similar height. This will increase its visibility and narrow the openness of this already narrow corridor.

7 **Spur**

- 7.1 In addition to the main proposed line there was initially a spur shown near Lea Marston starting to head north-east alongside the M42. The plan showing this was then withdrawn from the initial publication as it was published in "error". Following the election in May the Government asked HS2 Ltd to explore the options of either splitting the line here in the Midlands (the Y option) or going up

to Manchester and then over to Leeds (the S option). This report has now been published and the preferred route is the Y option. HS2 Ltd has been requested by Government to report by December 2011 on this route. The route is described as following the M42 but it is unclear exactly where the "Y" will be. As reported above this was initially shown as being in North Warwickshire but it is understood from HS2 Ltd that other options such as being around Lichfield are also being explored. Following the recent meeting with HS2 Ltd a response is awaited as to confirmation where the "Y" will be located.

8 Noise

- 8.1 The noise of trains on the high speed route will be different to those of freight or other passenger trains. The closest in terms of noise would be an intercity train, but these only travel at around 125 mph, whereas the trains on HS2 will travel at a maximum speed of 225 mph on opening with a potential of 250mph. Evidence from Germany is that you will not hear a HS2 train until it is virtually next to you whereas you hear a hum before an intercity train reaches you. The only time this is not the case is when the train is emerging from a tunnel because you hear it as it pushes the air out in front of it. There is also ground vibration in the tunnel sections.
- 8.2 It is assumed that the trains will not be able to travel at full speed on the curves in to and out of Birmingham past Water Orton. It is assumed therefore that the noise levels will increase but further investigation is needed to support this view.

9 Maintenance Yard

- 9.1 As well as the actual route there is a requirement for a site for a marshalling depot. The minimum site requirements are for a site 1.8 km long by 0.5 km wide based with one end entry. The footprint also includes provision for accommodation and ancillary buildings, car parking and storage. The maintenance building is to be around 450 m long which gives 20 m clearance at the front of the depot building and 30 m clearance at the rear for circulation of materials etc. In addition, storage facilities are required adjacent to the maintenance shed to serve the various inspections, light and heavy maintenance activities. Offices and other facilities will be required for the site staff and for train drivers signing on at the depot
- 9.2 There are three alternatives for such a depot with one being between Middleton and Drayton Bassett. The other two alternative locations proposed by HS2 is land near Berkswell and Washwood Heath. (See Map 2). The site in North Warwickshire is in the Green Belt and is reasonably flat and open. It therefore will be visible, especially as it will require lighting, as it will be a 24 hour operation. The other two suggested sites are in urban areas on industrial sites (proposed and existing) and would therefore not be intrusive to the local environment.

10 Construction

10.1 The construction of the line is estimated to take around 7 years. During this time there will be disruption to traffic on existing routes as roads will be diverted and new bridges for either the train line or for the road to be created. It is estimated that the London to West Midlands route would be started in 2018 and completed in 2025.

11 Process

11.1 A timetable has been prepared and placed on No 10's website - www.number10.gov.uk and is attached as Appendix B. As can be seen from the timetable consultation on the London to Birmingham route is to take place between February and July 2011. Discussions with WCC, other districts in Warwickshire and HS2 Ltd are taking place to ensure that these reach and are accessible to all parts of the local community. Following the consultation process it is expected that a hybrid bill will be placed before Parliament by the end of 2011.

11.2 The Consultation will comprise two parts. The first will be about the national rail strategy. This would consider the need for a high speed link. A revised business case will form part of the consultation process. The second part will relate to the route itself.

12 Liaison with others

12.1 Officers are in contact with the County Council and other affected Boroughs / Districts in Warwickshire. The County Council as Transport Authority has taken the lead in this work and has provided regular updates of information as it is collected on their website. There is a link from this Council's website.

12.2 Officers have also been in contact with other authorities along the preferred route. This has resulted in one Member and one Parish Councillor going on a trip to see HS1 in Kent and explore lessons learnt.

13 Benefits to North Warwickshire?

13.1 In the publications there are many benefits listed for the building of the railway. The national Government has given its support to the project because of these benefits. These have been identified as:

1. Freeing up of capacity on the WCML to be filled by local trains and freight trains
2. Be competitive to air travel so aiming to reduce carbon emissions
3. Job Creation – 10,000 during construction and then 2,000 permanent jobs through maintenance and operation
4. A local station being built south of Coleshill would allow easy access for Borough residents to access a fast rail route.

13.2 However the disadvantages specific to the Borough can be summarised as:

1. The proposed route will be a 75 m to 100 m urban corridor through the Tame Valley, which already has the M42 & M6 Toll. The HS2 reports do not recognise the Tame Valley as an important landscape corridor or ecological corridor. The whole length of the River Blythe is Site of Special Scientific Interest (SSSI). Both the River Cole and River Blythe will have to be rerouted in some way to allow construction of the route and the consequences on the designation are not clear.
2. The preferred route and the suggested marshalling yard are in open countryside which lie in the Green Belt.
3. Both the listed buildings at Coleshill Manor and Coleshill Hall Farm will be demolished.
4. There will be a loss of a substantial employment site at Coleshill Manor, which still has outstanding planning permission for further employment growth.
5. This corridor is a narrow gap between the urban areas of Solihull / Birmingham and Coleshill. There are already a number of major roads through this area and a further line through this area will further erode its environmental benefit.
6. The new railway station to the south has no direct link in to the local rail network and the concern would be that its location will encourage people to drive to it causing further issues on the very rural roads in this locality.
7. The line will come very close to the settlements of Water Orton, Gilson and Middleton in particular. It is unclear at the present time how well the mitigation measures will reduce the adverse impact of the railway line, especially in terms of reducing noise and visual impact.

14 **Conclusion**

- 14.1 In conclusion, do the benefits outweigh the disadvantages highlighted above? With the current information, the extent to which this Borough will directly benefit is unclear. It is therefore recommended that the Department of Transport and HS2 Ltd be notified of a holding objection by this Council.

15 **Report Implications**

15.1 **Environment and Sustainability Implications**

- 15.1.1 The building of the new railway will have a detrimental affect on a key ecological corridor through the Borough with the loss of two listed buildings and the loss of key employment sites.

The Contact Officer for this report is Dorothy Barratt (719250).



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Your ref :
Our ref : JH/KFS

Date : 19 November 2010

Alison Munro
Chief Executive
High Speed Two (HS2) Limited
3rd Floor
55 Victoria Street
London
SW1H 0EU

Dear Alison

Presentation to North Warwickshire Borough Council

I refer to the letter that you sent to Dorothy Barratt on 5 November 2010 saying that HS2 is now not able to come to North Warwickshire Borough Council's offices to give a presentation to my Members and representatives from the affected Parish Councils.

I am extremely disappointed and frustrated with your response and I know that my Members will be too, for a number of reasons.

The first is quite simply that HS2 agreed to come and give a presentation in March, prior to the General Election. This was cancelled on the basis that it would not be appropriate to give such a presentation during "purdah". It was agreed, however, that a further date would be pursued following a clear idea of the new Government's timetable. We have been waiting patiently for nearly a year for HS2 to honour its commitment.

Secondly, North Warwickshire is a special case. We are affected exponentially more than most, if not all, authorities along the route. Not only is the line going North to South through the Borough, but there are also routes in and out of Birmingham creating a triangle of lines close to Water Orton. There is also the "Y" option, the spur for which is likely to be in the Borough, with a subsequent additional line following the route of the M42.

Finally, one of the preferred locations for the two kilometre long marshalling yard is close to the village of Middleton, again in North Warwickshire.

Continued./....



INVESTOR IN PEOPLE

Sustainable Paper

Continuation - 2 -

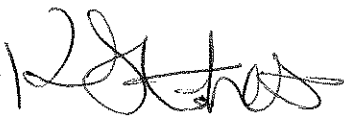
To say that your stakeholder engagement operates on a consistent basis along the route is clearly unfair, when the impact in North Warwickshire is potentially much greater and varied than in other areas.

It is difficult for me to understand how you can consider a meeting with one representative of this Council as being sufficient. Your position might be more understandable if HS2 had not already promised to come and give a presentation to my Members and was not holding meetings with various other organisations, including a recent meeting for invited members of the local Chamber of Commerce. HS2 has also attended meetings organised through MPs and with County Councillors. My Members are aware of those other meetings and they are, quite reasonably, asking why HS2 no longer wants to come and talk to this authority. Your company seems to fail to understand the level of concern which elected Members are having to field from local people when they simply have nothing to tell them because no-one is talking to them. My view of this lack of understanding by HS2 was compounded at the recent meeting held at Warwickshire County Council's offices where initial views were presented for the forthcoming consultation process. Considering the impact on North Warwickshire, suggesting only one venue for an exhibition was simply not good enough. Fortunately, we did get agreement to discuss this issue further and I would expect that further consultation in North Warwickshire will be agreed.

HS2 seems to want to funnel all links through the County Council. Whilst I am sure that this is administratively very convenient for you and may be acceptable in terms of the day to day issues, District Councils are an important link to the local community. My Members have been holding back on taking any stance on both the principle of HS2 and the preferred route until after the promised presentation by your company. The local community, unsurprisingly, sees this as inaction and, as such, local Councillors are now being given little choice but to make a stance in advance of the formal consultation process. The need to do this has been exacerbated by the silence and now the refusal to come and give a presentation.

I would urge you to reconsider your decision not to come to North Warwickshire and give a presentation and I look forward to hearing from you.

Yours sincerely



Chief Executive

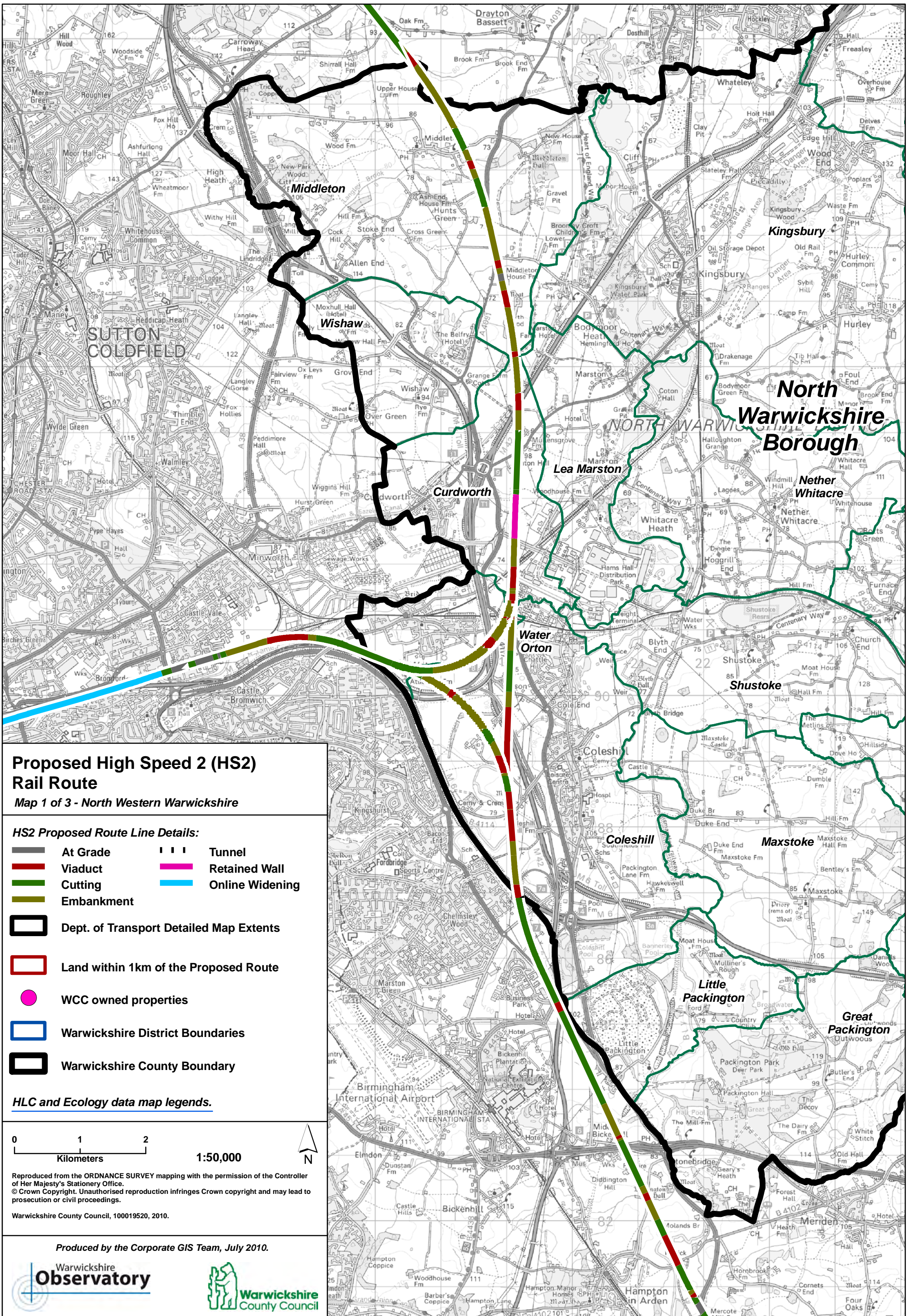


1. Deliver the Coalition's commitments on high speed rail

(p.1 of 2)

Carry out the preparation needed to start work on a high speed rail line early in the next Parliament connecting London with Heathrow, Birmingham, Manchester and Leeds, as the first step towards a national high speed rail network for the whole of Britain

ACTIONS	Start	End
1.1 Review and consult on high speed rail		
i. Develop high speed rail strategy for consultation, detailing network options (including scope for Heathrow and High Speed 1 links) and the phasing of construction	Started	Dec 2010
ii. Open the Exceptional Hardship Scheme to applications from property owners who might be affected by the High Speed 2 line proposals	Completed	-
iii. Decide on the structure, funding and appointments of HS2 Ltd (the organisation with oversight for the High Speed 2 line), and the delivery timetable for high speed rail	Started	Jan 2011
iv. Carry out consultation on high speed rail strategy and route of initial London-Birmingham phase of High Speed 2	Feb 2011	Jul 2011
v. Analyse consultation responses and publish proposed route and strategy	Jul 2011	Dec 2011
1.2 Legislate for the London-Birmingham phase of High Speed 2		
i. Complete outline engineering design for the London-Birmingham route	Dec 2011	Apr 2013
ii. Draft environmental impact assessment	Dec 2011	Sep 2013
iii. Consult on Environmental Statement	Apr 2013	Sep 2013
iv. Take first hybrid bill through Parliament	Oct 2013	May 2015
MILESTONES		
A. High level strategy announced for high speed rail	Dec 2010	
B. Consultation complete on strategy and London-Birmingham phase of High Speed 2 line	Jul 2011	
C. Initial hybrid bill introduced to Parliament	Oct 2013	

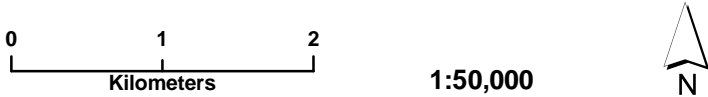


Proposed High Speed 2 (HS2) Rail Route

Map 1 of 3 - North Western Warwickshire

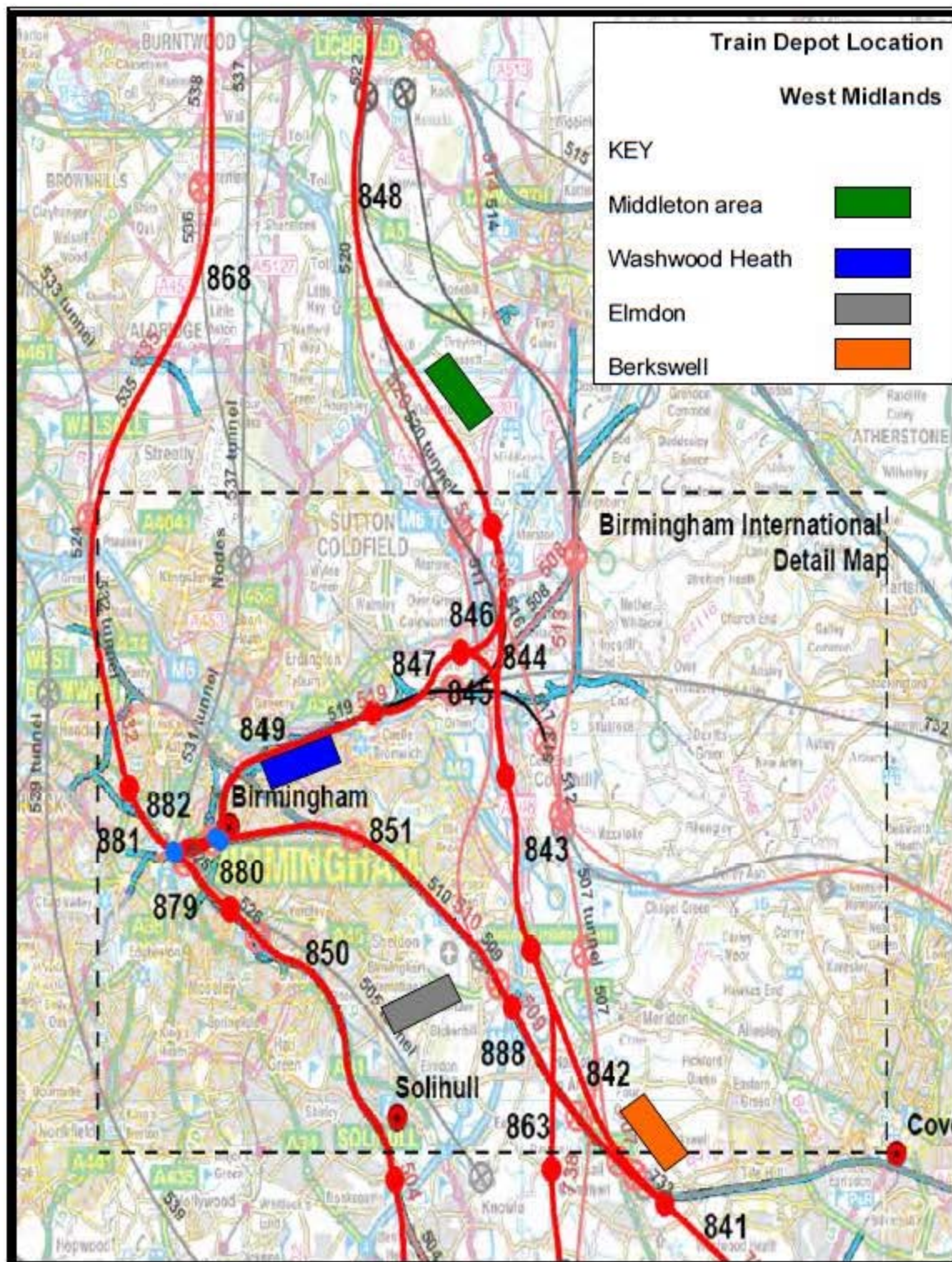
- HS2 Proposed Route Line Details:**
- At Grade
 - Viaduct
 - Cutting
 - Embankment
 - Tunnel
 - Retained Wall
 - Online Widening
- Dept. of Transport Detailed Map Extents
 - Land within 1km of the Proposed Route
 - WCC owned properties
 - Warwickshire District Boundaries
 - Warwickshire County Boundary

HLC and Ecology data map legends.



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 Warwickshire County Council, 100019520, 2010.

K9.9 Appendix C – Potential Depot Locations



Agenda Item No 10

Executive Board

29 November 2010

Report of the Chief Executive and the Deputy Chief Executive

Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April - September 2010

1 Summary

- 1.1 This report informs Members of the progress with the achievement of the Corporate Plan and Performance Indicator targets relevant to the Executive Board for April to September 2010.

Recommendation to the Board

That Members consider the performance achieved and highlight any areas for further investigation.

2 Consultation

2.1 Portfolio Holder, Shadow Portfolio Holder and Ward Members

- 2.1.1 The Portfolio Holder and Shadow Portfolio Holder for Resources, Councillors Bowden and Butcher have been sent a copy of this report and any comments received will be reported to the Board.

3 Background

- 3.1 This report shows the position with the achievement of the Corporate Plan and Performance Indicator targets for 2010/11 for the first two quarters from April to September. This is the second report showing the progress achieved so far during 2010/11.

4 Progress achieved during 2010/11

- 4.1 Attached at Appendices A and B are reports outlining the progress achieved for all the Corporate Plan targets and the performance with the national and local performance indicators during April to September 2010/11 for the Executive Board.

- 4.2 Members will recall the use of a traffic light indicator for the monitoring of the performance achieved.

Red – target not achieved

Amber – target currently behind schedule and requires remedial action to be achieved

Green – target currently on schedule to be achieved.

5 Performance Indicators

- 5.1 The current national and local performance indicators have been reviewed by each division and Management Team for monitoring for the 2010/11. Members should be aware that the current set of national indicators have been reviewed by the Coalition government and have all been stopped. In a recent announcement the Secretary of State for Communities and Local Government has confirmed the replacement of the National Indicator Set with a single comprehensive list of all the data expected to be provided by local government to central government. The data requirements are being reviewed and reduced for April 2011 onwards.

6 Overall Performance

- 6.1 The Corporate Plan performance report shows that 71% of the Corporate Plan targets and 47% of the performance indicator targets are currently on schedule to be achieved. The report shows that individual targets that have been classified as red, amber or green. Individual comments from the relevant division have been included where appropriate. The table below shows the following status in terms of the traffic light indicator status:

Corporate Plan

Status	Quarter 2 Number	Percentage
Green	22	71%
Amber	8	26%
Red	1	3%
Total	31	100%

Performance Indicators

Status	Quarter 2 Number	Percentage
Green	7	47%
Amber	8	53%
Red	0	0%
Total	15	100%

7 Summary

- 7.1 Members may wish to identify any areas that require further consideration where targets are not currently being achieved.

8 Report Implications

8.1 Safer Communities Implications

8.1.1 The community safety performance indicators are included in the report.

8.2 Legal and Human Rights Implications

8.2.1 The national indicators were specified by the Secretary of State for Communities and Local Government. They have now been ended and will be replaced by a single list of data returns to Central Government from April 2011.

8.3 Environment and Sustainability Implications

8.3.1 Improvements in the performance and quality of services will contribute to improving the quality of life within the community. There are a number of targets and indicators included which contribute towards the priorities of the sustainable community strategy including financial inclusion, core strategy, community safety and affordable housing.

8.4 Risk Management Implications

8.4.1 Effective performance monitoring will enable the Council to minimise associated risks with the failure to achieve targets and deliver services at the required performance level.

8.5 Equalities

8.5.1 There are a number of equality related targets and indicators including achieving the equality framework, domestic abuse, race equality, hate crime, and financial inclusion highlighted in the report.

8.6 Links to Council's Priorities

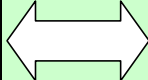

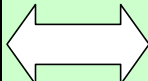
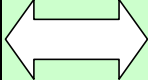
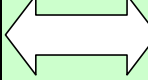
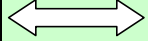
8.6.1 There are a number of targets and performance indicators contributing towards the priorities of enhancing community involvement and access to services, protecting and improving our environment, defending and improving our countryside and rural heritage, to tackle crime, improving housing and making best use of our resources.

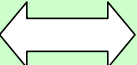
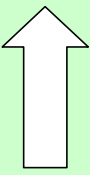
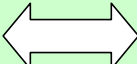
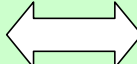

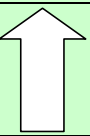
The Contact Officer for this report is Robert Beggs (719238).




Background Papers

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

Background Paper No	Author	Nature of Background Paper	Date
National Indicators for Local Authorities and Local Authority Partnerships	Department for Communities and Local Government	Statutory Guidance	February 2008

Ref	Start Date	Action	Board	Lead Officer	Reporting Officer	Theme	Sub-Theme	Update	Traffic Light	Direction
8	Apr-10	Working with four local communities to assist in the implementation of Parish Plan priorities	Executive Board	AD (L&CD)	Simon Powell	Community Life		The Borough Council has determined not to fund WRCC in respect of its work on the development of new Parish Plans. Contact has been made with four communities (Atherstone, Curdworth, Fillongley and Hartshill), however, to offer support and assistance in the implementation of existing Parish Plan priorities. Responses are awaited from the communities involved.	Green	
11	Apr-10	Reaching the 'Achieving' level of the new Equality Framework to ensure more equal outcomes and service provision for all of our communities by March 2011 and promoting understanding of how the democratic process of the Council works	Executive Board	ACE&SC	Robert Beggs	Community Life		Draft self assessment for the Achieving level prepared. Evidence being reviewed by Policy Support currently for wider circulation.	Green	
12	Apr-10	Review with the County Council and other partners how best to develop an overall financial inclusion strategy with partners that addresses Narrowing the Gap objectives as outlined in the Local Area Agreement by March 2011	Executive Board	ACE (CS)	Bob Trahern	Community Life		This is currently subject of a review following the decision of the Government to significantly reduce funding initially awarded via LPS2 reward funding to third sector partners to provide debt advice, savings advice and benefit maximisation services. Work on how to continue to provide this support on a significantly reduced budget and how to address wider Child Poverty strategy commitments are currently being reviewed in conjunction with the County Council who are leading on this important area of work.	Amber	
24	Apr-10	Publishing the Core Strategy by October 2010 and submitting it formally to the Secretary of State	Executive Board / Planning & Development Board	ACE&SC	Dorothy Barratt	Housing		Work on Core Strategy stalled due to abolition of RSS.	Amber	
29	Apr-10	Publishing the Core Strategy by October 2010 and submitting it formally to the Secretary of State which will include policies to defend the openness and character of the countryside, policies containing strategic housing proposals and other land use implications. Policies will also be included to reflect the Strategic Flood Risk Assessment	Executive Board / Planning & Development Board	ACE&SC	Dorothy Barratt	Countryside & Heritage		Work on Core Strategy stalled due to abolition of RSS.	Amber	
31	Apr-10	Using the information from the Landscape Character work to inform the development of the Core Strategy and when considering planning applications including policies reflecting the RSS revision in the Core Strategy by February 2011	Executive Board	ACE&SC	Dorothy Barratt	Countryside & Heritage	DCE	Work on Core Strategy stalled due to abolition of RSS.	Amber	

Ref	Start Date	Action	Board	Lead Officer	Reporting Officer	Theme	Sub-Theme	Update	Traffic Light	Direction
32	Apr-10	Consideration of planning applications to ensure only appropriate development is allowed in the Green Belt including policies to focus development within the agreed settlement hierarchy in the Core Strategy by February 2011	Executive Board / Planning & Development Board	Head of DC/ACE&SC	Jeff Brown	Countryside & Heritage		This is the basis of current planning determinations, notwithstanding the delays in moving the Core Strategy forward.	Green	
33	Apr-10	Working with partners at the sub regional level to gather information and then develop a financial plan for financial contributions linked to development. At the same time gathering information locally and develop a robust financial plan for inclusion in the LDF process by February 2011 including a Supplementary Planning Document on contributions for Open Space provision within the LDF process by February 2011	Executive Board / Planning & Development Board	ACE&SC	Dorothy Barratt	Countryside & Heritage		Work continuing to be gathered although there may be implications from abolition of RSS and work on Core Strategy that may impact on the implementation.	Green	
36	Apr-10	Continuing to engage with farmers as part of our consultation on the Core Strategy with specific consultation with the National Farmers' Union and the Rural hub by February 2011	Executive Board	ACE&SC	Dorothy Barratt	Countryside & Heritage		Work on Core Strategy stalled due to abolition of RSS.	Amber	
38	Apr-10	Including these policies in the Core Strategy of the LDF to protect and maintain the best and most versatile agricultural land by February 2011	Executive Board	ACE&SC	Dorothy Barratt	Countryside & Heritage		Work on Core Strategy stalled due to abolition of RSS.	Amber	
42	Apr-10	Design briefs for strategic sites in the Core Strategy and SPD on issues such as local distinctiveness and design to be prepared following the publication of the Core Strategy in February 2011	Executive Board / Planning & Development Board	ACE&SC	Jeff Brown	Countryside & Heritage		Work on Core Strategy stalled due to abolition of RSS.	Amber	
43	Apr-10	To ensure design advice is given at pre-application stages in appropriate cases and to introduce a system of post development visits. Continue to use the design champion	Executive Board / Planning & Development Board	ACE&SC	Jeff Brown	Countryside & Heritage	DCE	Design Champion involved in pre-application discussions and post development visits now taking place.	Green	

Ref	Start Date	Action	Board	Lead Officer	Reporting Officer	Theme	Sub-Theme	Update	Traffic Light	Direction
63	Apr-10	Contributing towards the achievement of the partnership plan 2008 – 2011 actions and targets for the 2010/11 strategic priorities of reducing violent crime including domestic abuse, youth related and alcohol related; reducing anti-social behaviour- alcohol related and damage to vehicles; reducing serious acquisitive crime- especially domestic burglary and theft from vehicles; and improving public perceptions and public confidence	Executive Board	CE / AD (L&CD)	Robert Beggs	Safer Communities		Partnership Plan in place for 2010/11 which includes all the strategic priorities. Analysis of youth related violence has been carried out to inform the actions. Challenging reduction targets have been set to sustain the crime and disorder reductions. The August performance report shows some red and ambers for most serious violent crime , serious acquisitive crime, anti social behaviour, business crime, criminal damage and violent crime. A lot of the increases are only by a small margin and the reductions achieved over recent years need to be taken into account. Partnership is preparing a reduction plan with the police for violent crime. The Special Interest Group will identify further actions on the areas identified above. Community Safety Day held in Arley in response to arson	Amber	
64	Apr-10	Working with partner agencies to ensure the delivery of relevant actions arising through Safer neighbourhood PACT processes and reporting progress to each Area Forum meeting	Executive Board	CE / AD (L&CD)	Robert Beggs	Safer Communities		Current priorities have included multi agency responses on flytipping in Area Forum South and on going responses to anti social behaviour in Hartshill, Ansley Common, Dordon and Arley. Enforcement of illegal parking in Atherstone Town Centre agreed as a priority for Area Forum East. Anti Social Behaviour in Wood End a priority for Area Forum West.	Green	
65	Apr-10	Improving public confidence in accordance with the Warwickshire strategy and action plan	Executive Board	CE / AD (L&CD)	Robert Beggs	Safer Communities		Community Safety Days have been set up across the borough and recent ones have included New Arley and Corley. Days of Action responses have been arranged to address issues identified. New Arley event helped address community concerns following recent arson incidents. The Corley event identified a number of issues including security at Corley Services , street lighting, and speeding. feedback also shows a high proportion of people feeling safe. Additional event held at New Arley following further incidents of arson.	Green	

Ref	Start Date	Action	Board	Lead Officer	Reporting Officer	Theme	Sub-Theme	Update	Traffic Light	Direction
67	Apr-10	Subject to the outcome of the Warwickshire strategic review of domestic abuse services supporting the provision of locally based support services for domestic abuse to help improve the take up of support services and to reduce the number of repeat victims in accordance with the targets in the LAA Safer Block action plan	Executive Board	CE / AD (H)	Robert Beggs	Safer Communities		Local support service continues to be provided for 20 hours per week through Warwickshire Domestic Violence Support Services. During quarters 1 and 2 51 referrals have been received. 13 of which are receiving on going support. The referrals are presenting with complex issues and some housing needs. Outcome from the Warwickshire strategic review has prepared a model for the provision of support services. The funding for the model is still subject to confirmation following a reduction in LPSA2 reward monies.	Green	↑
68	Apr-10	Providing a home security survey and security measures to all victims of domestic burglary and vulnerable people to reduce the level of burglaries and repeat victimisation	Executive Board	CE	Robert Beggs	Safer Communities		The Capital funding for this scheme has been fully committed from previous years allocations. Options for continuing referral service need to be identified.	Red	↓
69	Apr-10	Achieving a further 3% cashable savings	Executive Board	DCE / AD (F&HR)	Sue Garner	Resources		Efficiencies have been identified which meet the target, provided these are maintained to the end of the year.	Green	↔
70	Apr-10	Achieving the savings required by the budget strategy	Executive Board	DCE / AD (F&HR)	Sue Garner	Resources		A proportion of the savings target for 2011/12 has been found. Work to establish further savings is progressing.	Green	↔
71	Apr-10	Generating sufficient capital funding to deal with the council's capital priorities over the medium term	Executive Board	DCE / AD (F&HR) / AD (S)	Sue Garner	Resources		Work is in progress.	Green	↔
72	Apr-10	To Completing the review of the business case for joint or shared working in Human Resources and Legal	Executive Board	MT / AD (F&HR)	Sue Garner	Resources		Work on legal services has been completed. Some new working arrangements have been agreed, and these will be put in place. Shared working on HR has not progressed as anticipated, however the service will be reviewed later in the year.	Green	↔
77	Apr-10	Progressing the Value for Money Strategy, including completing existing and commissioning three further Value for Money reviews to be completed by March 2011	Executive Board	DCE / AD's	Chris Brewer	Resources		A new VFM Action Plan for 2010/11 was approved by the Exec Board in June which the Efficiency Working Party is working through and the VFM reviews are progressing with a view to being completed by March 2011.	Green	↑
78	Apr-10	Identifying six relatively under performing service areas and agree an improvement plan for approval by the Scrutiny Board by July 2010	Scrutiny Board	ACE&SC / AD's	Steve Maxey	Resources		A report will be taken on this issue to the next Scrutiny Board (September).	Green	↑
81	Apr-10	Subject to the agreement of the Emergency Planning SLA deliver actions within it	Executive Board	CE	Robert Beggs	Resources		Work programme approved with the County Council EPU which has provisionally committed 25 days out of 30. Work underway to deliver the actions. A number of training and exercise events are currently being arranged.	Green	↑

Ref	Start Date	Action	Board	Lead Officer	Reporting Officer	Theme	Sub-Theme	Update	Traffic Light	Direction
82	Apr-10	Exploring feasibility of supporting implementation of "resident flood warden" schemes for areas at risk of flooding in order to reduce the impact of flooding events by enabling communities to react in a more timely manner by March 2011	Executive Board	CE	Robert Beggs	Resources		Funding for property flood prevention measures received from the government for a targeted scheme at Fillongley. Some model options are being developed currently with assistance from Warwick DC. Specific flood defense measures will be identified for the identified properties at Fillongley.	Green	↑
83	Apr-10	Making information available to the public in line with the Warn and Inform duty of the Civil Contingencies Act and increase the linked National Indicator 37 score to above 18.7% (the top quartile benchmark for 2008). This will help increase the resilience of our communities in the event of an emergency by March 2011	Executive Board	CE	Robert Beggs	Resources		Information about Emergency Planning preparations are being promoted through North Talk and on the website. A test exercise at Kingsbury recently was promoted to local residents. The national indicator has now been deleted from the set.	Green	↑
84	Apr-10	Maintaining the Corporate Business Continuity Plan and Divisional Plans to help ensure the Council can continue to deliver critical functions during disruptive events by March 2011	Executive Board	CE	Robert Beggs	Resources		Corporate Business Continuity Plan prepared with some minor amendments required following recent structural changes Divisional plans prepared with approval by Management Team subject to the changes above.	Green	↑
85	Apr-10	Agreeing and implementing a contingency office location to ensure the delivery of critical services can continue in the event of the loss of The Council House and Old Bank House by 30 th June 2010	Executive Board	CE	Robert Beggs	Resources		An agreement has been prepared for the use of Kings House in Bedworth through the County Council. The legal agreement is now in place and a protocol for use and access to the building is being prepared by the County Council EPU.	Green	↑
86	Apr-10	Engaging in Warwickshire-wide multi-agency major emergency planning exercise to test and identify lessons to improve how well public agencies across the county work together to support communities in responding to major emergencies	Executive Board	CE	Robert Beggs	Resources		Exercise Phoenix is being arranged for November to help test strategic responses to an emergency. Scenario has been prepared and arrangements being put in place.	Green	↑
87	Apr-10	Supporting the testing of the Kingsbury Oil Complex Off-site Major Emergency Plan	Executive Board	CE	Robert Beggs	Resources		Test exercise with Warwickshire Fire and Rescue Service carried out to check the supply of water to the Oil Terminal carried out in June.	Green	↑
88	Apr-10	Continuing internal programme of training and exercising in Major Emergency Plan and Corporate Business Continuity Plan to enhance staff knowledge and enhance the Council's response by carrying out an exercise by March 2011	Executive Board	CE	Robert Beggs	Resources		Work programme with the County Council EPU includes training and exercising with dates proposed for later in the year. Potential dates being identified for November, December and January.	Green	↑




Performance Indicators

PI Ref	Description	Division	Section	High/Low is good	2010/11 Target	2009/10 Outturn	National Best Quartile	Performance	Traffic Light	Direction	Comments	Suggested reporting interval	Board	Reported to MT
Chief Executive's Division														
New	To respond to all complaints and requests for service within three working days	Chief Executive	Env Health (C, L &HP)	High	99%	New	N/A	100%	Green	↑		Q	Executive Board	Yes
New	To inspect 37 wholesale/warehouse premises based on a risk assessment using current knowledge, history and accident reports to identify those posing the greatest potential risk.	Chief Executive	Env Health (C, L &HP)	High	37	New	N/A	6 completed	Amber	↔	An action plan has been devised to ensure that all the warehouse inspections are completed.	Q	Executive Board	Yes
BVPI 2a	The level (if any) of "the Equality Framework for local government", to which the authority conforms. :	Chief Executive	Policy Support	-	Achieving	Altered indicator	N/A	Developing	Green	↑	Draft assessment prepared using eset web based system. The draft is subject to review by Policy Support currently. Expectation that sufficient evidence will be provided to reach the achieving level.	Q	Executive Board	Yes
BVPI 2b	The duty to promote race equality. : Does the authority have a Race Equality Scheme (REC) in place?	Chief Executive	Policy Support	High	78%	73%	84%*	73.00%	Green	↔	Race Equality Scheme is part of our proposed Single Equality Scheme. Further progress to achieved in line with the requirements of the Equality Bill.	Q	Executive Board	Yes
BVPI 126	Domestic burglaries per 1,000 households, and percentage detected :	Chief Executive	Policy Support	Low	8.15	8.38	4.6*	2.58	Green	↑	There was a increase in May but an identified offender was arrested and overall levels are lower than expected. Currently 19% lower projection against target.	Q	Executive Board	Yes
BVPI 127	Violent crime per year, 1,000 population in the Local Authority area. :	Chief Executive	Policy Support	Low	8.03	8.07	10.5*	3.87	Amber	↓	A slight increase in May, June and July was experienced against our challenging target level. The partnership Special Interest Group is preparing a reduction plan currently. Areas receiving attention include domestic abuse perpetrators, licensed premises in Atherstone and Coleshill town centres and some work on youth related incidents in Polesworth and Dordon. Based upon the August performance report the levels are currently 10% higher projection against target.	Q	Executive Board	Yes

Performance Indicators

PI Ref	Description	Division	Section	High/Low is good	2010/11 Target	2009/10 Outturn	National Best Quartile	Performance	Traffic Light	Direction	Comments	Suggested reporting interval	Board	Reported to MT
BVPI 128	The number of vehicle crimes per year, per 1,000 population in the Local Authority area. :	Chief Executive	Policy Support	Low	10.51	10.68	5.5*	4.77	Amber	↓	Some increases in thefts from vehicles experienced in May and June. Some identified offenders were subject to policing operations in Atherstone together with targeted vehicle crime prevention leafletting and promotions. Levels showing sign of decreasing in July and August. Monitoring of identified offenders continuing with risks of cross border offenders apparent.	Q	Executive Board	Yes
New	The number of hate crimes recorded by the authority per 100,000 population. :	Chief Executive	Policy Support	Low	0	New	N/A	1	Green	↔	One incident reported in this period. Further work being carried out to raise awareness of reporting. Some community tension work being carried out in Arley with young people regarding racist graffiti.	Q	Executive Board	Yes
New	The percentage of hate crimes that resulted in further action. :	Chief Executive	Policy Support	High	100%	New	100%*	1	Green	↔	See above.	Q	Executive Board	Yes
NI 15 (new)	Serious Violent Crime	Chief Executive	Policy Support	Low	0.43	0.43	N/A	0.24	Amber	↓	15 number serious violent crimes upto August period. Target is set at 27 for the year. Individual incidents with no emerging pattern.	Q	Executive Board	Yes
NI 16 (new)	Serious Acquisitive Crime	Chief Executive	Policy Support	Low	14.13	14.62	N/A	6.14	Amber	↓	This grouping of crimes includes domestic burglary, robbery and vehicle crimes. Thefts from vehicles is a concerns as shown above.	Q	Executive Board	Yes
NI 20 (new)	Assault with Injury Crime Rate	Chief Executive	Policy Support	Low	3.75	3.75	N/A	1.83	Amber	↓	No target set but baseline of 2009/10 level used. Small increase compared to 2009/10. 113 total assaults so far.	Q	Executive Board	Yes

Performance Indicators

PI Ref	Description	Division	Section	High/Low is good	2010/11 Target	2009/10 Outturn	National Best Quartile	Performance	Traffic Light	Direction	Comments	Suggested reporting interval	Board	Reported to MT
NI 32 (new)	Repeat incidents of domestic violence	Chief Executive	Policy Support	Low	Awaiting targets from Warwickshire Police	13%	N/A	0%	Green		Indicative figure only at this stage . High risk cases are monitored through a Multi Agency Risk Assessment Case Conference (MARAC). Housing are represented on North Warwickshire cases. Identified perpetrators are receiving attention from the Police. Support services are available for victims.	Q	Executive Board	Yes
NI 47 (new)	People killed or seriously injured in road traffic accidents	Chief Executive	Policy Support	Low	Awaiting targets from Warwickshire Police	-	N/A	14	Amber		14 KSI's during April to August compared to 50 overall in 2009/10. Some concerns overall with risks of increases if casualty reduction work is reduced in Warwickshire.	Q	Executive Board	Yes
New	% of services that report equality profile of their service outcomes as part of their service delivery plans	Chief Executive	Policy Support	High	100%	New	N/A	89%	Amber		Information being collated from board report implications. Sample assessment shows 89% based upon 8 completed out of 9 reports. Quarter 2 No reports require Impact Assessment to be completed.	Q	Executive Board	Yes

Agenda Item No 11

Executive Board

29 November 2010

Report of the Chief Executive

Meetings Timetable

1 Summary

1.1 The purpose of this report is to approve a timetable of meetings for 2011/12.

Recommendation to the Council

That the draft calendar of meetings for 2011/12 as submitted at Appendix A to the Chief Executive's report be approved.

2 Report

... 2.1 A draft calendar of meetings for 2011/12 is submitted as Appendix A. The draft has been based on a four cycle calendar of meetings.

2.2 As with the current calendar of meetings the May Full Council meeting will be a ceremonial meeting with Mayor making and the appointment of Boards as the main business. The four cycles would then be

- June to September
- September to December
- December to February
- February to June

2.3 Other points to note on the calendar are as follows:-

- a The majority of all main Board meetings will meet on a Monday. Meetings of the Full Council continue to be held on Wednesdays;
- b Planning and Development Board to meet once each month;
- c Resources Board to meet regularly during each cycle;
- d Community and Environment Board meets once a cycle;
- e Executive Board meets towards the end of a cycle and is followed a week later by Scrutiny Board;

- f A meeting of the Licensing Committee has been set for the end of January and additional meetings will be arranged on an ad hoc basis; and
- g Where possible no meetings have been arranged during the bank holiday weeks.

3 Report Implications

3.1 There are no report implications.

The Contact Officer for this report is David Harris (719222).

Background Papers

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

Background Paper No	Author	Nature of Background Paper	Date
None			

**NORTH WARWICKSHIRE BOROUGH COUNCIL
DRAFT MEETINGS TIMETABLE – 2011/12**

	May-11	Jun-11	Jul-11	Aug-11	Sep-11	Oct-11	Nov-11	Dec-11	Jan-12	Feb-12	Mar-12	Apr-12	May-12
1													
2	B HOL								B HOL			RES	
3						CEB							
4													
5	ELECTIONS				RES			SB					
6		RES				AF (E)				RES		B HOL	
7													B HOL
8													
9												B HOL	
10						RES							
11			RES										
12			AF (S)		PLAN								
13		CEB			EXB	AF (W)				EXB			
14			AF (N)				PLAN	COUNCIL					
15				PLAN									
16									PLAN			PLAN	COUNCIL
17						PLAN							
18	COUNCIL		PLAN										
19					SB			PLAN			PLAN		
20		PLAN				AF (N)				PLAN			
21			AF (E)				RES			SB			
22													
23	PLAN								CEB			EXB	
24													
25													
26								B HOL			CEB		
27		EXB				AF (S)		B HOL					
28			AF (W)		COUNCIL		EXB						
29		COUNCIL		B HOL						COUNCIL			
30	B HOL								LIC			SB	
31													

EXB - Executive Board
RES - Resources Board
CEB - Community and Environment Board
PLAN - Planning and Development Board

AF (N) - Area Forum North
AF (S) - Area Forum South
AF (E) - Area Forum East
AF (W) - Area Forum West

SB - Scrutiny Board
LIC - Licensing Committee

Agenda Item No 12

Executive Board

29 November 2010

**Report of the Assistant Chief Executive
and Solicitor to the Council**

Officer/Member Protocol

1 Summary

1.1 The purpose of the report is to consider a draft Officer/Member Protocol.

Recommendation to the Council

That the draft Protocol be approved.

2 Report

2.1 Healthy working relations between Members and Officers of the Council are key to the effective working of the Authority and substantially reduces the risks of conflict and complaints under the Code of Conduct. This Council has always enjoyed excellent Member/Officer relations and the attached draft Protocol aims to safeguard that record.

2.2 The draft Protocol attempts to highlight the most important issues for this relationship and set some consensual ground rules, in advance of issues arising.

2.3 As suggested by best practice the draft Protocol was reported to this Council's Standards Committee at its meeting on 2 November, as they have the lead role in reducing the risk of conflict and complaints under the Code of Conduct. That Committee made two suggested additions to the Protocol, which are shown in "track changes" on the draft Protocol.

3 Report Implications

3.1 Legal and Human Rights Implications

3.1.1 Poor relations can lead to complaints against Officers or Members, both of which could lead to significant sanctions. Any attempts to reduce misunderstanding and to create agreed guidelines should reduce the risk of expensive and damaging legal disputes.

The Contact Officer for this report is Steve Maxey (719438).

Background Papers

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

Background Paper No	Author	Nature of Background Paper	Date
None			

DRAFT 1

Protocol for Councillor/Employee Relations

Commentary

There is no statutory or other formal requirement for a protocol to regulate the working relationships between employees (and principally chief executives, but importantly too other chief officers and senior managers). Nevertheless, many Councils have found that establishing local ground rules is helpful. They minimise the potential for arguments about process at the heart of the political interface, and the consequent lack of trust, professional dilemmas and general distraction from the proper business of conducting the Council's business democratically in response to the sizes of political groups provided by the electorate.

That is why numerous examples are available from political parties, other Councils and professional organisations. Each Council's circumstances and political representation vary, however, and any protocol needs to command wide support, otherwise it will be less a consensus than just another majority decision. In addition, two other considerations need to be borne in mind. First, group membership is not always wholly determined directly by the electorate, even though it will normally strongly reflect the outcome of the last elections. Secondly, any protocol must obviously comply with the law and also must reflect the political realities of the Council concerned. The positions of groups, Chief Executives, Monitoring Officers and other politically restricted employees are principally set out in the Local Government and Housing Act 1989, and the wider requirements for Council Constitutions and executive arrangements are in the Local Government Act 2000. Both have been elaborated since with amendments and extensive subordinate legislation.

The following draft is offered as a starting point for a possible protocol for North Warwickshire Borough Council, which has 35 Members. At present that group membership comprises 20 Conservative and 15 Labour Councillors. The Council operates "fourth option" alternative arrangements, ie there is a Committee and not a Cabinet system. The Protocol is drafted on a gender-neutral basis, to be applicable to anyone in future in an acting role as well as to current postholders.

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Protocol

This Protocol, prepared following discussions between the Council's political groups, the Chief Executive and Directors, has been endorsed and approved by North Warwickshire Borough Council at its meeting on 15th December 2010. No such Protocol can be comprehensive: the intention is to provide a framework within which Councillor-employee relationships can be conducted in a manner which respects the different roles of the participants as well as recognising legal requirements and the Constitution and Standing Orders of the Council.

The Chief Executive will advise on any matters arising in relation to this Protocol.

The Chief Executive

- 1 The Chief Executive is the employee of the Council as a whole, and has overriding responsibility to the Council and not to any party political group.
- 2 The Chief Executive is nevertheless expected to work closely with the Administration for the time being and to give them information, assistance and advice. Subject to maintaining a politically neutral position, the Chief Executive may develop a special relationship with the Administration leadership, and will not without consent disclose elsewhere any matters discussed with that leadership.
- 3 The political neutrality of the Chief Executive should be respected by everyone. The Chief Executive should not be asked to play any role or undertake any task which is likely to prejudice that neutrality, or to make it difficult in future to serve a different majority political group.
- 4 All Councillors have a right of access to the Chief Executive. Where a Councillor requires information, it will be provided if it is readily available – for example, in Committee papers or material published by the Council. The Chief Executive is free to give advice on a confidential basis about procedural matters to any Councillor. In doubtful cases, the Chief Executive is entitled to seek the instructions of the Mayor, a Committee Chair or a Committee or Sub-Committee before responding to a Councillor's request.

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- 5 The following principles govern the relationship between the Chief Executive and any political group(s) not comprised within the current Administration:-
- (a) It is proper for the Chief Executive to develop a working relationship with any such group(s).
 - (b) The Chief Executive is free to provide information and assistance with drafting to, and answer procedural enquiries from, any such group(s) but will not advise as to the policies which any such group(s) should pursue.
 - (c) The Chief Executive will be under no duty to ensure that the Administration leadership are aware of information provided by the Chief Executive to any such groups or their representatives, unless it is either of a routine or trivial nature or to do so would be a breach of other confidence or another requirement of statute, law or this Protocol.
 - (d) As the employee of the Council as a whole, the Chief Executive will draw to the attention of the Administration leadership any case where it is thought that consideration should be given to affording information, consultation or representation to any such group(s).
 - (e) References to political groups are to groups formally constituted under section 15 of the Local Government and Housing Act 1989, and include references to representatives, or fewer than the entire membership, of any group.

In applying these principles to any situation, the Chief Executive will have regard to the perceived customs and practices of the Council, to any established traditions, and to any statutory or accepted procedural rules governing the rights of any such group(s) to information, consultation, assistance or representation. In addition the Chief Executive may hold joint meetings with the Leaders of all/any political groups, formally or on an unattributable basis.

- 6 If the Chief Executive attends a meeting of any formally constituted political group, the leadership(s) of other political groups need not be informed. The part played in the proceedings by the Chief Executive must be consistent with the political

DRAFT 1

neutrality of the post, and the Chief Executive will not be required to attend political group meetings at which people who are neither Councillors nor Council employees are present.

Other Members of the Council's Management Team

The principles of this Protocol apply similarly to all the other members of the Council's Management Team (currently the Deputy Chief Executive, the Assistant Chief Executive and Solicitor to the Council and the Assistant Chief Executive (Community Services), who shall act in relation to its scope under the general direction, and after seeking the advice, of the Chief Executive as statutory head of paid service.

Other Employees

- 1 Although the consideration applicable to the Chief Executive and the other members of the Council's Management Team affect other employees differently, the Council recognises that the most senior employees, and also those closely associated with the political processes, are statutorily politically restricted under section 2 of the Local Government and Housing Act 1989.
- 2 It is the duty of the Chief Executive and the other members of the Council's Management Team to ensure that the work and responses of employees are conducive to, and not undermining of, the principles of this Protocol. Employees are entitled to expect that political restrictions, and their other duties and limitations, will be respected by Councillors.
- 3 It is also the duty of the Chief Executive and the other members of the Council's Management Team to arrange matters so that employees properly understand the roles of both Councillors and employees, and the Council's approaches to the relations between them. Employees are also entitled to expect Councillors to respect the degree of seniority of employees with whom they may have dealings, and the fact that, while those employees owe duties to the Council as a whole as their employer, such duties are first expressed to the Chief Executive or another member of the Council's Management Team and not to any individual Councillor.

Agenda Item No 13

Executive Board

29 November 2010

Report of the Assistant Chief Executive and Solicitor to the Council

Petitions Scheme

1 Summary

- 1.1 This report informs Members of the need for the Council to adopt a Petitions Scheme and seeks approval for the scheme proposed.

Recommendation to the Council:

That Members endorse the draft scheme.

2 Report

- 2.1 The Local Democracy, Economic Development and Construction Act 2009 requires Councils to adopt a scheme by which petitions are dealt with. This will be in addition to this Council's arrangements whereby the public can ask questions at Council or Area Forum meetings, and the Councillor Call for Action whereby any Councillor can ask that a matter be considered by the Scrutiny Board. It should also be remembered that the public can contact their local Councillor and can write to the Council seeking an explanation for any action. Any dissatisfaction with the response can be dealt with through the Council's Compliments and Complaints Procedure and ultimately the Local Government Ombudsman. A draft scheme is attached (the links are not yet active).

- 2.2 The law states that the Council must specify the number of signatories needed to activate three of the formal processes – accepting a petition as “live”, requiring that the petition be debated by full Council and requiring a “relevant officer” to attend a meeting of the Scrutiny Board to answer questions. These issues will be discussed in turn.

- 2.3 With regard to accepting a petition, it is suggested that a figure of 50 is adopted. It is suggested that this figure is sufficient to show that a matter is of local concern and can be considered appropriate given the other opportunities that the public have to ask questions. This is not to say that a petition with 49 or fewer signatories will be ignored; Officers would deal with those petitions in an appropriate manner, letting Ward Councillors know of the response together with the relevant Board Chairman and Opposition Spokesperson where appropriate.

- 2.4 With regard to the figure required to have the petition debated by full Council and requiring a “relevant officer” attend a meeting of the Scrutiny Board, it is suggested that a figure of 2496 is used. This figure represents 5% of the electoral roll and is the figure used in other provisions relating to petitions (for example, requests for a referendum on an elected Mayor). The scheme defines “relevant” officer as the Chief Executive, Deputy Chief Executive or either of the Assistant Chief Executives.
- 2.5 The final issue to note is that if a petition organiser is not satisfied with the Council’s response to the petition it can ask the Scrutiny Board to review the adequacy of the steps taken.

3 Report Implications

3.1 Environment and Sustainability Implications

- 3.1.1 The Petitions Scheme will provide an additional option for local communities to raise concerns to the Council. This will be in addition to this Council’s arrangements whereby the public can ask questions at Council or Area Forum meetings, and the Councillor Call for Action whereby any Councillor can ask that a matter be considered by the Scrutiny Board. If the Council is effectively engaging with local communities via our existing processes highlighted within the report the need for local petitions should be very infrequent. Effective community engagement process helps support sustainable communities by enabling local communities to have their say and to influence local service delivery responses and arrangements.

The Contact Officer for this report is Steve Maxey (719438).

North Warwickshire Borough Council Petitions Scheme

The Council welcomes petitions bearing 50 or more signatures within this Scheme and recognises that petitions are one way in which people can let us know their concerns.

All petitions sent or presented to the Council will receive an acknowledgement from the Council within 14 days of receipt. This acknowledgement will set out what we plan to do with the petition.

Paper petitions can be sent to:

David Harris, Democratic Services Manager, North Warwickshire Borough Council. Council Offices, South Street, Atherstone, CV9 1DE

It is possible to create, sign and submit petitions online -

Throughout this Scheme, reference is made to “you” or “your” and this generally means the “petition organiser”.

What are the guidelines for submitting a petition?

Petitions submitted to the Council must relate to a function of the Council and include:-

- a clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the Council to take
- the name and address and signature of any person supporting the petition. Petitions should be accompanied by your contact details, as the petition organiser, including your address. This is to enable us to contact you to explain how we will respond to the petition.

A minimum number of signatures is required to justify any action under this Scheme. This has been set at 50 but there are higher thresholds which will justify other types of action (see page 3).

Your contact details, as the petition organiser, will not be placed on our website. If there is any doubt about the identity of the petition organiser, we will contact signatories to the petition to agree who should act as the petition organiser. Petitions which are considered to be vexatious, abusive or otherwise inappropriate will not be accepted.

If your petition does not follow the guidelines set out above, the Council may decide not to do anything further with it. In that case, we will write to you to explain the reasons.

What will the Council do when it receives the petition?

An acknowledgement will be sent to you, as the petition organiser within 14 days of receiving the petition, advising what we plan to do with the petition and when we will make a further response. It will also be published on our website.

If we can do what the petition asks for, the acknowledgement may confirm that we have taken the action requested and the petition will be closed. If the petition has enough signatures to trigger a Council debate, or a senior officer giving evidence, then the acknowledgment will confirm this and advise when and where the meeting will take place. If the petition needs more investigation, we will outline the steps we plan to take.

If the petition applies to a planning or licensing application, is a statutory petition (for example requesting a referendum on having an elected mayor), or on a matter where there is already an existing right of appeal, such as council tax banding and non-domestic rates, other procedures apply. Further information on all these procedures and how you can express your views is available here:

- [□ Comments, Compliments and Complaints](#)
- [□ Planning – Appeals](#)
- [□ Council Tax – Appeals](#)
- [□ Licensing \(Liquor and Entertainment\) – Appeals](#)
- [□ Licensing \(Taxi\) – Appeals](#)

We will not take action on any petition which we consider to be vexatious, abusive or otherwise inappropriate and will explain the reasons for this in our acknowledgement of the petition.

To ensure that people know what we are doing in response to the petitions we receive the details of all the petitions submitted to us will be published on our website, except in cases where this would be inappropriate. Whenever possible we will also publish all correspondence relating to the petition (all personal details will be removed).

How will the Council respond to petitions?

Our response to a petition will depend on what a petition asks for and how many people have signed it, but may include one or more of the following:

- taking the action requested in the petition
- considering the petition at a Council or Board meeting
- holding an inquiry into the matter
- undertaking research into the matter
- holding a public meeting
- referring the petition for consideration by the Council's Scrutiny Board
- writing to the petition organiser setting out our views about the request in the petition

In addition to these steps, the Council will consider all the specific actions it can potentially take on the issues highlighted in a petition.

If your petition is about something over which the Council has no direct control we will consider whether to make representations on behalf of the community to the relevant body. The Council works with a large number of local partners and where possible will work with these partners to respond to your petition. If we are not able to do this for any reason (for example if what the petition calls for conflicts with Council policy), then we will set out the reasons for this to you. You can find more information on the services for which the Council is responsible [here](#).

If your petition is about something that a different Council is responsible for we will consider the best method for responding to it. It might consist of simply forwarding the petition to the other Council, but could involve other steps. In any event we will always notify you of the action we have taken.

Full Council debates

If a petition contains more than 2496 signatures, as included on the electoral roll, it will be debated by the full Council unless it is a petition asking for a senior Council officer to give evidence at a public meeting. This means that the issue raised in the petition will be discussed at a meeting which all councillors can attend.

The petition organizer will be given three minutes to present the petition at the meeting and the petition will then be discussed by councillors. The Council will decide how to respond to the petition at this meeting. It may decide to take the action the petition requests, not to take the action requested for reasons put forward in the debate, or to commission further investigation into the matter, for example by a relevant Board. The petition organiser will receive written confirmation of this decision. This confirmation will also be published on our website.

Officer evidence

Your petition may ask for a senior council officer to give evidence at a public meeting about something for which the officer is responsible as part of their job. For example, your petition may ask a senior council officer to explain progress on an issue, or to explain the advice given to elected councillors to enable them to make a particular decision.

If your petition contains at least 2496 signatures, as included on the electoral roll, the relevant senior officer will give evidence at a public meeting of the Council's Scrutiny Board. The senior staff that can be called to give evidence are:-

Chief Executive - the Head of the Paid Service
Deputy Chief Executive – the Chief Finance Officer

Assistant Chief Executive and Solicitor to the Council – the Chief Legal Officer
Assistant Chief Executive (Community Services)

E-petitions

The Council welcomes e-petitions which are created and submitted through our website [link]. E-petitions must follow the same guidelines as paper petitions (see page 1).

The petition organiser will need to provide us with a name, postal address and email address, and decide how long the petition is to be open for signatures. This will usually be for a maximum of one month.

When you create an e-petition, it may take five working days before it is published online. This is because we have to check that the content of your petition is suitable before it is made available for signature. If we feel we cannot publish your petition for some reason, we will contact you within this time to explain. You will be able to change and resubmit your petition if you wish. If you do not do this within 14 days, a summary of the petition and the reason why it has not been accepted will be published under the 'rejected petitions' section of the website.

When an e-petition has closed for signature, it will automatically be submitted to David Harris – see page 1. In the same way as a paper petition, you will receive an acknowledgement within 14 working days.

How do I 'sign' an e-petition?

You can see all the e-petitions currently available for signature here [insert link]. When you sign an e-petition you will be asked to provide your name, your postcode and a valid email address. When you have submitted this information you will be sent an email to the email address you have provided.

What can I do if I feel my petition has not been dealt with properly?

If you feel that we have not dealt with your petition properly, you, as petition organiser, have the right to request that the Council's Scrutiny Board review the steps that the Council has taken in response to your petition. The Committee will consider your request at the next appropriate meeting. Should the Committee determine we have not dealt with your petition appropriately, it may use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendations to the appropriate Board or Officer and arranging for the matter to be considered at a meeting of the full Council. Once the appeal has been considered you will be informed of the results within seven working days.

Agenda Item No 15

Executive Board

29 November 2010

Report of the Assistant Director Finance and Human Resources

Policy for Relocation Expenses

1 Summary

- 1.1 This report updates the existing relocation expenses policy, which was originally written in 2002.

Recommendation to the Council

To adopt the reviewed policy.

2 Consultation

2.1 Portfolio Holder, Shadow Portfolio Holder and Ward Members

- 2.1.1 The Portfolio Holder and Shadow Portfolio Holder have been updated.

3 Introduction

- 3.1 The Policy has been reviewed and revised, following an internal audit identifying insufficient criteria for eligibility to access relocation expenses. The revised policy has been written and consulted on by senior managers and the trade unions.

4 Revisions to the Policy

- 4.1 The revised policy is attached at Appendix A. The key changes to the policy are:

- The employee must be living more than 25 miles away from the work location and/or a journey time of over 45 minutes and reducing their journey to work by 50%.
- An employee is entitled to reclaim a range of expenses under the relocation scheme, up to a maximum amount of £6,000. This is more equitable than the previous payment of £5,000 or 20% of the salary whichever was the greatest. It is a reduction on reclaimable costs for posts at SCP 30 and above.

- For clarity it is stated that there is an entitlement to either claim costs for conveyancing or, if the employee wishes, to have the Borough Council's legal staff undertake the appropriate conveyancing work in approved cases.

5 Report Implications

5.1 Financial Implications

- 5.1.1 The Council will be able to realise the savings relocation claims in posts at SCP 30 and above.

5.2 Human Resources Implications

- 5.2.1 As detailed in the report

5.3 Risk Management Implications

- 5.3.1 Attached as Appendix B

5.4 Equalities Implications

- 5.4.1 As attached at Appendix C

5.5 Links to Council's Priorities

- 5.5.1 The use of this policy will reduce the risk of inconsistencies and will contribute to the Council's priority relating to the effective use of resources.

The Contact Officer for this report is Janis McCulloch (719236).

Background Papers

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

Background Paper No	Author	Nature of Background Paper	Date

NORTH WARWICKSHIRE BOROUGH COUNCIL

POLICY FOR RELOCATION EXPENSES

1 Who the Scheme applies to

- 1.1 New employees, full time or part time, who as a result of an offer of permanent employment with North Warwickshire Borough Council, have to move their permanent home to within a reasonable distance of their normal workplace, will be entitled to receive financial assistance within this Scheme.
- 1.2 Employees appointed on fixed term or temporary contracts of not less than 2 years will also be entitled to receive payments within this Scheme, on the same basis as permanent employees.

2 General Conditions

- 2.1 The employee must be living more than 25 miles away from the work location and/or a journey time of over 45 minutes and reducing their journey to work by 50% or more
- 2.2 Payments shall not be made to an employee whose appointment can reasonably be regarded as resulting from some other member of the household moving to North Warwickshire for employment, or any other reason.
- 2.3 Payments will only be made where the employee declares that no other claim in relation to expenses is being made from any other source.
- 2.4 All claims within the Scheme must be made within 2 years of the employee taking up their appointment. This requirement will only be waived in exceptional circumstances.
- 2.5 In exceptional circumstances, the Chief Executive may vary the provisions of the Scheme, provided that it is mutually beneficial to do so.
- 2.6 Employees are advised to gain the necessary approval before any commitment is given.
- 2.6 Before any reimbursement of relocation expenses are paid repayment as detailed at section 5 must be agreed

3 Expenses That May be Claimed Under the Scheme

- 3.1 An employee is entitled to reclaim a range of expenses under the relocation scheme, up to a maximum amount of £6,000. Eligible expenses include:
 - **Removal expenses**
100% of removal expenses will be paid for removal to temporary accommodation and/or storage (where this is agreed in advance) and later to a permanent residence, whether purchased or rented.

- **Relocation Costs**

On the sale of property the following costs, as appropriate are allowable:

- Estate Agents fees – up to 1% of the selling price of the accommodation will be repaid.
- Legal expenses for conveyancing work

On the purchase of the property, the appropriate assistance will be given if a property is purchased within one year of commencing appointment. This may be extended, following consultation with the HR Section, in the event that the transaction is unavoidably delayed. The following costs, as appropriate, are allowable:

- Stamp duty
- Land registry fees
- Survey fees – mortgagees survey as required by the Building Society. The Council will only accept and meet the lowest cost, ie basic reports on defects and value
- Search Disbursements
- Bridging Loan – will be available at the rate of interest applicable to normal housing loans

With regard to both sale and purchase of properties, if the employee wishes, the Borough council's legal staff can undertake the appropriate conveyancing work in approved cases.

- **Settling in allowance**

A fixed sum of up to £600 is payable once and only as a contribution to the settling in costs such as curtaining, carpets, and installation of electrical appliances. This is payable for an Officer's permanent residence and not temporary accommodation.

- **Financial Assistance Living Away From Home**

As a measure of temporary assistance to an Officer with dependants, who is unable to accommodate the family within reasonable distance of the place of work, and where temporary lodging accommodation has to be found because it is not practical to travel, then:

- Accommodation at a specified local hotel will be found at the full rate for two weeks and thereafter up to 13 weeks at half the full rate;
- Second class rail fare home per weekend will be payable for up to 13 weeks;
- Where an Officer wishes to travel home daily, the appropriate second class weekend return rail fare will be payable for up to 13 weeks.

- **Temporary Housing**

If you are relocating and already living in Council accommodation, then arrangements can be made to transfer.

As an alternative to a two homes allowance, an officer who chooses to travel daily between the original home and new place of work whilst actively seeking accommodation may be paid an allowance, based on the actual cost of bus fares, second class rail fares or the appropriate car user allowance to which the officer is entitled. A car allowance paid under this provision will be taxable.

4 Payment of Claims

- 4.1 For expenses to be reimbursed, the employee must complete the Relocation Expenses claim form attached. The completed form should then go to the HR Section for authorisation. Payment will only be made on submission of relevant receipts. Originals must be provided, and these will not be returned as they are required for VAT purposes.
- 4.2 Removal expenses will be paid in full based on the lowest of three tenders for the removal of household possessions. An employee may accept a tender other than the lowest, provided they pay the additional costs involved. Where an employee is unable to provide the required number of tenders from independent companies, the payment of removal expenses may be authorised at the discretion of the HR Officer.
- 4.3 If removal is undertaken by hired van, receipts for the hire and the fuel must be submitted and only those expenses will be reimbursed.
- 4.4 When claims under sub-paragraph 4.2 are being made, the Relocation Expenses claim form must be completed and certified by the Director/Assistant Director and, in addition, the normal claim for car, travelling and subsistence allowances form must also be completed, indicating that the claim is taxable. In this case, both forms must be forwarded to HR.

5. Repayment of Allowances

- 5.1 A permanent employee who voluntarily leaves the Borough Council employment before the end of a three year period after the date of taking up an appointment, will be required to reimburse an appropriate proportion of the cost of any assistance received under the Relocation Expenses and Allowances Scheme, in connection with that appointment. This will be repayable as follows:-

Leaving within (from date of last payment)	% repayable
1 year	100%
2 years	65%
3 years	1/36 for each month remaining

- 5.2 A fixed term or temporary employee who voluntarily leaves the Council's employment before the end of their period of employment will be required to reimburse a proportion of any assistance received, the amount to be determined by the HR Officer in consultation with the relevant Assistant Director, according to the circumstances of the case.
- 5.3 Acceptance of payments under this Scheme will constitute acceptance by the employee of this condition and agreement to the deduction of any sums due to the Borough Council from any monies due to the employee on the termination of employment.

APPLICATION FOR REIMBURSEMENT OF RELOCATION EXPENSES

Name **Directorate**.....

Post Title

Date of Commencement of Employment.....

Old Address **New Address**

.....

.....

I claim the following expenses incurred under relocation. Receipts / invoices are attached.

Description	Amount
Total	
Previous claims	
Cumulative total	

I confirm that this claim meets eligibility criteria and undertake to make repayment as described in the Scheme, if I leave the Council's employment within three years of the last payment made.

Claimant's Signature
.....

Date.....

Certified By.....

Date.....

Job Title

For HR Use Only

Approved.....

Date.....

Equality Impact Assessment Summary Sheet

Please complete the following table summarised from the equality impact assessment form. This should be completed and attached to relevant Board reports.

Name of Policy Procedure/Service	Relocation Expenses
Officer Responsible for assessment	Janis McCulloch

Does this policy /procedure /service have any differential impact on the following equality groups /people

- (a) Is there a positive impact on any of the equality target groups or contribute to promoting equal opportunities and improve relations or:
- (b) could there be a negative impact on any of the equality target groups i.e. disadvantage them in any way

Equality Group	Positive impact	Negative impact	Reasons/Comments
Racial	No	No	
Gender	No	No	
Disabled people	No	No	
Gay, Lesbian and Bisexual people	No	No	
Older/Younger people	No	No	
Religion and Beliefs	No	No	
People having dependents caring responsibilities	No	No	
People having an offending past	No	No	
Transgender people	No	No	

If you have answered **No** to any of the above please give your reasons below

The eligibility criteria will apply to all new employees requesting relocation expenses.

Please indicate if you believe that this document

Should proceed to further Impact assessment **NO**

Needs no further action **NO**

Risk Management Form

**NORTH WARWICKSHIRE
BOROUGH COUNCIL**

Division Finance & HR

Cost Centre or Service

Risk Ref	Risk: Title/Description	Consequence	Likelihood (5 = high, 1 = low)	Impact (5 = high, 1 = low)	Gross Risk Rating	Responsible Officer	Existing Control Procedures	Likelihood (5 = high, 1 = low)	Impact (5 = high, 1 = low)	Net Risk Rating
	To not adopt the reviewed policy	Unequal application in favour of employees in posts at SCP 30 and above	3	4	12	Janis McCulloch	Reviewed policy implemented	0	0	0
		Inconsistent application of the existing policy	5	5	25			0	0	0
Risk Ref	Options for additional / replacement control procedure						Cost Resources	Likelihood (5 = high, 1 = low)	Impact (5 = high, 1 = low)	Net Risk Rating

Completed By: Janis McCulloch

Date: 12 November 2010

Agenda Item No 16

Executive Board

29 November 2010

Report of the Chief Executive

Review of Polling Districts and Polling Places

1 Summary

- 1.1 The Council is invited to approve the polling districts and polling places scheme for North Warwickshire.

Recommendation to the Council:

That the existing scheme of polling districts and polling places be approved without amendment.

2 Background

- 2.1 Under the Electoral Administration Act 2006 (EAA) the Council is required to undertake and complete a review of all polling districts and polling places in its area. Members will recall that in September the Council authorised the Chief Executive to commence a review.

3 The Review

- 3.1 Consultation on the review was undertaken during October and early November. Consultees included, Borough Councillors, Town and Parish Councils, Members of Parliament, local political groups, DIAL, Nuneaton and Bedworth Borough Council and through the Council's website. Consultation responses received are set out in Appendix A.

- 3.2 With regard to the comment from Councillor Davis in respect polling station at the Ratcliffe Centre, Ratcliffe Road, Atherstone you will note my recommendation is to retain the polling for the reasons set out in Appendix A.

- 3.3 At the General Election in May this year my Polling Station Inspectors undertook a polling place assessment and no major issues were identified. At a number of polling stations signage, both inside and outside, was highlighted together with the condition and nature of the polling booths. Both of these issues will be addressed as part of the planning and training for the 2011 elections.

- 3.4 The Board is invited to recommend to the Council the adoption of the existing scheme without amendment. The scheme can be found on the following link

http://www.northwarks.gov.uk/downloads/Polling_District_and_Polling_Station_Review_Street_Index.pdf

4 **Report Implications**

4.1 **Financial Implications**

4.1.1 Election costs are met by the relevant body e.g. Borough Council, Parish Council, County Council or Government. Where elections are combined the costs are split evenly between the elections.

4.2 **Legal and Human Rights Implications**

4.2.1 These are referred to in the main body of the report.

The Contact Officer for this report is David Harris (719222).

Background Papers

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

Background Paper No	Author	Nature of Background Paper	Date
None			

Review of Polling Districts and Polling Places 2010

North Warwickshire

Consultation Responses Received

Name	Nature of Response	Recommended Action/Comments
Packington Estate	Although the electorate for the Parishes of Great and Little Packington is only a total of 128 we feel that Packington Hall is central for the Parishioners who are widely spread across the Parishes.	Noted
Councillor Wykes	Current arrangements work well.	Noted
Councillor Davis	<p>I am happy with the arrangements for the Atherstone South and Mancetter Ward.</p> <p>However I wish to bring to your attention the close proximity of two polling stations in Atherstone Central where the use of one could be ceased. This is the use of what was the Rowen Centre for the very few voters that use it and it's closeness to NWBC offices where it would be cost effective to just use the Council House.</p>	<p>Noted</p> <p>There are 747 electors allocated to the Rowan Centre/Ratcliffe Centre - this is a significant number and not just a few voters. The suggested number for a polling station is around 1000 electors and this falls not too far short of that.</p> <p>The Rowan Centre/Ratcliffe Centre sits in the heart of the polling district and is more convenient for electors - a number would have to walk past the Rowan Centre/Ratcliffe Centre to get to the Council House.</p>

		<p>The Council House has two polling stations with an electorate of 2258 (approx 1120 in each). To add another 700 plus would significantly increase numbers in what is a relatively busy and cramped polling place. In addition at the next elections we could see a Referendum, Borough and Town Council elections in this area and we do not want to create a situation (as happened in other parts of the Country at the General Election in 2010) where voters are being denied late in the evening due to numbers.</p> <p>That the suggestion to close the polling station at the Ratcliffe Centre be not agreed</p>
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Agenda Item No 17

Executive Board

29 November 2010

Report of the Assistant Director (Finance and Human Resources)

Budgetary Control Report 2010/11 Period Ended 31 October 2010

1 Summary

- 1.1 The report covers revenue expenditure and income for the period from 1 April 2010 to 31 October 2010. The 2010/2011 budget and the actual position for the period, compared with the estimate at that date, are given, together with an estimate of the out-turn position for services reporting to this Board.

Recommendation to Council

That the report be noted and that the Board requests any further information it feels would assist it in monitoring the budgets under the Board's control.

2 Consultation

2.1 Portfolio Holder, Shadow Portfolio Holder and Ward Members

- 2.1.1 Both Councillors' Bowden and Butcher have been consulted regarding this report. Any comments received will be reported verbally to the Board.

3 Report

3.1 Introduction

- 3.1.1 Under the Best Value Accounting Code of Practice (BVACOP), services should be charged with the total cost of providing the service, which not only includes costs and income directly incurred, but also support costs relating to such areas as finance, office accommodation, telephone costs and IT services.

4 Overall Position

- 4.1 Net controllable expenditure for those services that report to the Executive Board as at 31 October 2010 is £293,547 compared with a profiled budgetary position of £304,033 an under spend of £10,486 for the period. Appendix A to this report provides details of the profiled and actual position for each service reporting to this Board, together with the variance for the period.

...

- 4.2 Where possible, the budget to date figure has been calculated with some allowance for seasonal variations, in order to give a better comparison with actual figures. Reasons for the variations are given, where appropriate, in more detail below.

4.3 North Warwickshire Local Development Framework

4.3.1 As previously reported, a grant of £8,418 has been received from the government to cover new burdens set out in 'The New Burdens (Habitats Regulations Assessments and Climate Change Planning Policy Statement). The award of this grant came after the budget had been set and will be used by the service during the year.

5 Risks to the Budget

5.1 The key risk to the budgetary position of the Council from services under the control of this Board is:

- Uncertainty surrounding the volume of work and available funding over the next five years for the North Warwickshire Local Development Framework.
- The current level of budget within Emergency Planning is sufficient to carry out the anticipated workload; however any major local emergency would require additional expenditure.

6 Estimated Out-turn

6.1 Members have requested that Budgetary Control Reports provide details on the likely out-turn position for each of the services reporting to this Board. It is anticipated that the outturn for this Board will be the same at the Approved Budget.

6.2 The figures provided above are based on information available at this time of the year and are the best available estimates for this board, and may change as the financial year progresses. Members will be updated in future reports of any changes to the forecast out turn.

7 Report Implications

7.1 Finance and Value for Money Implications

7.1.1 The Council's budgeted contribution to General Fund balances for the 2010/11 financial year is £17,310. Income and Expenditure will continue to be closely managed and any issues that arise will be reported to this Board for comment.

7.2 Environment and Sustainability Implications

7.2.1 The Council has to ensure that it adopts and implements robust and comprehensive budgetary monitoring and control, to ensure not only the availability of services within the current financial year, but in future years.

The Contact Officer for this report is Nigel Lane (719371).

Background Papers

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

Background Paper No	Author	Nature of Background Paper	Date

North Warwickshire Borough Council
EXECUTIVE BOARD
Budgetary Control Report 2010/2011 as at 31 October 2010

Code	Description	Original Budget 2010/2011	Profiled Budget to October 2010	Actual to end October 2010	Variance to Date	Comments
2000	Housing Strategic Service Review	34,140	19,308	19,308	0	
2001	Corporate Communications LEADER	25,380	0	0	0	
2002	Corporate Communications	78,730	51,606	50,963	(643)	
2003	Community Strategy	128,730	73,613	71,906	(1,707)	
2006	Communication Group	2,190	1,361	870	(491)	
2007	Emergency Planning	65,560	33,327	33,327	0	
2009	North Warks Local Development Framework	156,810	124,048	116,403	(7,645)	See paragraph 4.3
5050	Support to Parishes	11,930	770	770	0	
	TOTALS	503,470	304,033	293,547	(10,486)	

Agenda Item No 18

Executive Board

29 November 2010

Report of the Assistant Chief Executive and Solicitor to the Council

Equality Act Update

1 Summary

- 1.1 This briefing sets out the main elements of the Equality Act 2010 and updates Members on the Council's overall approach to improving equality and diversity. The work will help improve equity and equality of opportunity for all through our service delivery and as an employer.

Recommendation to the Board

That Members note the changes highlighted in the report arising from the Equality Act 2010.

2 Consultation

2.1 Portfolio Holder, Shadow Portfolio Holder and Ward Members

- 2.1.1 The Portfolio Holder and Shadow Portfolio Holder for Community Life have sent a copy of the report and any comments from them will be reported to the Board.

3 Report

- 3.1 The new Equality Act, 2010 builds on the duties that require local authorities (and other public authorities) to eliminate unlawful discrimination and promote equality of opportunity in relation to race, disability and gender. A new Single Public Sector Equality Duty incorporates all of the existing duties but extends the range to include issues relating to Age, Religion or Belief, Transgender, Sexual Orientation and Socio-economic deprivation. These are now known as "Protected Characteristics".

4 Equality Act 2010

- 4.1 The Council has a statutory obligation under equality legislation to
- Eliminate unlawful discrimination, both direct and indirect, against everyone regardless of individual circumstances.
 - Promote equality of opportunity.
 - Promote good relations between persons of different backgrounds.

- Encourage participation in public life for people of different backgrounds.
- 4.2 The Act is the most significant piece of equality legislation for many years. It is designed to simplify, streamline and strengthen the law, giving individuals greater protection from unfair discrimination and make it easier for public bodies and companies to understand their responsibilities. Nine major pieces of legislation and around 100 other measures have been replaced by this single Act. It also sets a new standard for those who provide public services to treat everyone with dignity and respect. Most of the provisions of the Equality Act came into force on 1 October 2010. The integrated 'public sector equality duty' and socio-economic duty provisions are still subject to further consideration and consultation
- 4.3 The main elements of the Act are
- the 'Protected Characteristics'
 - the definitions of unlawful discrimination
 - the disability related aspects
 - the provision of goods, facilities and services
 - tackling socio-economic inequalities
 - procurement
 - employment related matters and pay reviews

5 The Protected Characteristics

- 5.1 The Act protects people from discrimination on the basis of a protected characteristic against a person or group of people because of:
- age
 - disability
 - gender re-assignment
 - pregnancy and maternity
 - race which includes ethnic or national origins colour and nationality
 - religion or belief
 - sex, and
 - sexual orientation.
- 5.2 These are known as the 'Protected Characteristics', (used to be called grounds) all of which were covered to varying degrees by previous legislation. The Act strengthens the existing provisions relating to gender re-assignment. For example it will be unlawful to discriminate against a person who is in the process of changing from one gender to another as well as people who have completed the transition.
- 5.3 In addition, the Act recognises that unlawful discrimination can occur because of a combination of two protected characteristics. Therefore people will be able to make a claim of unlawful discrimination on grounds of, for example, both being female and disabled or black and gay. The Act also includes the power to address caste discrimination in the future, should the government consider that there is a need.

6 Definitions of Unlawful Discrimination

6.1 Direct Discrimination

6.1.1 This occurs when a person is treated less favourably than others are or would be treated, and the treatment is because of a protected characteristic.

6.2 Discrimination by Association

6.2.1 This is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

6.3 Discrimination by Perception

6.3.1 This is discrimination against an individual because others think they possess a protected characteristic.

6.4 Indirect Discrimination

6.4.1 This occurs when an organisation has a rule, policy or practice which applies to everyone but particularly disadvantages people who share a protected characteristic however It can be justified if it has a 'proportionate means of achieving a legitimate aim'.

6.5 Harassment

6.5.1 This occurs when a person engages in unwanted conduct which is related to a protected characteristic, and which has the **purpose** or the **effect** of: violating the dignity of another person, or creating for that person an intimidating, hostile, degrading, humiliating or offensive environment. This can apply when the individual that it is directed at is not offended but others are

6.6 Victimisation

6.6.1 This occurs when someone faces discrimination because she or he has made an allegation of unlawful discrimination or because of assisting or supporting a complainant.

7 Disability Related Aspects

7.1 The Equality Act also maintains the duty to make 'reasonable adjustments' which was first introduced in the Disability Discrimination Acts of 1995 and 2006. The duty was introduced to enable disabled people to take up or continue to work for an organisation or to gain access to the services an organisation provides.

8 Disability: (new definition and changes)

- 8.1 The Act has made it easier for a person to show that they are disabled and protected from disability discrimination. Under the Act a person is disabled if they have a physical or mental impairment which has substantial and long term effect on their ability to carry out normal day to day activities which would include using a telephone, reading a book or using public transport.

9 Discrimination Arising from Disability

- 9.1 In addition, the Act introduces the concept of discrimination arising from disability. This is defined as treatment of a disabled person amounting to discrimination where a service provider treats the disabled person unfavourably and this treatment is because of something arising in consequence of the disabled person's disability, and the service provider cannot show that this treatment is a proportionate means of achieving a legitimate aim.

- 9.2 The position is that it is unlawful discrimination to treat a disabled person unfavourably not because of the person's disability itself but because of something arising from, or in consequence of, his or her disability. Discrimination arising from disability can only be claimed when an employer or other person (or agency / organisation) knows, or reasonably could be expected to know, that the disabled person has a disability.

10 Service Provision

- 10.1 The Equality Act makes it unlawful to discriminate against or harass a person because of a protected characteristic, or victimise someone when providing services (which includes goods and facilities). The person is protected both when requesting a service and during the course of being provided with a service. The Act extends protection in this area on the grounds of a person's age for the first time, provided the person is over 18 years old.

11 Socio-Economic Inequalities

- 11.1 The Equality Act places a new duty on Government Ministers, departments and key public bodies such as local authorities to consider what action they can take to reduce the socio-economic inequalities people face. This duty will affect how public bodies make strategic decisions about spending and service delivery, highlighting the public sector's role in reducing disadvantage. The duty does not apply to front line decisions taken by service providers which relate solely to individuals. This duty is not yet in force.

12 Procurement

- 12.1 Any contract that the Council enters into will reflect a range of principles to ensure that the services provided are tailored to our community. Therefore, it is important to the Council (as is the case) that equality and diversity are reflected in all our procurement procedures and in particular those that impact most on the community.

12.2 When the Council procures externally sourced goods, works and services a contractor themselves must not discriminate. The Council's duties include not only ensuring discrimination does not occur, but also actively promoting equal opportunities and good community relations. In order to do this, the Council must build in relevant equality considerations into the procurement process. Contractors, and potential contractors, will need to be aware of and accommodate the legal duty placed on the Council since it has implications for them also to ensure that equality requirements in its contracts are complied with for example in:

- the procurement policy and procedures
- pre-procurement considerations including pre-qualification questionnaires
- drawing up contract specifications and inviting tenders
- selecting a contractor, awarding the contract and contract conditions, and monitoring performance once the contract has been let

13 **Employment**

13.1 The Equality Act makes it unlawful for an employer to discriminate against or victimise employees and people seeking work. This includes unlawful harassment. The employment provisions in the Act apply where the employer is making arrangements to fill a job, and in respect of anything done in the course of a person's employment. It also imposes the reasonable adjustments duty set out above on employers in respect of disabled employees and applicants.

14 **Liability**

14.1 An employer is liable for alleged acts of unlawful discrimination carried out by their employees unless they can show they have taken all reasonable and practical steps to ensure that employees knew their actions were unlawful. Policies and procedures will need to highlight the need for employees to carry out their duties in line with the Equality Act and equality and diversity policies. This liability would not be discharged simply by asking employees to sign a statement that they will not commit acts of unlawful discrimination.

15 **Equality Scheme**

15.1 An important part of the Act is the public sector Single Equality Duty, which has a key role in ensuring that fairness is at the heart of public bodies' work and that public services meet the needs of different groups. However the government's proposals for the specific duties do not include a requirement to produce a Single Equality Scheme (SES). Although there is nothing to prevent bodies from doing so if they wish.

15.2 Views are being sought on proposals for draft regulations for the specific duties and the list of public bodies that will be subject to the general and specific duties.

- 15.3 Guidance on the implications of the Bill will be produced in December 2010, which the Council will take into account when producing our Equality Plans. The final details of these are likely to be to:
- Set out equality objectives
 - Report on progress in meeting these objectives
 - Using Equality Impact Assessments to assess the impact of their work in advancing equality
 - Pay particular attention to how they involve and consult service users
- 15.4 In addition, a number of statutory codes of practice and non statutory codes of guidance are due to be issued on the Equality Act.
- 15.5 The Council already has separate equality plans for Race Disability and Gender and is developing one scheme to evidence equality priorities for each protected characteristic and to set objectives accordingly.
- 15.6 This will mean we will be able to demonstrate what evidence has been used in deciding objectives, those groups or individuals that have been consulted and involved in the process. It is expected that objectives, actions to be taken and results will be developed and reported as part of the Council's business and through established processes. For example all major policy decisions are subject to an Equality Impact Assessment (see paragraph 17).
- 15.7 The outcomes will, therefore, be monitored through these existing performance management frameworks. Some of these outcomes will be achieved and monitored through the work of the Local Community Partnership, and the Partnership's Equality group.

16 **Equality Framework for Local Government**

- 16.1 The Equality Standard for Local Government was introduced in 2001, as a performance and improvement framework to enable local authorities to establish equality into the everyday workings of the Council. The Equality Standard consisted of five levels, level one being the lowest and five being the highest. By April 2009 we had reached Level 2 of the standard. From April 2009, the Equality Framework for Local Government replaced the Equality Standard.
- 16.2 The new framework focused on outcomes for the community rather than processes and consisted of three levels
- Level 1 – Developing
 - Level 2 – Achieving
 - Level 3 – Excellent
- 16.3 The Council, having reached Level 2 of the previous Equality Standard, has now been reclassified as Level 1 'Developing' under the new Equality Framework. We are working to achieve Level 2 'by April 2011. The framework is currently under review however we can continue to evidence our progress overall using this framework.

17 Equality Impact Assessments (EIA)

17.1 What the Equality Duties do is to enable Public Authorities to demonstrate that their decisions are made in a fair, transparent and accountable way, considering the needs and the rights of different members of the community. This is achieved through assessing the impact that changes to policies, procedures and practices could have on different equality groups. Negative or adverse impacts identified should be removed or mitigated. If any negative or adverse impacts amount to unlawful discrimination these must be removed.

18 Implementation timetable

18.1 All of the provisions set out in the Equality Act came into force from October, 2010 with the following exceptions:

- The “Public Sector duties” come into effect from April 2011
- The socio-economic duty and public sector pay reporting requirements come into effect from April 2011

19 Report Implications

19.1 Finance and Value for Money Implications

19.1.1 No specific implications have been identified. The Equality Duty enables Public Authorities to demonstrate that financial decisions are taken in a fair transparent and accountable way considering the needs and the rights of different members of our community.

19.2 Safer Communities Implications

19.2.1 No specific implications have been identified. However, it is noted that cohesive communities promote harmony and a safer borough to live and work in. Effective communications with all communities will positively impact on perceptions of safety within the borough.

19.3 Legal and Human Rights Implications

19.3.1 Legal duties for equalities are set in a framework of legislation linked primarily to the Race Relations Act 1975 (as amended in 2000), Human Rights Act 1998, Employment Equality Regulations (Sexual Orientation & Religion or Belief) 2003, Disability Discrimination Act 1995 & 2005 and the Equality Act 2006. .

19.3.2 Regard to the impact of any decisions on the areas of equality covered by the duty in order for the decision to be a ‘reasonable’ and therefore lawful one. Compliance with any relevant equality impact assessments in association with decisions are an important way to ensure that the decision maker has before them the equality issues relevant to the decision to be taken

19.4 Equalities Implications

19.4.1 As detailed in the report

The Contact Officer for this report is Simon Weaver (719331).

Background Papers

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

Background Paper No	Author	Nature of Background Paper	Date

Agenda Item No 19

Executive Board

29 November 2010

Report of the Assistant Chief Executive and Solicitor to the Council and the Head of Development Control

Section 106 Agreements - Variations

1 Summary

- 1.1 This report provides a draft paper, outlining the options that the Council could consider to increase flexibility in Section 106 Agreements as a consequence of the current economic conditions. The draft paper was recently considered and approved by the Planning and Development Board.

Recommendation to the Council

That the draft paper be approved for the purposes of consultation with a view to adding it to the Council's Supplementary Planning Document on Affordable Housing following consideration of any responses from that consultation period.

2 Background

- 2.1 The Planning and Development Board recently considered and approved the attached report and appendix for submission to this Board. The Board is therefore invited to approve the draft paper for the purposes of consultation.
- 2.2 If the Board agrees the attached paper, it will be added to the Council's Supplementary Planning Document on Affordable Housing following a period of consultation.

3 Report Implications

- 3.1 These are set out in the attached Appendix.

The Contact Officers for this report are Dorothy Barratt (719250) and Jeff Brown (719310).

Background Papers

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

Background Paper No	Author	Nature of Background Paper	Date

Agenda Item No 6

Planning and Development Board

15 November 2010

**Report of the
Head of Development Control**

**Section 106 Agreements -
Variations**

1 Summary

- 1.1 This report provides a draft paper, at the request of the Board, outlining the options that the Council could consider to increase flexibility in Section 106 Agreements as a consequence of the current economic conditions.

Recommendation to the Board

That the Executive Board be recommended to consult on the attached paper with a view to adding it to the Council's Supplementary Planning Document on Affordable Housing following consideration of any responses from that consultation period.

2 Background

- 2.1 At a recent Board meeting, Members considered increasing flexibility into the payment of financial contributions arising from Section 106 Agreements affecting affordable housing, in order to reflect the current economic times and the impact that these were having on the viability of development schemes. The request to produce a paper in response is now attached at Appendix A.

...

- 2.2 Additionally, there have been issues arising whereby prospective applicants and owners who are looking to develop land for just one or two units within a settlement where all housing is to be affordable by virtue of development plan policy are finding it difficult and cumbersome to produce a full Housing Needs Survey in order to justify their proposals. A greater degree of flexibility is needed here too. As a consequence the opportunity is taken to add to the attached paper.
- 2.3 There has been some concern expressed by different interests that the actual policy itself of limiting all new houses in some settlements to solely "affordable" housing is too onerous. This concern has been noted, and it is intended to address the matter through the work currently being undertaken on the preparation of the Preferred Option for the Core Strategy due next year.
- 2.4 If the Board agrees the attached paper, it will be added to the Council's Supplementary Planning Document on Affordable Housing following a period of consultation.

3 Report Implications

3.1 Links to the Council's Priorities

- 3.1.1 Through introducing greater flexibility in the payment of contributions, the viability of development schemes should be increased thus giving greater confidence to deliver the Council's priority of increasing the provision of affordable housing.

The Contact Officer for this report is Jeff Brown (719310).

Background Papers

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

Background Paper No	Author	Nature of Background Paper	Date

Agenda Item No 20

Executive Board

29 November 2010

**Report of the Assistant Chief Executive
and Solicitor to the Council**

**Local Growth – White Paper from
the Department for Business
Innovation and Skills**

1 Summary

1.1 This report informs Members of the above White Paper.

Recommendation to the Board

That the report is noted.

2 Background

2.1 As Members will be aware, a number of significant changes have occurred recently relating to economic development. These include the replacement of Regional Development Agencies (RDA) with Local Enterprise Partnerships (LEP) and Members will be aware that this Council was involved in submitting a bid with partners for a Coventry and Warwickshire LEP. The Council is also involved in a cross border partnership with Nuneaton and Bedworth and Hinckley and Bosworth Councils and businesses in our areas.

2.2 The next step has been the publication of a White Paper setting out how this locally driven economic development will take place. As part of this White Paper two major announcements have taken place. Firstly, the Government has accepted the Coventry and Warwickshire bid, along with 23 other partnerships across the country. Secondly, there will be a £1.4bn Regional Growth Fund to support the creation of jobs, particularly in areas currently dependant on the public sector. Bids can be made by private companies and public-private partnerships, such as LEPs. It is expected that bids will be submitted both by the Coventry and Warwickshire LEP and the North Warwickshire/Nuneaton and Bedworth/Hinckley and Bosworth partnership and these will be reported to Members in due course.

2.3 The White Paper can be read in full at <http://www.bis.gov.uk/assets/biscore/regional/docs//cm7961-local-growth-white-paper.pdf>.

2.4 The Coventry and Warwickshire LEP have produced a summary of the White Paper and this is attached to this report.

The Contact Officer for this report is Steve Maxey (719438).

Local growth: realising every place's potential

HM Government – 28th October 2010, Briefing Note



The White Paper published today sets out the Government's role in empowering locally driven growth, encouraging business investment and promoting economic development. For local communities this means ensuring that everyone has access to opportunities that growth brings and everyone is able to fulfil their potential.

Key Points

As part of the White Paper 2 key elements were announced:

- **Twenty-four local enterprise partnerships proposals have been given the green light, including Coventry & Warwickshire**, in a landmark move that will see local business and civic leaders working together to drive sustainable economic growth and create new jobs in their communities.
- **The £1.4bn Regional Growth Fund will also be open for business from today**, as announced by the Deputy Prime Minister. This will support the creation of private sector jobs and will particularly support communities currently dependent on the public sector, helping them make the transition to private sector led growth and prosperity.

A copy of the white paper can be downloaded at;

<http://www.bis.gov.uk/assets/biscore/regional/docs/l/cm7961-local-growth-white-paper.pdf>

The white paper sets out the Government's new approach on rebalancing the economy and helping drive sustainable growth by focusing on three key themes:

- Shifting power to local communities and businesses, by creating dynamic local enterprise partnerships.
- Increasing confidence to invest.

- Focused investment, by tackling barriers to growth that the market will not address itself.

Local Enterprise Partnerships

Those who understand their economies best should lead their development and enable all places to fulfil their potential. In September the Government received 62 responses to its invitation to form local enterprise partnerships. Proposals covered every part of England outside London. Today 24 bids have been asked to progress their proposals to the next stage. A map of successful LEP's can be found in Annex A of the white paper (page 39).

Business Secretary Vince Cable said:

"I was delighted that so many of the proposals for local enterprise partnerships showed real imagination and initiative and a genuine desire to drive local economic growth. I am pleased to announce that we are asking 24 of these partnerships to set up their boards and get to work.

"The knowledge and expertise of the private sector, local authorities and their local communities will be crucial as we work to create a better environment for business and ensure that everyone has access to the opportunities that growth brings."

It is envisaged LEP's could undertake a diverse range of roles from working with government to set out key investment priorities, leveraging funding from the private sector and to tackling worklessness. The partnerships will be expected to fund their own day to day running costs.

Regional Growth Fund

The White Paper also sets out the timetable and further criteria for the operation of the newly-launched £1.4bn Regional Growth Fund. The fund will provide focused investment for projects that offer significant potential for private sector-led economic growth and sustainable employment. **First round bids for funding are requested by 21 January 2011**. There will be an opportunity to submit projects, packaged and on a later round programmes of activity.

Lord Heseltine will Chair the Independent Advisory Panel, which will consider all bids submitted to the fund and make recommendations to Ministers on which to approve. Lord Heseltine will be supported by Deputy Chair, Sir Ian Wrigglesworth and a panel of academics, business and civic leaders.

A separate, more detailed briefing will be issued on the Regional Growth Fund.

Other notable points;

- Transition from RDA'S – functions will be devolved locally where it makes sense. Some will be coordinated at a national level. Collaboration is expected between national and local levels. Plans are in place re: knowledge transfer from RDA's.
- RDA Assets and Liabilities – clear principles for disposal;
 - Assets disposed of together with associated liabilities
 - Aim to get the best possible outcome and meet local ambitions.
- LEP's may have a role in delivering devolved functions of RDA's around – Business advice, innovation, low carbon, Inward Investment / international trade and Tourism.
- ERDF – LEP'S will have a role on "Programme Monitoring Committees" for each region. Alignment with RGF will be encouraged.
- RDPE – National Approach to continue for the remainder of the programme (2013). Leader approach is likely to provide a basis for further engagement with LEP's.
- Increased confidence to invest (section 3) – commitment to reforming the planning system to make it work better for business and communities. This will include giving communities new "right to build" powers. A framework for local authorities to deliver sustainable economic development will include a new home bonus scheme and proposals to offer discounts on business rates.
- Tax Increment Finance – will enable local councils to borrow against future additional uplift within their business rates.
- Tourism – strong emphasis will be placed on leadership by local tourism interests i.e. local businesses. Visit England will play a supporting role at a national level. Future delivery of tourism activities will be the responsibility of Destination Management Organisations (DMO's). They should be membership and partnership bodies defined by local tourism business, attractions and interests. In the transition from the RDA government will support the DMO's and LEP's.

- **Business Improvement** – 2 primary routes for SME's – through business link national web presence and a national call centre.
- **Innovation** – an elite network of Technology and Innovation Centres will be created.
- **Sector Policy** – Manufacturing Advisory Service will continue to provide specialist no-nonsense support and advice to manufacturers.
- **Inward Investment**- attracting FDI is key, but when promoting the UK to overseas this is best coordinated at a national level. Retention of investment will need strong partnership working between the national and local level. UKTI is developing a framework around 2 key principles – provision of national, sectoral support and provision of the more local needs of investors. The people who provide this support will be geographically dispersed around the UK. The delivery organisation will be a focal point for connection to local and private networks, including LEP's to cover provision of information at the local level and the local offer and a means that ensures that stays up to date and how this links to UKTI FDI approach.
- **Olympics** – imperative that key activities continue.
- **16-19 skills** – LA's should include provision in their wider education vision for their areas and will want to influence and shape that provision. Government has announced the removal of the requirement on local authorities to come together in sub-regional and regional planning groups. However, in many places there are highly effective 14-19 partnerships between authorities and providers which might be the place to continue the development of shared understanding of the needs of young people.

Louise Richardson

CSWP

Agenda Item No 21

Executive Board

29 November 2010

**Report of the Assistant Chief Executive
and Solicitor to the Council**

**Corporate Plan Targets – Planning
and Development Board**

1 Summary

- 1.1 This report informs Members of changes to Corporate Plan Targets suggested by the Planning and Development Board

Recommendation to the Council

That the Board agrees to the changes to the Corporate Plan Targets detailed in the report.

2 Consultation

2.1 Portfolio Holder, Shadow Portfolio Holder and Ward Members

- 2.1.1 The Portfolio Holder and Shadow Portfolio Holder for Resources, Councillors Bowden and Butcher have been sent a copy of this report and any comments received will be reported to the Board. Councillors Simpson and Sweet, Chairman of the Planning and Development Board and Opposition Spokesperson, support the proposed changes.

3 Background

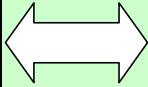
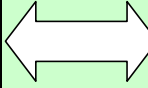
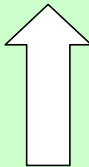
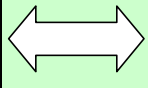
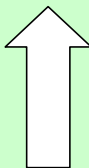
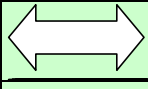
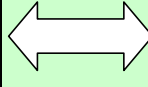
- ... 3.1 The attached Corporate Plan target update was presented to the Planning and Development Board on 15 November 2010. At that meeting Members noted that action on a number of targets relating to the preparation of the Core Strategy could not now progress due to changes in the national planning system.

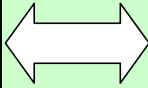
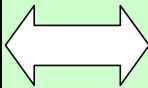
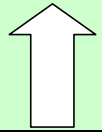
- 3.2 As a result therefore it was agreed that a single target should replace all the current targets relating to the Core Strategy:

“Submit a report to the Planning and Development Board by March 2011 detailing the implications of the Localism Bill and including a revised Core Strategy timetable”.

- 3.3 This matter is reported to this Board as it has overall responsibility for the Corporate Plan. Given the recent significant national legislative and financial changes, it is likely that further such amendments will be suggested.

The Contact Officer for this report is Steve Maxey (719438).

Ref	Start Date	Action	Board	Lead Officer	Reporting Officer	Theme	Sub-Theme	Update	Traffic Light	Direction
24	Apr-10	Publishing the Core Strategy by October 2010 and submitting it formally to the Secretary of State	Executive Board / Planning & Development Board	ACE&SC	Dorothy Barratt	Housing		Work on Core Strategy stalled due to abolition of RSS.	Amber	
29	Apr-10	Publishing the Core Strategy by October 2010 and submitting it formally to the Secretary of State which will include policies to defend the openness and character of the countryside, policies containing strategic housing proposals and other land use implications. Policies will also be included to reflect the Strategic Flood Risk Assessment	Executive Board / Planning & Development Board	ACE&SC	Dorothy Barratt	Countryside & Heritage		Work on Core Strategy stalled due to abolition of RSS.	Amber	
30	Apr-10	To move towards the management of development rather than its control where appropriate, looking at development proposals as an opportunity to deliver the Council's priorities and objectives as set out in the Sustainable Community Plans, the Corporate Plan, and not just the Development Plan. To report on the effectiveness of this approach by March 2011	Planning & Development Board	Head of DC	Jeff Brown	Countryside & Heritage		Development management is becoming more embedded in decision making - eg. the Section 106 for Phase 2 of Birch Coppice. This will be reported in more detail to Board in August 2011.	Amber	
32	Apr-10	Consideration of planning applications to ensure only appropriate development is allowed in the Green Belt including policies to focus development within the agreed settlement hierarchy in the Core Strategy by February 2011	Executive Board / Planning & Development Board	Head of DC/ACE&SC	Jeff Brown	Countryside & Heritage		This is the basis of current planning determinations, notwithstanding the delays in moving the Core Strategy forward.	Green	
33	Apr-10	Working with partners at the sub regional level to gather information and then develop a financial plan for financial contributions linked to development. At the same time gathering information locally and develop a robust financial plan for inclusion in the LDF process by February 2011 including a Supplementary Planning Document on contributions for Open Space provision within the LDF process by February 2011	Executive Board / Planning & Development Board	ACE&SC	Dorothy Barratt	Countryside & Heritage		Work continuing to be gathered although there may be implications from abolition of RSS and work on Core Strategy that may impact on the implementation.	Green	
34	Apr-10	Implementing the revised policy and provide an annual report on the outcomes of the Enforcement Policy by March 2011	Planning & Development Board	Head of DC	Jeff Brown	Countryside & Heritage		Report to go to Board in August 2011.	Amber	
40	Apr-10	Including policies in the Core Strategy to protect the best of our existing buildings and ensure new build is in keeping with the character of the area by February 2011	Planning & Development Board	ACE&SC	Dorothy Barratt	Countryside & Heritage		Work on Core Strategy stalled due to abolition of RSS.	Amber	

Ref	Start Date	Action	Board	Lead Officer	Reporting Officer	Theme	Sub-Theme	Update	Traffic Light	Direction
41	Apr-10	Considering planning applications so as to protect the best of our existing buildings and ensure new build is in keeping with the character of the area	Planning & Development Board	Head of DC	Jeff Brown	Countryside & Heritage		This is a ongoing planning consideration.	Green	
42	Apr-10	Design briefs for strategic sites in the Core Strategy and SPD on issues such as local distinctiveness and design to be prepared following the publication of the Core Strategy in February 2011	Executive Board / Planning & Development Board	ACE&SC	Jeff Brown	Countryside & Heritage		Work on Core Strategy stalled due to abolition of RSS.	Amber	
43	Apr-10	To ensure design advice is given at pre-application stages in appropriate cases and to introduce a system of post development visits. Continue to use the design champion	Executive Board / Planning & Development Board	ACE&SC	Jeff Brown	Countryside & Heritage	DCE	Design Champion involved in pre-application discussions and post development visits now taking place.	Green	
44	Apr-10	To prepare for the Civic Award event in 2012	Planning & Development Board	ACE&SC	Jeff Brown	Countryside & Heritage	DCE	No action needed yet.	Green	