

**To: Leader and Members of the Executive Board**  
(Councillors M Stanley, Hayfield, Humphreys, Moore, Morson, Phillips, Simpson, Smith and Sweet)

**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](mailto: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 and electronic accessible formats if requested.**

## **EXECUTIVE BOARD AGENDA**

**17 JUNE 2014**

The Executive Board will meet in the The Chamber, The Council House, South Street, Atherstone, Warwickshire on Tuesday 17 June 2014 at 6.30pm.

### **AGENDA**

- 1 Evacuation Procedure.**
- 2 Apologies for Absence / Members away on official Council business.**
- 3 Disclosable Pecuniary and Non-Pecuniary Interests**

4 **Public Participation**

Up to twenty minutes will be set aside for members of the public to ask questions or to put their views to elected Members. Participants are restricted to five minutes each. If you wish to speak at the meeting please contact David Harris on 01827 719222 or email [democraticservices@northwarks.gov.uk](mailto:democraticservices@northwarks.gov.uk).

5 **Requests for discussion of En Bloc items and approval of remaining En Bloc items.**

6 **Minutes of the meetings of the Board held on 11 February and 14 May 2014**, copies herewith, to be approved as a correct record and signed by the Chairman.

## **PART A – ITEMS FOR DISCUSSION AND DECISION**

7 **Capital Programme - 2013/14 Final Position** - Report of the Assistant Director (Finance and Human Resources)

### **Summary**

The purpose of this report is to update Members on the final position of the 2013/14 Capital Programme and to highlight those schemes which have not progressed as quickly as expected and which are recommended to be carried forward into the 2014/15 Capital Programme.

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

8 **Capital Accounts 2013/14** - Report of the Deputy Chief Executive

### **Summary**

The capital accounts for 2013/14 have been prepared. This report shows expenditure for the year, together with the methods of funding used.

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

9 **Earmarked Reserves 2014/15** - Report of the Deputy Chief Executive

### **Summary**

The Council holds a number of reserves to meet future expenditure, other than the General Fund and Housing Revenue Fund. This report

informs Members of the balances on these reserves at 31 March 2014, subject to audit, and updates the proposed use of reserves in 2014/15.

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

10 **Annual Governance Statement 2013/14** - Report of the Deputy Chief Executive

**Summary**

The Annual Governance Statement sets out the arrangements the Council has put in place for the governance of its affairs and facilitating the effective exercise of its functions, including arrangements for the management of risk. These ensure that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and accounted for and is used economically, efficiently and effectively.

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

11 **Financial Statements 2013/14** - Report of the Deputy Chief Executive. To follow.

**Summary**

The Annual Financial Statements have to be signed by the Responsible Financial Officer (RFO) by the end of June 2014. This report highlights the position on the General Fund and Housing Revenue Account, compared with the estimate position previously reported.

The accounts have not yet been audited, and may need some adjustment following the completion of the audit later in the year. The audited Statements will be presented at the September meeting of the Executive Board.

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

12 **Scheme of Delegation in Respect of the Determination of Planning Applications** - Report of the Head of Development Control

**Summary**

The Planning and Development Board has recently considered an amendment to the Scheme of Delegation in respect of the determination of planning applications. Its recommendation is now placed before this Board.

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

- 13 **Warwickshire Fire and Rescue Service: Shaping the Future Consultation** - Report of the Chief Executive

**Summary**

To consider a consultation from the Warwickshire Fire and Rescue Service on shaping the future. The Council's comments on the first stage of the consultation have been invited.

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

- 14 **Membership of the Democratic Structures Task and Finish Group** - Report of the Chief Executive

**Summary**

The purpose of this report is to consider the membership of the Democratic Structures Task and Finish Group for the ensuing year.

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

- 15 **Broadband Update Report and BDUK Match Funding** - Report of the Assistant Director (Corporate Services)

**Summary**

The report provides an update on the progress made to improve broadband coverage and speeds. It also seeks the Board's views on providing additional match funding to enable new Broadband Delivery (BDUK) grant funding to be accessed.

The Contact Officer for this report is Linda Bird (719327)

- 16 **Leisure Management Software - Use of Urgent Business Powers** - Report of the Assistant Director (Leisure and Community Development)

**Summary**

This report seeks the Board's endorsement of action taken under the Chief Executive's Urgent Business Powers to procure a new Leisure Management Software system and its approval of a small consequent increase in the revenue budget.

The Contact Officer for this report is Peter Wheaton (719257).

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

- 17 **Constitutional Amendments** – Report of the Assistant Chief Executive and Solicitor to the Council

### **Summary**

The report seeks the Board's approval for a number of changes to the Council's Constitution.

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

- 18 **Pay Policy Statement 2014/15** - Report of the Assistant Director (Finance and Human Resources)

### **Summary**

This report updates the Pay Policy Statement.

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

- 19 **Progress Report on Achievement of Corporate Plan and Performance Indicator Targets – April 2013 to March 2014** – Report of the Chief Executive and the Deputy Chief Executive

### **Summary**

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 2013 to March 2014.

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

- 20 **Scrutiny Forward Plan and Annual Report** - Report of the Assistant Director (Corporate Services)

### **Summary**

This report provides information on the work of the Scrutiny Board and its Forward Plan which shows potential items for future Scrutiny Boards.

The Contact Officer for this report is Linda Bird (719327)

- 21 **Minutes of the meetings of the Special Sub-Group held on 17 February, 17 March, 14 April, 19 May 2014** (copies herewith) and **16 June 2014** (to be circulated at the meeting) to be received and noted.

- 22 **Minutes of the meeting of the Local Development Framework Sub-Committee held on 9 April 2014**, copy herewith, to be received and noted.

## **PART C – EXEMPT INFORMATION (GOLD PAPERS)**

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

**Recommendation:**

**That under Section 110A(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.**

- 24 **High Street Innovation Fund** – Report of the Assistant Chief Executive and Solicitor to the Council. To follow.

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

JERRY HUTCHINSON  
Chief Executive

**NORTH WARWICKSHIRE BOROUGH COUNCIL**

**MINUTES OF THE  
EXECUTIVE BOARD**

**11 February 2014**

Present: Councillor M Stanley in the Chair

Councillors Hayfield, Humphreys, Moore, Morson, Smith, Sweet and Winter

Apologies for absence were received from Councillor Phillips (substitute Councillor Winter) and Simpson

**66 Disclosable Pecuniary and Non-Pecuniary Interests.**

None were declared at the meeting.

**67 Minutes of the meetings of the Board held on 25 November 2013**

The minutes of the meeting of the Board held on 25 November 2013, copies having been circulated, were approved as a correct record and signed by the Chairman.

**68 External Audit Plan 2013/14**

The Deputy Chief Executive reported on the External Auditors' plan for their work related to the 2013/14 financial year. Alison Breadon and Mark Jones from PricewaterhouseCoopers were in attendance.

**Recommended:**

- a That the contents of the External Auditors' report and the Certification report for grants for 2012/13 be noted; and**
- b That the de minimis reporting level threshold be raised to £15,000.**

**69 Corporate Plan 2014/15**

The Chief Executive presented the Corporate Plan for 2014/15. Members were also asked to agree the 2014/15 Forward Work Plan for the Assistant Chief Executive and Solicitor to the Council.

**Recommended:**

- a **That Corporate Priority 8 – Access to Services be amended to:-**

**“Providing easier access to Council and other public services, particularly through the internet and local community facilities”;**

- b **That, with the addition of the amendment referred from the Safer Communities Sub-Committee, the Corporate Plan, as set out in Appendix A to the report, be agreed, subject to any further amendments which may be needed as a result of the adoption of the 2014-15 budget;**
- c **That the Chief Executive be given delegated authority to finalise the format of the Plan; and**
- d **That the Service Plan for the Assistant Chief Executive & Solicitor to the Council, as set out in Appendix B to the report, be agreed.**

**70 The Capital Strategy**

The Assistant Director (Finance and Human Resources) presented an update on the Capital Strategy and the Board was asked to agree the suggested course of action.

**Recommended:**

**That the Capital Strategy, attached as Appendix A to the report of the Assistant Director (Finance and Human Resources), be approved.**

**71 The Proposed 3 Year Capital Programme 2014/15 – 2016/17**

Management Team put forward proposals for the Three Year Capital Programme and outlined the availability of capital resources.

**Recommended:**

- a **That the Revised Capital Programme for 2013/14 as set out in Appendix A, be adopted;**
- b **That the 3 Year Capital Programme for the period 2014/15 to 2016/17 as set out in Appendix B, be adopted; and**



- c That the prudential indicators set out in the revised version of Appendix F, be approved.**

**72 General Fund Fees and Charges 2014 – 2015**

The Assistant Chief Executive and Solicitor to the Council reported on proposed fees and charges for 2014/15 and the Board was asked to agree a suggested course of action.

**Recommended**

**That the schedule of fees and charges for 2014/15, set out in the report of the Assistant Chief Executive and Solicitor to the Council, be accepted.**

**73 General Fund Revenue Estimates 2014 – 2015**

The Deputy Chief Executive reported on the revised budget for 2013/14 and an estimate of expenditure for 2014/15, together with forward commitments for 2015/16, 2016/17 and 2017/18.

**Recommended:**

- a That the revised budget for 2013/14 be accepted; and**
- b That the Estimates of Expenditure for 2014/15, as submitted, be included in the budget to be brought before the meeting for consideration under Minute No. 74.**

**74 General Fund Revenue Estimates 2014 – 2015 and Setting the Council Tax 2014 – 2015**

The Deputy Chief Executive set out the proposed General Fund Revenue Estimate for 2014/15, and the options available when setting the 2014/15 Council Tax for the Borough in the context of the Authority's Revenue Support Grant settlement, and the effect on General Fund balances.

**Recommended:**

- a That the savings of £633,650 shown in Appendix I of the report of the Deputy Chief Executive be approved;**
- b That the revised estimate for the year 2013/14 and the revenue estimates for 2014/15 be approved;**

- c That the Council Tax base for 2014/15, as set out in Appendix G be noted;
- d That the preferred Council Tax option for 2014/15 be 0%;
- e That the Deputy Chief Executive's comments on the minimum acceptable level of general reserves be noted;
- f That the manpower estimates for the year 2014/15 be approved; and
- g That a Council Tax resolution be prepared for consideration by the Council, using the recommendations agreed by this Board.

**75 Business Rates**

The Deputy Chief Executive sought delegated power to submit the NDR1 form on behalf of the Council. In addition the Board was asked to approve a Non-Domestic Discretionary Retail Rate Relief Policy which was circulated at the meeting.

**Recommended:**

- a That the Deputy Chief Executive be given delegated authority to approve the submission of the NDR1 return; and
- b That the Non-Domestic Discretionary Retail Rate Relief Scheme attached at Appendix A to the report be adopted.

**76 Review of Polling Districts, Polling Place and Polling Stations**

The Chief Executive reported on the process for the review of polling districts, polling places and polling stations in accordance with the Electoral Administration Act 2013 and the Board was asked to agree a suggested course of action.

**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.**

**77 Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April 2013 – December 2013.**

The Chief Executive and the Deputy Chief Executive informed Members of the actual performance and achievement against the Corporate Plan and Performance Indicator targets relevant to the Executive Board for April to December 2013.

**Resolved:**

**That the report be noted.**

**78 Minutes of the meetings of the Special Sub-Group held on 16 December 2013 and 20 January 2014**

The minutes of the meetings of the Special Sub-Group held on 16 December 2013 and 20 January 2014 were received and noted.

**79 Minutes of the meeting of the Safer Communities Sub-Committee held on 23 January 2014**

The minutes of the meeting of the Safer Communities Sub-Committee held on 23 January 2014 were received and noted.

M Stanley  
Chairman

**NORTH WARWICKSHIRE BOROUGH COUNCIL**

**MINUTES OF THE  
EXECUTIVE BOARD**

**14 May 2014**

Present: Councillor M Stanley in the Chair

Councillors Hayfield, Humphreys, Moore, Morson, Phillips, Smith and Sweet

Councillor May was also in attendance.

**80 Disclosable Pecuniary and Non-Pecuniary Interests.**

None were declared at the meeting.

**81 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 in Schedule 12A to the Act.**

**82 High Speed 2 - Petitioning**

The Assistant Chief Executive and Solicitor to the Council reported on the draft petitioning points to be submitted by the Council to the Selection Committee considering the HS2 Hybrid Bill and Members were asked to agree a suggested course of action.

**Recommended:**

- a That, subject to the inclusion of additional paragraphs relating to noise issues, the draft petitioning points be agreed;**
- b That the Assistant Chief Executive and Solicitor to the Council be given delegated authority to make any necessary changes prior to its submission; and**
- c That the Board notes the contribution of the Forward Planning Officer and her team in the preparation of the submission.**

**M Stanley  
Chairman**



## Agenda Item No 7

### Executive Board

17 June 2014

Report of the Assistant Director  
(Finance and Human Resources)

Capital Programme – 2013/14  
Final Position

## 1 Summary

- 1.1 The purpose of this report is to update Members on the final position of the 2013/14 Capital Programme and to highlight those schemes which have not progressed as quickly as expected and which are recommended to be carried forward into the 2014/15 Capital Programme.

### Recommendation to the Council:

- a That the Board notes the level of expenditure incurred (both actual and committed) to the end of March 2014 against the 2013/14 Revised Capital Programme;
- b That the Board notes the schemes which have not progressed as expected during the year; and
- c That both the committed expenditure and schemes which have not progressed during the year be agreed as slippage to be carried forward into the 2014/15 Capital Programme.

## 2 The Current Position

- ...
- 2.1 The Council's Revised Capital Programme for 2013/14, approved by this Board in February 2014, is set out in Appendix A. Also showing is the actual level of expenditure incurred on each scheme as at the end of March 2014.
- 2.2 The Appendix shows that the current level of actual expenditure incurred amounts to £7,768,929 against a revised programme total of £11,758,060, which represents an initial under-spend of £3,989,131.

## 3 Outcomes from Capital Expenditure

- 3.1 The £7,768,929 spent on capital schemes in 2013/14 has achieved a number of outcomes, and some of these are highlighted in the following paragraphs.
- 3.2 In terms of housing grants to the private sector, further improvements at 60 properties for disabled facility adaptations have been completed in 2013/14,

along with 29 properties that have benefited from the Decent Homes improvement scheme.

- 3.3 Work has begun on the new Coleshill Leisure Centre and is progressing in line with the project plan.
- 3.4 There has been investment in a replacement Payment Management System, with the new system enabling the council to achieve PCI (Payment Card Industry) compliance, and the initial phase of the upgrade has begun.
- 3.5 The work on the Council House accommodation project is nearing completion and is on course to complete in June 2014. This includes an upgrade of the IT and telephony infrastructure used in the Council House.
- 3.6 During 2013/14 the Council brought back in-house its recycling and waste collection service, along with the road sweeping service. This has resulted in investment in 3 new refuse collection vehicles, new recycling bins and the replacement of a road sweeping machine
- 3.7 Work has been carried out on 5 play area improvement schemes during the year, at Piccadilly, Polesworth, Dordon (x2) and Baddesley Ensor. Two of the schemes were substantially complete at the end of the financial year.
- 3.8 In terms of housing capital expenditure, key elements such as windows and doors, kitchens, roofing and heating have been replaced during the year. Adaptations to a number of houses were made which has enabled disabled tenants to continue living in their current Council property. Improvements at 2 Community Centres were undertaken during the year.
- 3.9 Work has begun on the construction of 25 new homes and 3 shops at the Lister Road development in partnership with Waterloo Homes. In addition to this substantial environmental improvement work has also been carried out in Piccadilly.

#### **4 Committed Spend in 2014/15**

- 4.1 Of the capital programme under-spend of £3,989,131, there are commitments of £3,147,293 which will be required in 2014/15 to fulfil contracts already let or to continue the progress of on going schemes. These amounts are shown in column (5) of Appendix A.

#### **5 Schemes / Expenditure Delayed**

- 5.1 There is still a need for the capital expenditure shown in column (6) of Appendix A.
- 5.2 Now that work on the Council House accommodation project is substantially complete, the Council's other public buildings will be reviewed and funding set aside for Equalities Act work will be allocated as necessary.

- 5.3 The allocation for the Bear & Ragged Staff has not been used in 2013/14, as consultation and discussion with the landlord is currently in progress. The need for the work still exists, so it is proposed to carry forward the allocation until the outcome of the discussions is known.
- 5.4 It has not been possible to complete all housing revenue account schemes in the year due to staffing shortages, however the work is still required. Again it is proposed that the budget is carried forward.

## **6 Report Implications**

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

- 6.1.1 The actual level of expenditure incurred up to the end of March 2014 amounts to £7,768,929, which is £3,989,131 below the full year budget. However, of the capital programme under-spend, there are commitments of £3,147,293 which will be required in 2014/15 to fulfil contracts let or to continue the progress of on going schemes. In addition, Members are also requested to carry forward schemes totalling £829,560, where expenditure has been delayed in 2013/14.

### **6.2 Sustainability Implications**

- 6.2.1 Expenditure incurred as part of the Council's Capital Programme enables the Council to continue to deliver a range of services to the people of North Warwickshire which contributes towards improving the quality of life for the communities of North Warwickshire.

### **6.3 Risk Management Implications**

- 6.3.1 If the financial provision requested is not carried forward, the achievement of some of the Council's objectives may be at risk.

### **6.4 Equalities Implications**

- 6.4.1 The Council is required to ensure it meets the requirements of the Equality Act 2010. The Act brings together all previous equality legislation and includes a public sector duty (the equality duty) replacing separate duties relating to race, disability and gender equality. The capital programme includes some provision for improving accessibility as previously required under the Disability Discrimination Act. The DDA defines discrimination in a number of ways and outlines four specific types of discrimination: direct discrimination, failure to make reasonable adjustments, disability-related discrimination and victimisation.

The Contact Officer for this report is Carl Ford (719397).



	(1)	(2)	(3)	(4)	(5)	(6)
Capital Scheme Description	Total 2013/14 Revised Budget	Total Actual at 31st March 2014	Total Variation to Revised Budget	Committed Variance to c/fwd into 2014/15	Schemes to c/fwd into 2014/15	
Disabled Discrimination Act Adaptations	351,250	-	(351,250)	-	351,250	
Electrical Work	103,500	15,653	(87,847)	-	87,847	
Leisure Equipment	20,000	19,711	(289)	-	-	
Atherstone Accommodation Project	1,748,170	1,617,856	(130,314)	130,314	-	
Borough Care System	2,500	-	(2,500)	2,500	-	
Coleshill Leisure Centre	1,202,820	1,011,277	(191,543)	191,543	-	
Piccadilly Sport Fields	45,000	17,136	(27,864)	27,864	-	
Polesworth Abbey Green Park	329,970	318,542	(11,428)	11,428	-	
Dordon Long Street Park	278,110	275,237	(2,873)	2,873	-	
Dordon Kitwood Avenue Park	36,680	4,272	(32,408)	32,408	-	
Baddesley Ensor Improvement	38,320	12,151	(26,169)	26,169	-	
Recycling Containers	629,500	632,967	3,467	-	-	
Bear & Ragged Staff	120,000	-	(120,000)	-	120,000	
Lower House Farm	150,000	136,749	(13,251)	-	-	
Bretts Hall Park	30,000	-	(30,000)	30,000	-	
Computer Software	56,740	44,122	(12,618)	12,618	-	
Computer Infrastructure	20,000	18,640	(1,360)	-	-	
Warwickshire Direct Partnership	21,060	-	(21,060)	-	-	*
Leisure Booking System	50,000	-	(50,000)	50,000	-	
New Telephone System	65,000	50,570	(14,430)	-	-	
New IT Switch Gear	40,000	60,078	20,078	-	-	
Payment Management System	-	5,189	5,189	-	-	
Server Virtualisation	95,180	91,555	(3,625)	-	-	
Customer Relationship Management System	40,000	41,121	1,121	-	-	
Life Lines	18,000	19,277	1,277	-	-	
Mobile CCTV	24,960	17,370	(7,590)	7,590	-	
Transport	656,800	649,293	(7,508)	-	7,508	
HSC Scheme	-	7,140	7,140	-	-	
Disabled Facilities Grant	541,450	363,135	(178,315)	178,315	-	
Decent Homes Assistance	195,640	91,540	(104,100)	104,100	-	
Homes Improvement Agency	-	12,600	12,600	-	-	
<b>General Fund Total</b>	<b>6,910,650</b>	<b>5,533,179</b>	<b>(1,377,471)</b>	<b>807,722</b>	<b>566,605</b>	
Asbestos Work	276,850	68,078	(208,772)	-	58,965	
Disabled Facility Adaptations	191,100	273,593	82,493	-	-	
Community Centres	-	7,071	7,071	-	-	
Windows and Doors	230,480	209,024	(21,456)	5,427	-	
Kitchens	589,680	126,469	(463,211)	463,211	-	
Cavity Walls	727,080	3,923	(723,158)	723,158	-	
Roofing	188,700	30,680	(158,020)	158,020	-	
Garages	24,020	7,508	(16,512)	16,512	-	
Heating	768,820	740,364	(28,456)	28,456	-	
Electrics	-	67,314	67,314	-	-	
External Works	69,600	28,917	(40,683)	40,683	-	
Door Entry Scheme	-	1,150	1,150	-	-	
Piccadilly Development	250,000	249,770	(230)	-	-	
Structural Work	31,380	17,474	(13,906)	13,906	-	
Loft Insulation	162,150	-	(162,150)	-	162,150	
UPVC Entrance Screens	-	7,808	7,808	-	-	
Unadopted Roads	41,840	-	(41,840)	-	41,840	
General Cost	157,000	148,095	(8,905)	-	-	
New Build Housing	1,039,760	241,225	(798,535)	798,535	-	
Chimney Stacks	33,430	7,287	(26,143)	26,143	-	
Fencing	65,520	-	(65,520)	65,520	-	
<b>HRA Total</b>	<b>4,847,410</b>	<b>2,235,750</b>	<b>(2,611,660)</b>	<b>2,339,571</b>	<b>262,955</b>	
<b>Total</b>	<b>11,758,060</b>	<b>7,768,929</b>	<b>(3,989,131)</b>	<b>3,147,293</b>	<b>829,560</b>	

## **Agenda Item No 8**

### **Executive Board**

**17 June 2014**

#### **Report of the Deputy Chief Executive**

#### **Capital Accounts 2013/14**

### **1 Summary**

- 1.1 The capital accounts for 2013/14 have been prepared. This report shows expenditure for the year, together with the methods of funding used.

#### **Recommendation to the Council**

**That the methods of funding to meet capital expenditure incurred in 2013/14 be approved.**

### **2 Capital Expenditure and Financing**

- 2.1 Capital expenditure incurred by the Council in 2013/14 totalled £7,768,929. In addition, an amount of expenditure relating to 2012/13, totalling £391,681, remained un-funded from the previous financial year. The method by which these amounts have been financed is shown in Appendix A. The Authority has used a variety of sources, including prudential borrowing, capital receipts, capital and revenue grants, revenue contributions and earmarked reserves. Capital creditors 2013/14 are amounts relating to the 2013/14 financial year, which were not paid before the year end and therefore will not be financed until 2014/15. In preparing the funding statement, the effect on resources has been taken into account, and this is explained below.
- 2.2 In order to maximise the resources available to the Council, all of the capital grant received from the Department for Communities and Local Government towards disabled facilities grants, have been used within the financial year. A number of other sources of funding were used, which include: income from earmarked reserves previously approved by Members and revenue contributions to capital expenditure.
- 2.3 It has been necessary to use some capital receipts to fund some of the programme in 2013/14, in line with the Capital Strategy approved by this Board in February. In addition, some prudential borrowing has been undertaken by the General Fund.

2.4 The accounts of the Authority will not be audited until August. Any adjustments to the funding statement will be reported to this Board following the conclusion of the audit.

### 3 Report Implications

#### 3.1 Finance and Value for Money Implications

3.1.1 The funding of the 2013/14 programme is consistent with the strategy approved by the Council, to use some receipts for General Fund schemes and to maximise the resources available for the overall programme.

3.1.2 The Council currently holds usable capital receipts of £4,528,705. Grant funding and reserves of £4,968,396 remain largely to be used for the housing new build, the private sector housing programme, and the future replacement of play areas and other assets. In addition, £1,621,257 is held within the Major Repairs Reserve for future spending on maintaining the council's housing stock. All of these funds have been earmarked to finance the Council's long-term capital programme.

#### 3.2 Environment and Sustainability Implications

3.2.1 The Council invests in new and existing assets to enable the provision of services to continue to be delivered to the people of North Warwickshire.

#### 3.3 Links to Council's Priorities

3.3.1 The proposed funding arrangements contribute towards the Council's priority of maximising its resources.

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

### 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

## EXPENDITURE FOR CAPITAL PURPOSES &amp; METHOD OF FUNDING 2013/14

Description	Capital Creditors 2012/13	Final Spending 2013/14	TOTAL	Prudential Borrowing	Grants & Contributions	GF Revenue Contribution	Section 106	HRA & GF Capital Receipts	HRA & GF Earmarked Reserves	Capital Creditors 2013/14	TOTAL
Sport Fields, Piccadilly		17,136.30	17,136.30		-		17,136.30	-	-		17,136.30
Abbey Green Park, Polesworth		318,541.57	318,541.57		94,863.95		183,900.00	2,000.00	6,059.87	31,717.75	318,541.57
Long Street Park, Dordon		275,236.87	275,236.87		30,024.45		170,390.00	-	54,399.44	20,422.98	275,236.87
Kitwood Avenue Park, Dordon		4,271.72	4,271.72		-		3,671.72	-	-	600.00	4,271.72
Speedwell Lane Park, Baddesley Ensor		12,150.99	12,150.99		-		12,150.99	-	-		12,150.99
Electrical Work		15,652.82	15,652.82		-	14,946.14		-	-	706.68	15,652.82
Council House Accommodation Project	2,500.00	1,617,855.81	1,620,355.81	1,440,355.81	150,000.00			-	-	30,000.00	1,620,355.81
New Coleshill Leisure Centre	74,332.64	1,011,277.18	1,085,609.82		203,932.49			827,677.33	-	54,000.00	1,085,609.82
Lower House Farm		136,749.09	136,749.09	136,749.09	-			-	-		136,749.09
<b>Operational Assets</b>	<b>76,832.64</b>	<b>3,408,872.35</b>	<b>3,485,704.99</b>	<b>1,577,104.90</b>	<b>478,820.89</b>	<b>14,946.14</b>	<b>387,249.01</b>	<b>829,677.33</b>	<b>60,459.31</b>	<b>137,447.41</b>	<b>3,485,704.99</b>
<b>Computer</b>	<b>4,824.97</b>	<b>170,272.13</b>	<b>175,097.10</b>	<b>-</b>	<b>-</b>	<b>95,413.86</b>	<b>-</b>	<b>44,683.24</b>	<b>35,000.00</b>	<b>-</b>	<b>175,097.10</b>
Recycling Containers		632,967.28	632,967.28	19,391.43	435,000.00			-	178,575.85		632,967.28
Leisure Equipment	463.46	19,711.46	20,174.92		-			-	19,676.92	498.00	20,174.92
New Telephone System		50,570.22	50,570.22		-			50,570.22	-		50,570.22
Mobile CCTV		17,370.00	17,370.00		-			-	17,370.00		17,370.00
Life Lines		19,276.55	19,276.55		-			19,276.55	-		19,276.55
Transport		649,292.50	649,292.50	10,880.52	-			-	638,411.98		649,292.50
<b>Vehicles &amp; Equipment</b>	<b>463.46</b>	<b>1,389,188.01</b>	<b>1,389,651.47</b>	<b>30,271.95</b>	<b>435,000.00</b>	<b>-</b>	<b>-</b>	<b>69,846.77</b>	<b>854,034.75</b>	<b>498.00</b>	<b>1,389,651.47</b>
<b>Vehicles, Plant &amp; Equipment Total</b>	<b>5,288.43</b>	<b>1,559,460.14</b>	<b>1,564,748.57</b>	<b>30,271.95</b>	<b>435,000.00</b>	<b>95,413.86</b>	<b>-</b>	<b>114,530.01</b>	<b>889,034.75</b>	<b>498.00</b>	<b>1,564,748.57</b>
<b>Intangible Asset (Software)</b>	<b>-</b>	<b>90,431.92</b>	<b>90,431.92</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>90,431.92</b>	<b>-</b>	<b>-</b>	<b>90,431.92</b>
<b>GF CAPITAL ASSET TOTAL</b>	<b>82,121.07</b>	<b>5,058,764.41</b>	<b>5,140,885.48</b>	<b>1,607,376.85</b>	<b>913,820.89</b>	<b>110,360.00</b>	<b>387,249.01</b>	<b>1,034,639.26</b>	<b>949,494.06</b>	<b>137,945.41</b>	<b>5,140,885.48</b>
HSC Scheme		7,140.00	7,140.00		-			7,140.00	-		7,140.00
Disabled Facilities Grant	1,871.00	363,134.92	365,005.92		331,685.16			-	-	33,320.76	365,005.92
Decent Homes Assistance		91,539.58	91,539.58		-			87,791.98	-	3,747.60	91,539.58
Homes Improvement Agency		12,600.00	12,600.00		-			12,600.00	-	-	12,600.00
<b>G.F. DEFERRED CHARGES</b>	<b>1,871.00</b>	<b>474,414.50</b>	<b>476,285.50</b>	<b>-</b>	<b>331,685.16</b>	<b>-</b>	<b>-</b>	<b>107,531.98</b>	<b>-</b>	<b>37,068.36</b>	<b>476,285.50</b>
Asbestos Work		68,078.06	68,078.06		-			-	68,078.06		68,078.06
Disabled Facilities Adaptations	543.79	273,593.44	274,137.23		-			-	272,580.34	1,556.89	274,137.23
Community Centres	49,863.40	7,071.20	56,934.60		-			-	56,934.60		56,934.60
Windows & Doors	3,644.70	209,024.09	212,668.79		-			-	212,668.79		212,668.79
Kitchens	85,865.43	126,468.52	212,333.95		-			-	211,963.95	370.00	212,333.95
Cavity Wall	1,080.00	3,922.50	5,002.50		-			-	4,530.00	472.50	5,002.50
Roofing	76,098.08	30,680.02	106,778.10		-			-	104,539.31	2,238.79	106,778.10
Garages		7,508.00	7,508.00		-			-	7,508.00		7,508.00
Heating		740,364.02	740,364.02		-			-	685,833.06	54,530.96	740,364.02
Electrics		67,314.47	67,314.47		-			-	62,251.47	5,063.00	67,314.47
External Works	750.00	28,917.13	29,667.13		-			-	26,529.21	3,137.92	29,667.13
Door Entry Scheme		1,150.00	1,150.00		-			-	-	1,150.00	1,150.00
Piccadilly Development		249,769.54	249,769.54		-			-	249,769.54		249,769.54
Structural Work		17,473.76	17,473.76		-			-	-	17,473.76	17,473.76
UPVC Entrance Screens	45,530.09	7,808.47	53,338.56		-			-	53,338.56		53,338.56
Chimney Stacks		7,286.57	7,286.57		-			-	7,032.21	254.36	7,286.57
New Build Housing	44,313.76	241,225.17	285,538.93		36,952.74			248,586.19	-		285,538.93
General Cost		148,095.02	148,095.02		-			-	148,095.02		148,095.02
<b>HRA TOTAL</b>	<b>307,689.25</b>	<b>2,235,749.98</b>	<b>2,543,439.23</b>	<b>-</b>	<b>36,952.74</b>	<b>-</b>	<b>-</b>	<b>248,586.19</b>	<b>2,171,652.12</b>	<b>86,248.18</b>	<b>2,543,439.23</b>
<b>GRAND TOTAL</b>	<b>391,681.32</b>	<b>7,768,928.89</b>	<b>8,160,610.21</b>	<b>1,607,376.85</b>	<b>1,282,458.79</b>	<b>110,360.00</b>	<b>387,249.01</b>	<b>1,390,757.43</b>	<b>3,121,146.18</b>	<b>261,261.95</b>	<b>8,160,610.21</b>

## **Agenda Item No 9**

### **Executive Board**

**17 June 2014**

#### **Report of the Deputy Chief Executive**

#### **Earmarked Reserves 2014/15**

### **1 Summary**

- 1.1 The Council holds a number of reserves to meet future expenditure, other than the General Fund and Housing Revenue Fund. This report informs Members of the balances on these reserves at 31 March 2014, subject to audit, and updates the proposed use of reserves in 2014/15.

#### **Recommendation to the Council**

**To approve the reserves held at 31 March 2014 and the planned use of reserves in 2014/15.**

### **2 The Purpose of Holding Reserves and Funds**

- 2.1 The Council holds a number of reserves that have been earmarked for specific revenue and capital purposes and at 31 March 2014 these totalled £9.873 million. These reserves are held for a number of purposes, and in broad terms can be split into the following categories:

- External funding which has been received for specific activities, which has not been spent in the year of receipt;
- Growth approved, which has not yet been spent;
- Resources set aside as contingency sums;
- Resources set aside for general capital spending or the replacement of specific assets; and
- Funding earmarked for other reasons, such as timing differences, to smooth expenditure between years, or to progress specific projects.

... Appendix A sets out in more detail the purpose and amount of these reserves held.

### **3 Movement on Revenue Reserves in 2013/14**

- 3.1 During 2013/14, expenditure of £3.499 million was funded from revenue reserves, whilst income of £3.312 million went into reserves. In Appendix A the reserves are grouped into the categories highlighted in paragraph 2.1, and each of these categories is dealt with below.
- 3.2 The major use of 'reserves holding external funding for specific activities' related to the progression of community development schemes, progressing work on homelessness activities and work on benefit initiatives and welfare reform. Grant and other external funding going into these reserves amounted to £121,697 at the end of the year, with funding obtained for community development initiatives, benefit initiatives, and crime and disorder work.
- 3.3 Reserves for 'approved growth not yet spent' were topped up in the year for Outreach and Access to Services projects and Borough Care. Reserves were spent on progressing the Community Hubs, HS2 and the Borough Care review.
- 3.4 There has been no movement on the contingency sums held for contaminated land, VAT, reductions in external resources, land charges and emergency planning.
- 3.5 Within 'Other reserves', spending amounted to £3.248 million. Of this £2.910 million related to spending on repairs and maintenance on the Council's housing stock. Other significant spending related to the Local Development Framework and Green Space strategy work, as well as providing resources to cover long term sickness absence. Contributions into these reserves amounted to £3.151 million in total. Again the largest element of this related to the annual contribution of £2.958 million going into the Housing Repairs Fund. Other amounts set aside into reserves related to council tax reform and continuing delivery of Broadband UK.

### **4 Movement on Capital Reserves in 2013/14**

- 4.1 During the year, income of £3.412 million went into reserves held for capital purposes. The majority of this, £3.033 million, related to the funding needed for the housing capital programme and funding earmarked for council house new build. Funding was received towards Disabled Facility Grants and some funding was set aside for the replacement of play areas and leisure equipment.
- 4.2 Within the year reserves of £3.374 million were used, with £2.172 million used to fund housing capital expenditure. Reserves were also used to fund some of the spending on the accommodation project, the purchase of recycling bins and the replacement of refuse vehicles.

### **5 Proposed Use of Reserves in 2014/15**

5.1 The use of some reserves in the current year is unknown, due to uncertainty over the outcome and timing of some projects.

5.2 However, the main expenditure expected to be funded from reserves in the current year is indicated below:

- Expenditure on the Council's housing stock, using the Housing Repairs Reserve (revenue)
- Projects will be progressed where specific funding has been received, eg homelessness, community development initiatives and the maintenance of land assets
- The training reserves held for Staff and Member training may be needed to supplement the annual budget provision, depending on the development programme compiled
- Funding set aside for grounds maintenance will be used to progress the Green Space Strategy action plan, including work on areas such as play areas
- Some reserves held for community projects, such as community hubs, health and wellbeing and crime prevention will be utilised.
- Specialist employment advice and external investigators will be used, if necessary, to progress Human Resources issues
- Work on the Local Development Framework will progress in line with the approved timetable
- The insurance and sickness reserves will be used as and when they are needed
- Capital reserves will be used to support the agreed capital programme

## **6 Assessment of Risk when Establishing Earmarked Reserves**

6.1 For the majority of earmarked reserves, there is little or no risk to the financial standing of the Council. Those established to manage the receipt of grant are generally clear-cut, as expenditure is matched very specifically to the income available.

6.2 Reserves set up to manage timing differences similarly lead to little risk. Funds set aside for expected shortfalls are used to manage the risk to the base budget and are estimated using the best available information and with a view to the anticipated timeframe involved. For example, the VAT reserve held should cover the VAT that could not be recovered, should the Authority

exceed its exempt limit, for one year. This would allow corrective action to be taken in a planned way.

- 6.3 The use of the HR reserve is monitored throughout the year, due to some significant spend in the past. However there has been no use of this reserve in 2013/14. Given the uncertainties around council tax localisation and the transfer of business rates to local authorities, a reserve is held, which will give some funding to cushion any unexpected changes to how the schemes operate.

## **7 Report Implications**

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

- 7.1.1 Although the Council holds a number of additional reserves, these are earmarked for particular purposes. Some resources have been set aside to deal with new initiatives, but these will only provide one-off funding for schemes.

### **7.2 Safer Communities Implications**

- 7.2.1 Funds held will contribute to meeting the objectives of the Council's priority of working with partners to tackle crime and anti social behaviour.

### **7.3 Environment and Sustainability Implications**

- 7.3.1 These funds contribute to the ongoing provision of Council services, but are one-off contributions to meet the costs of expenditure incurred.

### **7.4 Equality Implications**

- 7.4.1 The Council is required to ensure it meets the requirements of the Equality Act 2010. The Act brings together all previous equality legislation and includes a public sector duty (the equality duty) replacing separate duties relating to race, disability and gender equality. The individual use of the reserves will need to include assessment of the equality implications and any adverse impacts which may arise. The uses of reserves identified in Appendix A will include a number of positive contributions in terms of the equality duty including the community and economic development projects, homelessness, benefits and outreach and access to services.

### **7.5 Risk Management Implications**

- 7.5.1 The Council assesses the risks involved in setting up any earmarked reserves, and agrees action, where appropriate.

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



7.6.1 The use of reserves assists the Council on maximising its use of resources.

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

### **Background Papers**

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

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

## EARMARKED RESERVES FOR REVENUE PURPOSES

## EXTERNAL FUNDING RECEIVED FOR SPECIFIC ACTIVITIES

Purpose of Reserve	Balance March 2013 £000	Contribution to Reserve	Use of Reserve	Balance March 2014 £000
<b>Community and Economic Development Projects</b> – funding received for sport, health, crime and disorder, economic development, High Street Innovator grant and other community projects.	313	31	35	309
<b>Homelessness</b> – towards homeless schemes within the Borough	88		51	37
<b>Environmental Sustainability</b> - received towards work on climate change	55			55
<b>Risk Management</b> – an amount received from Zurich Municipal for risk management initiatives	64			64
<b>Benefits</b> – for benefits initiatives and to promote anti fraud campaigns	106	20	79	47
<b>Maintenance of Assets</b> – commuted sums received towards the maintenance of open space	19		5	14
<b>Neighbourhood Plans</b> – to support communities to develop neighbourhood plans within North Warwickshire	-	19		19
<b>RIEP / INSPIRE Annexe 3 grant</b> – to be used for system review work and to meet EU requirements around spatial data over the next three years	7	7		14
<b>Local Nature Reserve</b> – funding to progress the establishment for Local Reserves	15		15	-
<b>Other</b> – a third edition of North Talk and funding for elections and the registration of electors	16	44	26	34
<b>TOTAL</b>	<b>683</b>	<b>121</b>	<b>211</b>	<b>593</b>

*APPROVED GROWTH NOT YET SPENT*

<b>Purpose of Reserve</b>	<b>Balance March 2013 £000</b>	<b>Contribution to Reserve</b>	<b>Use of Reserve</b>	<b>Balance March 2014 £000</b>
<b>Outreach and Access to Services</b> –funding set aside for community projects	31	37	22	46
<b>Borough Care</b> - one-off funding approved for the expansion of the service.	35	3	9	29
<b>High Speed 2</b> – one off funding approved for costs associated with HS2	80		9	71
<b>Parish Plans</b> - support to enable parishes to produce their own plans. Progress on this scheme has been slower than anticipated.	35			35
<b>Environmental Issues</b> – approved funding which hasn't yet been used, due to lack of capacity / the need to identify a specific agenda	33			33
<b>Other</b> – approved for land drainage work, flexible working and a wellness centre.	2			2
<b>TOTAL</b>	<b>216</b>	<b>40</b>	<b>40</b>	<b>216</b>

*CONTINGENCIES*

<b>Purpose of Reserve</b>	<b>Balance March 2013 £000</b>	<b>Contribution to Reserve</b>	<b>Use of Reserve</b>	<b>Balance March 2014 £000</b>
<b>Contaminated Land</b> – in the event that the Council has to deal with contaminated land issues, there is no provision in the base budget. This contingency would enable some work to take place.	50			50
<b>VAT</b> – If the Council goes above its de minimis level, it will not be able to reclaim all its VAT. The reserve has meant that provision is not needed in the annual revenue budget.	90			90
<b>Emergency Planning</b> – under-spends against the annual budget have been set aside to build up a small contingency.	18			18
<b>Land Charge Refunds</b> – following a change in VAT rules, there may be a requirement to repay some VAT to residents.	45			45
<b>Resource Review</b> – in case costs change when further detail of the local business rate scheme is known	225			225
<b>TOTAL</b>	<b>428</b>			<b>428</b>

*OTHER*

<b>Purpose of Reserve</b>	<b>Balance March 2013 £000</b>	<b>Contribution to Reserve</b>	<b>Use of Reserve</b>	<b>Balance March 2014 £000</b>
<b>Local Development Framework</b> –Planning fee income set aside to support the Local Development Framework and Conservation Study work.	448		116	332
<b>Housing Repairs Fund</b> – The Council undertakes general repairs and maintenance on its housing stock and this fund contributes to the costs of these repairs.	60	2,958	2,910	108
<b>New Initiatives / One off growth</b> – This reserve is to provide ‘pump priming’ for the initial costs that arise from new initiatives, which will ultimately reduce existing costs. Savings achieved will be used to repay the contribution from the reserve, so that other services will have similar opportunities to implement new schemes. Some funding has also been set aside for one off growth items.	373	8	44	337
<b>Community Development Schemes</b> - funding set aside for social inclusion schemes involving health.	11			11
<b>Green Space Strategy</b> – Some funding set aside to enable tree works and a review of the grounds maintenance service. The remainder to progress actions identified within the Green Space Strategy action plan.	155	13	82	86
<b>Leasing</b> – Leases for a number of vehicles were only finalised after the vehicles were already in use. This meant that charges included within the revenue account in the first year of operation covered a different period to the actual leasing payment made. The difference was set-aside in this reserve, to cover the outstanding costs at the end of the lease, arising from the timing difference.	33			33
<b>Maintenance of Council Assets</b> – the Council has to carry out revenue repairs and maintenance on an ongoing basis to its property, vehicles and other facilities. Funds have been set aside to provide funding for unexpected and non-regular repairs.	71	28	15	84
<b>Cover for Frozen Posts</b> – in light of the current financial strategy, the decision was taken to freeze vacant posts, unless services could demonstrate the need for immediate replacement. However if the decision to freeze posts causes unexpected issues, there may be a need to bring in at least temporary cover.	100			100
<b>Training</b> – The maintenance of this reserve has allowed fluctuations in annual training to be managed, so that training and development is provided when required rather than when funding is available.	97			97
<b>Purpose of Reserve</b>	<b>Balance March</b>	<b>Contribution to Reserve</b>	<b>Use of Reserve</b>	<b>Balance March</b>

	<b>2013 £000</b>			<b>2014 £000</b>
<b>Consultation</b> – There is continuing pressure to consult with residents of the Borough and service users. The requirement to consult varies from year to year and the reserve allows fluctuations between years to be managed, without affecting other revenue spending.	43			43
<b>Amenity Cleaning</b> – Additional provision approved for this service has not been spent to date, and has been set-aside to cover future work.	49			49
<b>Human Resources</b> – funding to cover the cost of employment law specialists and external investigators is needed on an ad hoc basis.	50			50
<b>Area Forums</b> – Funds held by area forums, which have not yet been allocated.	18	12		30
<b>Insurance</b> – to cover the additional excess costs borne by the Council, as a result of increasing the levels, to take advantage of lower premiums	36	6		42
<b>Miscellaneous</b> – This covers a number of small reserves which do not fall into the other categories, including the sickness fund, flexible working, clean neighbourhoods	308	103	81	330
<b>Broadband UK</b> – year 1 funding has been set aside, as the scheme has taken longer to start than expected	46	23		69
<b>Housing Act Advances</b> – income set aside to cover the costs of administering housing act advances over the full life of the mortgages approved	5			5
<b>HRA Reimbursement to General Fund</b>	390			390
<b>TOTAL</b>	<b>2,293</b>	<b>3,151</b>	<b>3,248</b>	<b>2,196</b>

## EARMARKED RESERVES FOR CAPITAL PURPOSES

### CAPITAL SPENDING / ASSET REPLACEMENT

Purpose of Reserve	Balance March 2013 £000	Contribution to Reserve	Use of Reserve	Balance March 2014 £000
<b>GF Capital</b> – this reserve is used to fund capital expenditure on General Fund schemes, eg works on Council buildings or the replacement of software.	1,091		518	573
<b>Play Area Replacement</b> – revenue funding is set aside each year, to ensure there are sufficient resources to replace the refurbished play areas in the future	221	47		268
<b>Equipment Replacement</b> - This sum has been earmarked for the future replacement of PCs, leisure equipment, recycling bins and CCTV equipment.	399	40	233	206
<b>Vehicle Replacement</b> – some funding has been set aside for the replacement of the refuse vehicles originally purchased by WCC	105	15	120	-
<b>Pool Reserve (Lottery)</b> – as part of the award of lottery funding towards the refurbishment of Atherstone Pool, the Council agreed to set aside some funds on an annual basis towards the replacement of the plant within the facility	123	12		135
<b>Disabled Facilities Grant</b> – unused grant towards private sector disabled facilities works	73	265	331	7
<b>Housing Capital</b> – this reserve is used to support the capital programme for Housing schemes.	1,295	1,993	2,172	1,116
<b>Housing New Build</b> – resources set aside for new build schemes	1,000	1,040		2,040
<b>LPSA Funding</b> – Contributions towards affordable housing within North Warwickshire	464			464
<b>Major Repairs Reserve</b> – The Major Repairs Allowance is to fund capital expenditure on the Council's Housing Stock.	1,621			1,621
<b>TOTAL</b>	<b>6,392</b>	<b>3,412</b>	<b>3,374</b>	<b>6,430</b>

## Agenda Item No 10

### Executive Board

17 June 2014

Report of the  
Deputy Chief Executive

Annual Governance Statement  
2013/14

## 1 Summary

- 1.1 The Annual Governance Statement sets out the arrangements the Council has put in place for the governance of its affairs and facilitating the effective exercise of its functions, including arrangements for the management of risk. These ensure that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and accounted for and is used economically, efficiently and effectively.

### Recommendation to the Council

- a That the Annual Governance Statement for 2013/14, attached as Appendix A, is approved; and
- b That the improvement plan, attached as Appendix C, is approved and progress against the plan is reported to Board.

## 2 Background

- 2.1 The Council has approved and adopted a Code of Corporate Governance, which is consistent with the principles of the CIPFA/SOLACE Framework *Delivering Good Governance in Local Government*. A copy of the code is available on our website. This statement explains how the Council has complied with the code and also meets the requirements of regulation 4(2) of the Accounts and Audit Regulations 2003, as amended by the Accounts and Audit (Amendment) (England) Regulations 2006, in relation to the publication of a statement on internal control.
- 2.2 The Council has also reviewed the Chartered Institute of Public Finance Association (CIPFA) Statement on the Role of the Chief Financial Officer in Local Government (2010), to ensure its financial management arrangements conform to the governance requirements of the CIPFA Standard.

### **3 Review of the Effectiveness of Internal Audit**

3.1 The Council has a system of Internal Control, to which the internal audit system contributes significantly. The internal audit section is responsible for the provision of much of the system, although some responsibilities are carried out by others. Fraud work is carried out within the Revenues and Benefits Division and through external consultants (CEAC), and a specialist contractor is used for IT audits. All of these also contribute to internal audit within the Authority.

3.2 The position of the Council against the CIPFA Code of Practice for Internal Audit was assessed as part of the 2006/07 Statement of Internal Control, and has been revisited on an annual basis since then. Steps have been taken to improve the internal audit function over the last couple of years, and all actions identified as part of the assessment have been implemented.

### **4 2013/14 Annual Governance Statement**

... 4.1 The Statement (Appendix A) presented to Members this evening for approval sets out how the Council meets the following principles:

- Focusing on the purpose of the Authority and on outcomes for the community and creating and implementing a vision for the local area;
- Members and Officers working together to achieve a common purpose with clearly defined functions and roles;
- Promoting values for the Authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour;
- Taking informed and transparent decisions which are subject to effective scrutiny and managing risk;
- Developing the capacity and capability of Members and Officers to be effective; and
- Engaging with local people and other stakeholders to ensure robust public accountability.



4.2 Members are kept informed throughout the year about the various areas that make up the system of internal control. Much of this information comes through Board reports. All Boards receive progress reports on the service areas that come within their remit. Higher level reports include progress against the Corporate Plan and budgetary control reports. However, other more detailed reports are used to deal with specific areas, such as the Accommodation project, the replacement of Coleshill Leisure Centre and progress against the Green Space Strategy. Progress against the 2013/14 Corporate Governance Action Plan is shown in Appendix B.

...

4.3 Responsibility of monitoring against corporate activity has also been assigned to individual boards, for example, the Resources Board considers Treasury Management activity and the work of Internal Audit, whilst the Executive Board considers the outcomes of the work of the external auditors.

4.4 Where appropriate, all Members are involved in major reviews. Other means are also used to monitor the activity of the Council, such as the Leaders' Liaison Group. In addition, Members are involved in areas such as appeals, and can ensure that agreed policies are being adhered to.

4.5 In reviewing the corporate governance arrangements, a number of areas have been highlighted for further action. These are summarised in the action plan, attached as Appendix C.

...

4.6 Once approved by this Board, the Statement will need to be signed by the Leader of the Council and the Chief Executive.

## **5 Report Implications**

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

5.1.1 The governance arrangements put in place by the Council ensure that its financial position is safeguarded and that only approved expenditure is incurred on behalf of the Council and income is only generated for goods and services it actually provides.

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

5.2.1 The governance arrangements put in place by the Council ensure that its legal position is safeguarded, it complies with relevant laws and regulations and that expenditure is lawful.

### **5.3 Environment and Sustainability Implications**

5.3.1 As part of the Council's governance arrangements, there is a requirement for Officers and Members to consider the environmental impacts and sustainability of decisions taken.

### **5.4 Human Resources Implications**

5.4.1 There are systems in place which ensure that health and safety considerations are taken into account, along with legal requirements. The Council also has a number of policies which set out expected standards of behaviour for both Officers and Members.

## 5.5 Risk Management Implications

5.5.1 The Council manages its risks by having good internal control mechanisms in place. The improvements identified in the statement for the future will strengthen these mechanisms.

## 5.6 Equalities Implications

5.6.1 As part of the Council's governance arrangements, there is a requirement for Officers and Members to consider the equalities implications of decisions taken.

## 5.7 Links to Council's Priorities

5.7.1 The governance arrangements ensure that the achievement of the Council's priorities is monitored on a regular basis, and action taken where this is appropriate.

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

## 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

### 2013/14 Annual Governance Statement

North Warwickshire Borough Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively. The Council also has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.

In discharging this overall responsibility, the Council is responsible for putting in place proper arrangements for the governance of its affairs and facilitating the effective exercise of its functions, which includes arrangements for the management of risk.

The Council has approved and adopted a Code of Corporate Governance, which is consistent with the principles of the CIPFA/SOLACE Framework *Delivering Good Governance in Local Government*. A copy of the code is available on our website. This statement explains how the Council has complied with the code and also meets the requirements of the Accounts and Audit Regulations.

The Council has also reviewed the CIPFA<sup>i</sup> Statement on the Role of the Chief Financial Officer in Local Government (2010), and is satisfied that its financial management arrangements conform to the governance requirements of the CIPFA Standard.

The governance statement has been in place at North Warwickshire Borough Council for the year ended 31 March 2014 and up to the date of approval of the statement of accounts.

#### **Statutory Officers**

All local authorities are required by law to have officers who fulfil three specific roles. At North Warwickshire Borough Council, these roles are carried out by the following post-holders within the Council:

- The Head of Paid Service – Chief Executive
- The Chief Financial Officer – Deputy Chief Executive
- The Monitoring Officer – Assistant Chief Executive and Solicitor to the Council.

The Head of Paid service leads and takes responsibility for the work of the Council's paid staff who run the local authority on a day to day basis. The role requires the Chief Executive to work closely with elected Members to ensure strong and visible leadership and direction, ensure staff adhere to the strategic aims of the Authority and follow the direction set by elected Members, act as the principal policy advisor to elected Members, develop workable strategies which will deliver the political objectives set by elected Members, lead and develop strong partnerships across the local community to achieve improved outcomes and better public services for local people, and oversee service development, financial and performance management, people management and change management within the Council.

The Chief Financial Officer must be a member of a specified accountancy body, and is bound by professional standards. The CFO is responsible for the proper administration of the Council's financial affairs and has specific legislative responsibilities, as he/she has a fiduciary responsibility to the local taxpayer. In England, the CFO has a statutory duty to report to the authority at the time the budget is considered and the council tax set, on the robustness of the budget and the adequacy of financial reserves. With regard to capital spending, there is a statutory requirement to set and arrange the Council's affairs to remain

within prudential limits for borrowing and capital investment. The CFO must also be proactive in the management of change and risk, be focussed on outcomes and help to resource the authority's plans for change and development in the public services it provides. The CFO's duties include a requirement to report to all the local authority's members, in consultation with the monitoring officer and head of paid service, if there is or is likely to be unlawful expenditure or an unbalanced budget.

The Monitoring Officer effectively acts as the guardian of the Council's constitution and the decision making process. He/she is responsible for advising the Council on the legality of its decisions and providing guidance to elected Members on the Council constitution and its powers. He/she has the specific duty to ensure that the Council, its Officers and its elected Members maintain the highest standards of conduct in all that they do. This includes: reporting to the Council if a decision is unlawful or amounts to maladministration, maintaining Registers of Interests, and arranging for investigations into any matters or complaints referred to the Standards Committee.

All of the statutory officers are members of the Senior Management Team of the Council. The fourth member of the Senior Management Team is the Assistant Chief Executive (Community Services), who adds a customer focus to any decision making of the Team.

### **The purpose of the governance framework**

The governance framework comprises the systems and processes, and culture and values, by which the Authority is directed and controlled and its activities through which it accounts to, engages with and leads the community. It enables the Authority to monitor the achievement of its strategic objectives and to consider whether those objectives have led to the delivery of appropriate, cost-effective services.

The system of internal control is a significant part of that framework and is designed to manage risks at a reasonable level. It cannot eliminate all risk of failure to achieve policies, aims and objectives and can therefore only provide reasonable and not absolute assurance of effectiveness.

A key feature of regulations the Council needs to comply with is the requirement for internal audit. A local authority must maintain an adequate and effective system of internal audit of its accounting records and its system of internal control. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of the Council's policies, aims and objectives, to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage them efficiently, effectively and economically.

### **The governance framework**

The Council assesses the needs of the area through the Sustainable Community Strategy process and work with the North Warwickshire Community Partnership. Consultation is undertaken with stakeholders, as part of the review process. This Community Strategy is used to inform the Council's Corporate Plan, which provides clear links on how the achievement of Council priorities assists in the delivery of community objectives. Other mechanisms are also used and an example of these is the range of partnerships across Warwickshire, which is playing an increasing part in influencing the work of the Council. As consultation is part of these mechanisms, and as these are ongoing, they also require the Council to be accountable for the actions they have taken over time.

The Corporate Plan is approved before the start of each year and identifies the headline targets for the coming year, which are supported by greater detail within individual service plans. All members of the senior management team contribute actively to cross

## APPENDIX A

organisational issues and to corporate decision making to match resources to the authority's objectives. The CFO and monitoring officer provide financial and legal advice and support to elected representatives to inform their decision making. They review papers for consideration, attend meetings as necessary and are available for members to consult. The CFO ensures that all members of the Senior Management Team have the financial capabilities necessary to perform their respective roles.

The Council has comprehensive forecasting and budgeting procedures. A medium term business and financial planning process is used to deliver the authority's strategic objectives, including:

- A Medium Term Financial Strategy to ensure sustainable finances;
- A robust annual process that ensures financial balance; and
- A monitoring process that enables this to be delivered.

During the year progress against Corporate and Service Plan targets is collected and reported to senior managers, Management Team and to service boards, along with performance indicator information. A final position is collated at the end of the year, which is again reported to Members and is also published on the Council's website. Periodic and annual reviews of financial reports indicate financial performance against forecasts for all of the Council's spending. Summary information is also published.

As well as monitoring achievement of identified outcomes, the Council wants to ensure that an acceptable quality of service is provided. It ensures this in a number of ways: obtaining user feedback, through independent inspection and audit and through system reviews. During 2013/14, the Council chose to be the subject of a Peer Challenge review. Peer challenges are improvement-focussed and tailored to meet individual councils' needs. They are designed to complement and add value to a council's own performance and improvement focus. The peer team use their experience and knowledge of local government to provide feedback on the Council's performance. Following receipt of feedback from the review, the Executive Board agreed a number of actions to address the issues that had been raised.

The Council ensures that it is operating efficiently by specifying the different roles and responsibilities of both Councillors and Officers. The remit of each decision making Board is set down in the constitution, along with the roles of individual Councillors. Further review of the remit of Boards was undertaken during the year through the Democratic Arrangements Task and Finish Group. The Council does not have an Audit Committee, but instead divides the core functions between the Executive Board and the Resources Board. The constitution also outlines the responsibilities of senior officers, and areas where they have been given delegated powers. Employee contracts include job descriptions, and these give the detail of individual roles, for all employees.

The Council uses an appraisal system to set specific targets for individual staff on an annual basis. These targets reflect their Division's targets in the Corporate Plan and the Divisional Service Plan and are subject to a six monthly review. A more cost effective service is provided by appropriately trained staff and the appraisal system is also used to assess the training and development needs of individual employees, and ensure that they have the skills and abilities to carry out the tasks required. Where a shortfall is identified, this is addressed through the annual training plan. The Council uses a workforce plan to plan more rigorously for future staffing requirements. This projects future service needs and the workforce that would be needed for their delivery.

As the Council looks at revised ways of working and increasing its use of partnerships in the provision of services, it agrees the roles and responsibilities of those involved during the 'set up' stage. For major partnerships these are formalised in a legal agreement. This ensures

that services are still managed and governed appropriately, whether the Council provides them directly or through others.

Better value for money by improving efficiency, though partnership working or other means, releases resources that can be recycled into higher priorities, without increasing taxation. Helping to secure positive social outcomes, within affordable funding, lies at the heart of the CFO's role in the local authority.

The Council expects its Members and officers to maintain appropriate standards of conduct and behaviour. These are set down in codes of conduct, standing orders, financial regulations, policies and processes, which are regularly reviewed. Compliance is monitored on an ongoing basis, and supplemented by information through the complaints and complements procedure and confidential reporting policy. To assist with monitoring, a register of interests is maintained for both Members and officers. Non compliance by employees is dealt with through the Council's disciplinary procedure. The process for dealing with non compliance by Members involves at least one Independent Person.

There are risks involved with the provision of any services, so the Council uses a system of risk management to minimise and manage the risks it faces. It does this by identifying both strategic and operational risks, looking at existing controls in place to reduce these, and amending these or bringing in new controls where this is beneficial. Risk management is led by the Deputy Chief Executive, with support from Finance and Human Resources, who promote and co-ordinate risk management across the Council. The system involves an annual review of strategic risks by the Senior Management Team and an annual review of operational risks in their service areas by senior managers. Some checking is carried out throughout the year by the Internal Audit section. In addition the Resources Board receive updates on risk management activity undertaken.

Board meetings are open to the public, except where personal or confidential matters are being disclosed. All areas of work go through the Board system, with the majority of work discussed in 'open session'. Reports to Board cover a standard format, to ensure that all reports contain sufficient information and options to allow for robust and well informed decision making. All implications that need to be considered, such as legal, financial, risk management and so on, are covered. Where possible, the implications are checked by staff with professional knowledge. This ensures that Members have sufficient and suitable information for decision making, and also ensure compliance with relevant laws and regulations, internal policies and procedures, and that expenditure is lawful.

The Council accounts for its decisions through the information it publishes. It also is subject to scrutiny through a variety of means: self scrutiny by its Scrutiny Board, internal and external audit work, central and regional inspection agencies and reviews by service users. The Council is also accountable to the public and local groups and uses consultation to assess whether it is meeting local expectations. Public speaking at Planning Board and question time at all Boards is available, to make us more accountable to the public. The Council has a consultation strategy, which was reviewed during the year, and will vary the methods used for consulting with the public depending on the subject matter, and the target audience. Through this mechanism valuable information is received on the decisions that the Council has taken, and is used to feed into future objectives.

### **Review of effectiveness**

North Warwickshire Borough Council has responsibility for conducting, at least annually, a review of the effectiveness of its governance framework, including the system of internal control. The review of its effectiveness is informed by the work of managers within the Authority who have responsibility for the development and maintenance of the governance environment, work carried out by Internal Audit, and also by comments made by the external

auditors and other review agencies and inspectorates. Data obtained from Experion and the results of user surveys are also used to assess the effectiveness of the Councils governance arrangements.

To ensure that the governance framework remains effective, senior officers and Members have reviewed individual elements of the framework. There has been further review of democratic arrangements and the constitution during the year. Other review work has been undertaken by the Council's statutory officers, with amendments made to the Treasury Management Strategy and the Employee Code of Conduct, and the introduction of a Social Media Policy.

The Council resolved to continue to have a Scrutiny Board, so scrutiny arrangements continued during the year. A number of areas were examined, including: Industrial Units, the Letting of Council Properties and Food Premise Inspections.

The work undertaken by Internal Audit has enabled the Head of Audit to conclude that the Council has a range of appropriate strategies, policies, procedures and protocols to address the corporate governance agenda. Progress has been made with the implementation of the Corporate Governance Action Plan approved last year, although some areas still require completion. The section continued to coordinate work under the National Fraud Initiative, ensuring that all areas are followed up. Specialist counter-fraud consultants and external IT auditors have been used to supplement the work carried out by the section, enabling greater assurance to be placed on the results.

The risk management strategy used by the Council has been reviewed during the year, as it is subject to annual review to ensure it remains effective. The risk management process operated by the Council has continued throughout the year, including the completion of Annual Statements of Assurance by all senior managers.

Our review of the effectiveness of the system of internal financial control is informed by the work of managers within the Council, the work of the Internal Auditors and by our external auditors, PricewaterhouseCoopers, in their annual audit letter and other reports. Executive Board consider the annual audit letter. The external auditors are also required to comment on the value for money achieved by the Council, as part of their opinion on the financial statements.

We have been advised on the implications of the result of the review of the effectiveness of the governance framework by the Resources Board, Scrutiny Board, Chief Executive, Deputy Chief Executive, Assistant Chief Executive and Solicitor to the Council, Assistant Chief Executive (Community Services), Assistant Directors, Audit Manager, PricewaterhouseCoopers, CEAC, and a plan to address weaknesses and ensure continuous improvement of the system is in place.

### **Significant governance issues**

A number of actions have been taken during the last year to manage risk and improve the Council's governance arrangements, including:

- The Medium Term Financial Strategy was updated to reflect the reduced funding available, as well as the identification of 2014/15 savings
- The Treasury Management Strategy was reviewed and updated, including a revised lending list
- Reassessment of all insurance cover, as part of a full insurance renewal exercise
- Closer monitoring of business rate appeals with the Valuation Office and the purchase of a valuation tool to help predict changes in the business rates due

## APPENDIX A

- Human resources policies were reviewed and updated where necessary to ensure compliance with employment law
- Work to improve the mechanical and electrical infrastructure commenced, to ensure that the civic offices are safe and fit for purpose for the foreseeable future
- Work to ensure access to systems and telephony was maintained during the Accommodation project
- The purchase and implementation of a virtualisation solution to improve resilience and increase data storage to assist with disaster recovery and business continuity
- The adaptation of Internal Audit work to ensure compliance with the new Public Services Internal Auditing Standards
- Work was carried out in line with the agreed Audit Plan, with ad hoc work completed where necessary
- A formal, independent review of health and safety procedures and systems in Housing Direct Works commenced
- The contract to replace the Leisure Centre in Coleshill commenced during the year
- Full participation by the Council in the Core Strategy examination.

Further actions will be taken in 2014/15, including:

- Updating the Medium Term Financial Strategy and working on savings for 2015/16 onwards
- Updating the capital programme and resources available
- Monitoring the collection of business rates and the operation of the Local Business Rates Pool
- An increase in the proactive monitoring of health and safety arrangements
- An ICT disaster recovery test once the work on the Council Offices is complete
- Data audit and classification to ensure good data/information governance
- Monitoring progress of the Single Fraud Investigation service to ensure adequate fraud cover is maintained for monitoring council tax support fraud
- Adoption of a revised Child Protection Policy 2014/17 and completion of the planned Section 11 audit
- Further development of Property Management Plans, and the refurbishment of the Depot
- A review of Housing Maintenance contract management procedures.

We propose over the coming year to take steps to address the above matters to further enhance our governance arrangements. We are satisfied that these steps will address the need for improvements that were identified in our review of effectiveness and will monitor their implementation and operation as part of our next annual review.

**Signed:**.....

Leader & Chief Executive

**On behalf of North Warwickshire Borough Council**

---



## APPENDIX B

### CORPORATE GOVERNANCE ACTION PLAN 2013/14

Action	Responsible Officer	Date Due	Progress
Review, and where appropriate, make interim arrangements to revise the Council's priorities and key actions	CE	December 2013	Complete
Review of the impact of exemption changes on the level of Council Tax collected	DCE	December 2013	Complete
Delivery of targets within the financial strategy	DCE	Feb 2014	Complete
Update and deliver the training plan for Members	ACE & StC AD (F&HR) SH – P	March 2014	In progress
Carry out systems reviews for Grounds Maintenance and Development Control	AD's / Service Heads	March 2014	In progress
Update the Workforce Plan	AD (F&HR) / AD's / SH's	March 2014	In progress
Training for Officers on emergency planning	CE	March 2014	Complete
Monitor the collection of business rates and provide information to the Local Pool	DCE	March 2014	In progress

## APPENDIX C

### CORPORATE GOVERNANCE ACTION PLAN 2014/15

Action	Responsible Officer	Date Due
Review the achievement of the Corporate Plan and associated performance indicators for 2013/14	CE	June 2014
Review, and where appropriate, make interim arrangements to revise the Council's priorities and key actions	CE	December 2014
Delivery of targets within the financial strategy	DCE	Feb 2015
Monitor the collection of business rates and provide information to the Local Pool	DCE	March 2015
Completion of the Human Resources Action Plan, including increased monitoring of Health and Safety monitoring	AD (F&HR)	March 2015
Work with Warwickshire County Council to represent the interests of North Warwickshire at hearings to consider the HS2 hybrid bill	ACE&StC	March 2015
Update the Workforce Plan	AD (F&HR) / AD's / SH's	March 2015
Review the business continuity plan for the Council	CE	March 2015
Carry out a systems review for Development Control	ACE&StC/ Head of Development Control	March 2015
Adoption of a Core Strategy for the Borough	ACE&StC	March 2015

## **Agenda Item No 12**

### **Executive Board**

**17 June 2014**

**Report of the  
Head of Development Control**

**Scheme of Delegation in Respect  
of the Determination of Planning  
Applications**

#### **1 Summary**

- 1.1 The Planning and Development Board has recently considered an amendment to the Scheme of Delegation in respect of the determination of planning applications. Its recommendation is now placed before this Board.

#### **Recommendation to the Board**

**That the Council's adopted Scheme of Delegation in respect of the determination of planning applications be amended as recommended by the Planning and Development Board.**

#### **2 Background**

- 2.1 As with all other Local Planning Authorities, the Council has adopted a scheme of delegation in respect of the determination of planning applications. The Scheme defines those categories of application where determination has to be made by the Planning and Development Board. This results in only 10% of all applications received being reported to that Board. The remainder are determined under the delegated powers of the Assistant Chief Executive and Solicitor to the Council.
- 2.2 Yesterday's meeting of the Planning and Development Board received a report on the annual performance of application determinations. Officers will up-date the Executive Board verbally on the outcome of that meeting.
- 2.3 The Planning Board was asked to note that some targets were not being met and that an analysis of these resulted in the finding that 31% of all applications referred to the Board were because of an associated Section 106 Agreement. The Scheme of Delegation explicitly requires this as one of the categories of application that requires referral to that Board. This referral leads, in almost every case, to "targets" not being met, as applications then need to await convenient Board dates. The Planning Board was advised that a good number of these cases involved non-financial obligations; accorded with planning policy, and attracted little in the way of objection to the draft

content of these Agreements. It was recommended that there would therefore be little risk in dealing with these cases under delegated powers.

2.4 Caveats to this generality were identified. Firstly, in line with other categories of delegated items, referral could still be made if the Chair or Vice-Chair of the Board or a local Ward Member makes such a request, and secondly, where an Agreement was associated with a major application or for some other reason as set out in the Scheme of Delegation, then it would be referred to the Board in any event.

... 2.5 The report taken to the yesterday's Planning Board is attached at Appendix A.

2.6 As indicated above, officers will report verbally on the outcome.

### 3 **Observations**

3.1 The Planning Board was asked to consider recommending that the Executive Board amends the Scheme of Delegation so as to remove "automatic" referral of cases with an associated Section 106 Agreement, and the recommended wording is set out below.

3.2 If this recommendation is agreed, then there could be as many as 20 less planning applications being referred to the Board with a consequential improvement to performance and less cost. As reporting to the Board involves the Development Control service; Central Services and the Democratic Services section those savings would be quite widely felt.

3.3 The existing reference in the Scheme of Delegation is at paragraph 4.1 (c) which states that, "all applications where an approval will involve a legal agreement under planning legislation" will be decided by the Planning and Development Board. It is proposed that this should read, "any application where a request has been made by either the Chair or Vice-Chair of the Planning and Development Board, or the local Ward Member(s), and when an approval would involve a legal agreement under planning legislation" will be decided by that Board.

### 4 **Report Implications**

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

4.1.1 This change could result in up to 20 fewer applications being referred to the Planning and Development Board with consequential savings to the Development Control service, Central Services and to the Democratic Services section.

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

4.2.1 There would be no change here to the applicant's right of planning appeal or to objector's rights to judicially review a decision.

### 4.3 Environment and Sustainability Implications

4.3.1 Section 106 Agreements are seek mitigation measures against adverse impacts and assist in enhancing development projects. These benefits would not be lost.

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
None			

**Agenda Item No 5**

**Planning and Development Board**

**16 June 2014**

**Report of the  
Head of Development Control**

**Annual Performance 2013/14**

**1 Summary**

- 1.1 This report outlines the performance of the Development Control service during the past year comparing it with previous years.

**Recommendation to the Board**

- a That the report be noted, and**
- b That the Executive Board be recommended to amend the Scheme of Delegation as set out in this report.**

**2 Observations**

- 2.1 The performance of the service is set out as in previous years in two tables which are attached to this report – the first deals with the handling of all planning and related applications and the second with enforcement work.

**a) Applications**

Table One shows that application workload remains steady overall, but with a slight reduction in the number of applications received. Interestingly the nature of that workload is remarkably similar to the previous year – (Row A on Table One). There is a small increase in the number of major applications being submitted – from 3% to 5% over the last two years reflecting the changing planning climate - and that householder applications are reducing - from over 30% a few years ago to 27%, perhaps reflecting recent changes to the permitted development benefits. It is anticipated that the percentage of major applications will increase further over the next few years as the Core Strategy nears adoption and as more speculative applications are submitted due the content of the National Planning Policy Framework. There too has been a small increase in applications to discharge conditions (DOCS in Row A) and in applications for Minor Amendments (MIAS in Row A). Members will recall that these were previously dealt with by letter. They now have to be determined through the submission of applications.

Notwithstanding the stable workload, Members can see immediately that the value of that workload in respect of fee income is substantial – (Row I on Table One) – and that that income has doubled in the last couple of years. This is due to the increased number of major applications that are coming in. Even a small increase in this type of application can have a significant impact on fee income. This trend is continuing and will be sustained over the next few years as the Core Strategy progresses, such that these higher income levels should be maintained.

Performance in determining some kinds of applications is falling – see minors in Row D, whereas for majors it has increased. This is due to a combination of several factors. Firstly as Members are aware, there is now a Government imposed "sanction" in respect of handling major applications. As a consequence priority has had to be given to them. There is also an increase in such applications being received as we move forward with our emerging Core Strategy. Interestingly our performance here is 61%, equivalent to the national figure. Secondly, Members should be aware that both Discharge of Condition applications (DOC's) and those for Minor Amendments (MIA's), as referred to above, are not included in the definition of "minor" or "other" application for Government purposes. Hence the increase in these types of application and work associated with them is not recorded in these performance figures.

Thirdly, in respect of the other categories of application then that for "minor" applications stands out – 56%. The national figure is 70%. As a consequence an analysis of all of those applications which did not meet their 8 week "target" has been undertaken and the following can be reported.

i) 67% of these cases were a result of officers and consultees pursuing amendments, either to overcome objections; to add value in terms of design and appearance or to adapt the proposal so as to better accord with planning policy. This is considered to be the "added value" which the service can offer. A few years ago under the Planning Delivery Grant regime, these applications could well have been refused or withdrawn in order to meet the 8 week "target", rather than be completed – see the figures for this category of application in years 2009/10 and 2010/11 where the performance is in the mid 80%'s. Interestingly, of these applications going over the eight week period, there has been no reaction from applicants and agents and no appeals against non-determination. Applicants prefer to go the "extra week or two" for an approval rather than receive a refusal in the 7<sup>th</sup> week.

ii) A further 20% of those applications not meeting the eight week period went over because of the need to complete a Section 106 Agreement. As any application involving an Agreement is reported to the Board under the Scheme of Delegation, this is having a consequence on performance as cases have to wait for a Board date. This particular matter is taken up separately below.

iii) Finally the remaining 13% is due to referrals to the Board for determination either by the Head of Service or by Members. These referrals can be for a number of reasons but the very referral of these applications will almost inevitably result in delay as Board dates then govern reporting. Delays can be as little as a few days or as much of three weeks depending on the timing of the referral and the next available Board date.

As a consequence of this analysis two areas perhaps should be looked at. The first is to give extra emphasis to ensure that when an application is submitted, it is already in the best possible light for determination, with pre-application consultation and advice being reflected in the proposal. This should result in less call for amendments and variations. The second area is that some alteration perhaps also could be made to the Scheme of Delegation. This is explored later in section (c) of this report below.

## **b) Enforcement**

Table Two shows a decrease in the number of notifications concerning alleged breaches of planning control over the past couple of years – Row A of Table Two. Performance in terms of assessments being made is improving – Rows C and D of Table Two - and the means of resolution of breaches remains heavily focussed on voluntary action and the submission, where appropriate, of Certificate and Planning applications (90% of cases – Row F of Table Two). These applications bring in income – see Row H of Table 2 – but this will vary with the type of application submitted and so there will be variations from year to year. Formal action through the Courts remains consistent, but as Members are aware these can and often are very time consuming and are prone to delay through no fault of the service.

So that Members can have an illustration of the performance of this side of the service, officers will draw attention to a few cases which have had a high profile, and where Members were involved through authorising formal action. This will be done verbally at the meeting.

## **c) The Scheme of Delegation**

As seen above, the reason why 20% of all minor applications exceeded their “target” determination date was due to them having an associated Section 106 Agreement and thus having to be reported to Board. However other applications too are connected to Section 106 Agreements – notably with major applications. An analysis of all Board reports over the last fifteen months reveals that 31% of all reports are on the Board’s agenda because of such Agreements - of which two-thirds concerned Agreements with no financial content.

It is considered that it might be timely to look at this issue. Not only could “performance” be improved, but there would be less delay for applicants and there would be savings for the Council.



At the present time, any application involving an Agreement is reported to the Board under the Scheme of Delegation. Members will have noticed recently – as illustrated by the figures above – that there is an increasing number of Agreements relating to non-financial matters. These to date have almost all been seeking additional controls over the separate use of residential annexes as independent residential units – in other words restrictions on use. As this approach is directly related to adopted planning policy, reporting the matter to Board appears to be a disproportionate response to an application. It is thus proposed that any Agreement containing a non-financial obligation need not be reported to Board. If the pattern of the last couple of years is followed this could reduce the number of applications needing referral by 14 a year. This proposal should carry a caveat, in that these cases should only be delegated to the authorised officer if the Chair, Vice-Chair and local Ward Members have no objections.

This therefore raises the question as to whether 106 Agreements with financial obligations should be treated in the same way. Some of the reasons for doing so are outlined above. However there is a reason against – the need for transparency where financial considerations are involved. However as it happens, the majority of applications involving Agreements with financial content are already reported to Board in any event for other reasons. In these circumstances it is suggested that the same approach is taken as outlined above, that applications involving a financial Agreement are only reported to the Board at the request of the Chair, Vice-Chair or local Ward Members. Based on last year's Board agendas this could result in a further 6 less applications being reported to the Board. When added to the 14 mentioned above, this could be seen as a saving with no adverse impact and with a low risk.

The present Scheme of Delegation says that, "all applications where an approval will involve a legal agreement under planning legislation", will be decided by the Board - see para 4.1 (c) of the adopted Scheme. It is proposed that this be amended so as to read, "any application where a request has been made by either the Chair or Vice-Chair of the Planning and Development Board, or the local ward member(s), and when an approval would involve a legal agreement under planning legislation", will be decided by the Board.

### **3 Report Implications**

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

- 3.1.1 Whilst the continuing increase in fee income is clearly welcome and likely to be sustained, there is a concern that if performance reduces, then some fee income could be lost through the Government's new refund and designation measures already introduced last October. Any reduction in the number of applications not being reported to the Board will reduce costs in the development control service, the central support service and in the democratic services section.

### 3.2 Environment and Sustainability Implications

3.2.1 The service is performing well in upholding the Development Plan with its emphasis on balancing the protection of the rural character of the Borough with the wish to provide economic development opportunities. However there is now a noticeable increased tension in an interim period with the NPPF increasingly taking on greater weight than that of the Local Plan, before the Core Strategy is adopted. The adoption of the Core Strategy is material to maintaining this balanced approach. The continuing investigation of, and subsequent successful action into enforcing breaches of planning control, is also able to reinforce this balance.

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
None			

**TABLE ONE: HANDLING APPLICATIONS**

Measure	Year 2009/2010	Year 2010/2011	Year 2011/2012	Year 2012/2013	Year 2013/2014
<b>Processing Applications</b>					
A) Total number of applications received divided as follows:	674	787	788	756	741
• Change of use	6.23%	8.00%	7%	6%	6%
• Householder	34.12%	22.4%	29%	27%	27%
• Major developments	3.26%	2.9%	3%	5%	5%
• Minor developments	30.42%	23.9%	26%	26%	24%
• Others	14.84%	17.8%	21%	20%	20%
• Docs	10.29%	12.2%	11%	12%	12%
• MIAS	0.74%	3.5%	3%	3%	6%
B) Total number of Decisions	644	720	762	727	753
C) % of all applications granted permission	82.14%	73.47%	69.4%	86.2%	70%
D) % of all applications determined in eight weeks (BVPI)	88%	87%	75%	73%	68%
• majors in 13 weeks	64%	47%	50%	46%	61%
• minors in 8 weeks	85%	86%	72%	75%	56%
• others in 8 weeks	88%	88%	79%	63%	66%
E) % of all householder applications determined in eight weeks	95.02%	92.5%	83.41%	86.43%	85%
F) % of all applications determined in under delegated powers (BVPI)	93%	94%	90%	89%	91%

## PLANNING CONTROL SERVICE IMPROVEMENT PLAN – MONITORING REPORT

### TABLE ONE: HANDLING APPLICATIONS (Cont'd)

Measure	Year 2009/2010	Year 2010/2011	Year 2011/2012	Year 2012/2013	Year 2013/2014
<b>Appeals</b>	15	30	17	22	15
G) Number of Appeals lodged					
H) % of Appeals allowed	42.80%	24%	0%	25%	47%
<b>Fees and Costs</b>					
I) Fee income from all applications	£247,200	£262,215	£286,609	£481,984	£514,098
J) % of all applications that are non-fee earning.	7.8%	8.13%	10.53%	11.77%	9.58%
K) % of fees that come from householder applications.	14.23%	14.9%	12.30%	8.89%	9.63%

TABLE TWO: BREACHES OF PLANNING AND ENFORCEMENT

Measure	Year 2009/2010	Year 2010/2011	Year 2011/2012	Year 2012/2013	Year 2013/2014
<b>Reports of Alleged Breaches</b>					
A) Number of notifications	236	218	232	173	185
B) %Where a breach identified	66%	63%	61%	57%	64%
C) Average working days from notification to site visit	11	7	7	7	4
D) Average working days from notification to assessment	13	10	9	10	5
E) % of assessments in 21 days	62	78	76	71	70
F) Once a breach is established – mode of resolution (%)					
• Retrospective planning application or certificate application	25	33	41	42	34
• Voluntarily removed	52	40	35	49	56
• Not expedient to take action	4	5	3	1	3
• Enforcement action authorised	14	14	12	7	7
• Other action, eg injunctions	5	0	4	0	0
• outstanding	0	8	5	1	1

**PLANNING CONTROL SERVICE IMPROVEMENT PLAN – MONITORING REPORT**

**TABLE TWO: BREACHES OF PLANNING AND ENFORCEMENT (Cont'd)**

<b>Measure</b>	<b>Year 2009/2010</b>	<b>Year 2010/2011</b>	<b>Year 2011/2012</b>	<b>Year 2012/2013</b>	<b>Year 2013/14</b>
<b>Reports of Alleged Breaches</b>					
G) %of notifications resolved, or where no breach identified in twelve weeks	69%	84%	70%	66%	65%
H) Fee income from retrospective applications	£ 6050	£ 7175	£ 14250	£ 11895	£ 7926
I) Number of Enforcement Notice Appeals lodged (not necessarily relating to Notices served this year).	10	9	8	4	4
J) Number of cases where Court Action authorised (not necessarily relating to cases reported this year).	1	4	4	4	4

## Agenda Item No 13

### Executive Board

17 June 2014

#### Report of the Chief Executive

#### Warwickshire Fire and Rescue Service: Shaping the Future Consultation

### 1 Summary

- 1.1 Warwickshire Fire and Rescue Service are carrying out a consultation on Shaping the Future and the Council's comments have been invited.

#### Recommendation to the Board

The consultation be noted and any observations from the Council be forwarded to the Warwickshire Fire and Rescue Service.

### 2 Consultation

- 2.1 Warwickshire Fire and Rescue Service are carrying out a consultation on Shaping the Future and this Council has been invited to consider the proposed changes for stage one of the plans. This covers the first two years of a four year plan and full details can be found on the consultation web pages at [www.warwickshire.gov.uk/fireandrescue](http://www.warwickshire.gov.uk/fireandrescue).
- 2.2 Consultation on stage one of the plans closes on 20 June 2014.
- 2.3 The Board is invited to consider the consultation.

### 3 Report Implications

- 3.1 There are no report implications for this Council. WFRS will consider all aspects (equalities etc) as part of its decision making process.

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
1	WFRS	Consultation	March 2014

**Agenda Item No 14**

**Executive Board**

**17 June 2014**

**Report of the Chief Executive**

**Membership of the Democratic Structures Task and Finish Group**

**1 Summary**

- 1.1 The purpose of this report is to consider the membership of the Democratic Structures Task and Finish Group for the ensuing year.

<b>Recommendation to the Board</b>	
<b>a</b>	<b>That the Board be asked to consider the membership of the Democratic Structures Task and Finish Group for 2014/15; and</b>
<b>b</b>	<b>That the minutes of the meeting of the Democratic Structures Task and Finish Group held on 28 April 2014 be noted.</b>

**2 Democratic Structures Task and Finish Group**

- 2.1 The Democratic Structures Task and Finish Group membership previously comprised Councillors M Stanley, Sweet, Moore, Smith and Fox.
- 2.2 The Board is asked to consider membership for 2014/15.

**3 Notes of meeting held 28 April 2014**

- 3.1 The notes of the meeting of the Group held on 28 April 2014 are attached as an Appendix.

**4 Report Implications**

- 4.1 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

<b>Background Paper No</b>	<b>Author</b>	<b>Nature of Background Paper</b>	<b>Date</b>
None			



**Notes of the Democratic Arrangements Task and Finish Group held on Monday 28 April 2014.**

Present: Councillors M Stanley, Sweet, Moore and Smith.

An apology for absence was received from Councillor Fox.

Councillors Morson and Phillips were also in attendance.

Officers in attendance: Jerry Hutchinson, Chris Brewer and David Harris.

**1 Local Government Structures Debate**

The Chief Executive reported on the current position regarding the debate on Local Government Structures in Warwickshire and sought views on options for taking the matter forward.

**Resolved:**

- a That the Council opens up dialogue with other Borough and District Councils, to explore alternative solutions, including looking at examples of good procedure in other areas;**
- b That the Council consults with the local community and Town and Parish Councils, to seek their views on the best way forward for the Borough;**
- c That a press release be issued explaining the Council's position;**
- d That Warwickshire County Council be informed of the Council's position; and**
- e That the Chief Executive be asked to prepare a further report on taking this matter forward.**

**2 Electoral Review of Warwickshire County Council**

The Chief Executive reported on a review of electoral arrangements for Warwickshire County Council by the Local Government Boundary Commission for England (LGBCE).

**Resolved:**

**That the review by the LGBCE of electoral arrangements for Warwickshire County Council be noted.**

**M Stanley  
Chairman**

## Agenda Item 15

### Executive Board

17 June 2014

#### Report of the Assistant Director (Corporate Services)

#### Broadband Update Report and BDUK Match Funding

### 1 Summary

- 1.1 The report provides an update on the progress made to improve broadband coverage and speeds. It also seeks the Boards views on providing additional match funding to enable new Broadband Delivery (BDUK) grant funding to be accessed.

#### **Recommendation to the Council**

- a That the report be noted;**
- b That Members consider and express their views on the match funding proposals provided in Section 5 of the Resources Board Report (attached as Appendix 1); and**
- c If Members decide to give an in principle agreement to additional match funding a further report would be brought to the Board once the detailed requirements are known.**

### 2 Consultation

- ...
- 2.1 A Broadband Update Report (attached as Appendix 1) was considered by Resources Board on the 9 June 2014 and the amended recommendations of that meeting will be reported to the Board. A verbal update will be provided on Warwickshire County Council's proposal which were approved by their Cabinet on 5 June and is due to be considered by their Full Council on 9 July.
- 2.2 In preparing the Report for Resources Board the Chairs, Vice Chairs and Opposition Spokespersons of Resources and Executive Board were consulted.

### 3 Report

- 3.1 The Broadband Update Report also asked Resources Board to consider a request from the Coventry, Solihull and Warwickshire (CSW) Broadband Project team; which asked whether the Districts and Boroughs would be willing to give an "in principle" commitment to finding additional match funding.

- 3.2 The details of the request and the background to it are provided in Section 5 of Appendix 1. However, in summary the Government has allocated an additional £3.6m in BDUK grant to the Coventry, Solihull and Warwickshire Sub Region to further improve the number of premises that could get Superfast Broadband. The CSW Broadband Team project that even after the improvements from the current Broadband project and the commercial roll-out the Borough will have about 5,000 premises unable to achieve superfast speeds. It is estimated that it would need around £1m of public investment to get to the new target of 95% of premises in reach of Superfast Broadband.
- 3.3 As BDUK funding has to be matched 1:1, a £500,000 allocation of BDUK grant would need to be matched by £500,000 to achieve a £1m investment.
- 3.4 The County Council is currently going through its processes to establish if it is able to provide match funding and the level of that match. Also the level of funding the County is able to commit will, to some extent, depend on the contributions the Districts and Boroughs may make. This level of uncertainty makes it difficult to provide Members with a specific figure that is being sought.
- 3.5 Section 5.7 of the Resources Board Report (Appendix 1) gives a possible scenario for match funding, based on how the original funding was split between the County Council and the District and Boroughs. However, at this stage the Council is only being asked for an “in principle” view and an indicative level, or range, of match funding, should it decide it wishes to consider further match funding.

The Contact Officer for this report is Linda Bird (719327).

## **Agenda Item No 9**

### **Resources Board**

**2 June 2014**

#### **Report of the Assistant Director (Corporate Services)**

#### **Broadband Update Report**

### **1 Summary**

- 1.1 This report provides an update on the progress being made on the provision of broadband services and superfast broadband as part of the CSW Broadband project, which covers Coventry, Solihull and Warwickshire (CSW) and operates under the guidelines laid down by BDUK project.

#### **Recommendation to the Board**

- a That the report be noted; and**
- b That Members consider and express their views on the match funding proposals detailed in Section 5 of this report and that the views of the Board are forwarded to Executive Board.**

### **2 Consultation**

- 2.1 Councillors Moore, N Dirveiks and Smith have been sent an advanced copy of this report for comment. Any comments received will be reported verbally at the meeting.

### **3. Background**

- 3.1 The Government made £530 million available to support the roll-out of basic broadband (2Mb) to properties with no, or very poor, provision and to help support the delivery of Superfast Broadband to 90% of properties. It is anticipated that the CSW Broadband project will achieve superfast speeds for 91% of the sub regions premises.
- 3.2 An initial allocation of £4,070,000, BDUK grant, was made by the Government to the CSW sub region. Authorities were required to match fund the grant. This Council, at its Resources Board meeting in February 2013, approved the provisions of £197,868 as the match funding sought from it, to help improve broadband coverage in the Borough.
- 3.3 The contract for the provision of the fibre infrastructure, needed to improve broadband speeds, was awarded to BT under a national framework contract established by the government.

- 3.4 Members of the CSW Broadband Project Team have held public meetings in the Borough to explain the project, gain public support, recruit volunteer Broadband Champions and update on the progress made. The CSW team and BT attended Scrutiny Board on 16<sup>th</sup> September 2013 to update Members and give them the opportunity to scrutinise progress and future plans.
- 3.5 The CSW Broadband team also sends out regular email newsletters, provides information for Councils' websites and maintains a project website <http://www.cswbroadband.org.uk> and Social Media accounts such as on Twitter - @CSWBroadband.
- 3.6 The project website includes the most up to date information and maps showing the roll-out plans. It also links to a BT post code checker to enable people to see the exchange and cabinet they are connected to and if there are plans published yet for their areas.

#### 4 **Current Situation and 12 month plan**

4.1 The CSW Broadband Project has been split into 8 phases, with each phase lasting about 6 months and at any one time 2 overlapping phases will be being worked on. Each phase consists of BT identifying and upgrading exchanges and selecting and surveying a number of locations for new cabinets to enable superfast fibre broadband.

4.2 The potential cabinet locations are verified by the CSW Broadband project team to ensure they meet set criteria. The Highways service and relevant Planning team are consulted about the location of the new cabinets. Assuming the consultation and survey raises no issues cabinets can be installed, powered and made live ready for people to subscribe to superfast broadband services. These services can be purchased from any broadband provider.

4.3 Phase 1 (from April 2014) and Phase 2 (from July 2014) are currently active and phase 1 cabinets are now starting to be made live. The Borough has 19 cabinet locations identified in phase 1:-

- 13 in Coleshill
- 1 in Curdworth
- 5 in Fillongley.

4.4 Phase 2 sees further work in the Coleshill and Curdworth exchange areas and in Hurley. The indicative plan for Phase 3 (October 2014) includes some cabinets in the Atherstone and Chapel End exchange areas.

... 4.5 The data in the table provided as Appendix 1 summarises how access in the Borough will be improved by the BDUK project and the commercial roll-out of broadband by telecommunication companies. It shows that a maximum of 9,669 properties will get the ability to connect to Superfast Broadband, as a result of the first 3 Phases of the BDUK Project, by the end of March 2015.

4.6 The CSW Project Team is trying to be open and upfront about the plans and the work programme. But all information given out has to go with a health

warning as it is based on current understanding. Surveys can identify issues which may put a cabinet out of the plan or cause an area to be brought forward or delayed.

- 4.7 Also even if a cabinet is upgraded to fibre and therefore theoretically able to deliver Superfast speeds, a property's distance from the cabinet or the quality of the cable to the property may mean superfast speeds can't be achieved. Some properties, for historical reasons, are connected directly to an exchange and these will be unable to get superfast connections under the current project. The CSW Broadband website provides the most up to date information available.
- 4.8 As the project progresses more details on Phases 4 to 8 will become available.

## **5 Next Steps and Further Funding**

- 5.1 As can be seen from Appendix 1, even at the end of the current BDUK project some premises in the borough will still be unable to access Superfast Broadband. The intention is that all will be able to connect to a broadband service. However, some premises will still not have a connection to an exchange and/or cabinet which has been upgraded to support the next generation access (NGA). Others may be on the next generation access network but unable to get Superfast speeds for a variety of reasons.
- 5.2 The Government has recently made more funding available to help fill the gaps in access and address the problems of those premises still getting slow internet speeds. The CSW area has been notified of a potential additional grant of £3.68 million to help take Superfast Broadband coverage to 95% of premises. However, this funding must be matched in order to draw it down.
- 5.3 The CSW Broadband Project Working Group (PWG) was asked, at its April meeting, to establish if Councils have the appetite to provide additional match funding in order to secure some of this additional grant in order to deliver further broadband improvements within their areas.
- 5.4 PWG members were asked a supplementary question to find if there was a willingness to find additional funding towards retaining the CSW Project Team beyond the current BDUK project. The intention being they would work on a further project to deliver the £3.68m grant. There is also an EU target to provide 100% of premises with speeds of at least 30mbps by 2020 and the project team are actively investigating sources of additional funding for this.
- 5.5 At this time Councils are being asked for an "in principle" view on further match funding and contributions towards staffing costs. Further work is being done on where, across the sub region, grant would need to be allocated to address those premises that will still not have Superfast Broadband.
- 5.6 As one of the more rural areas, which started from the lowest level of superfast access in the CSW sub region, current estimates suggest that the

Borough would require about £1m of public investment to put around 3,400 additional premises in reach of Superfast Broadband and achieve the 95% coverage target. This level of investment would need £500,000 from BDUK and the £500,000 match funding would need to be found between Warwickshire County Council and North Warwickshire Borough Council.

5.7 The County Council is going through its processes for establishing their ability to and appetite for matching the BDUK grant and therefore it is not possible to give exact figures for the funding being sought, from this Council, at this time. For indicative purposes the current BDUK project was matched on a 3:1 basis between the County and the Districts and Boroughs, which would give a figure of £125,000 being sought from this Council as match funding. However, if Members are willing to consider match funding the Board is asked to give an indication of the level of match funding it may consider.

5.8 The CSW BDUK Project Team have indicated that any match funding is being sought across 2015/16 and 2016/17 to enable them the access the additional BDUK grant.

## **6 Report Implications**

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

6.1.1 This report has no financial implication arising directly from it. However, Members are asked to consider and express a view as to whether this Board has the appetite to consider further match funding and give an indication of the level of match funding it may consider. The views of this board will then be forwarded to Executive Board for consideration

6.1.2 If Members are willing to consider additional match funding a further report would be brought to Board once the detailed requirements are known.

### **6.2 Environment and Sustainability Implications**

6.2.1 The improvement of broadband services within the Borough will help support people to live, work and learn in our rural communities. The lack of adequate internet provision may affect people's decisions to move to the area or may encourage businesses to relocate from the Borough, thus affecting the sustainability of local communities.

6.2.2 The lack of broadband provision also means people are unable to use online services and have to travel to get the services they need.

### **6.3 Equalities Implications**

6.3.1 Poor or no broadband service can prevent people from accessing information and services resulting in them being less well informed, having fewer opportunities and missing out on more effective ways of managing their businesses, life and finances. The impact of this lack of internet service is known as the "digital divide"

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

- 6.4.1 Investment in the Broadband infrastructure in order to provide better internet services contributes directly to the Council's priority to improve access to services.

The Contact Officer for this report is Linda Bird (719327).



## **Agenda Item No 16**

### **Executive Board**

**17 June 2014**

#### **Report of the Assistant Director (Leisure and Community Development)**

#### **Leisure Management Software – Use of Urgent Business Powers**

### **1 Summary**

- 1.1 This report seeks the Board's endorsement of action taken under the Chief Executive's Urgent Business Powers to procure a new Leisure Management Software system and its approval of a small consequent increase in the revenue budget.

#### **Recommendation to the Board**

- a That the action taken under the Chief Executive's Urgent Business Powers to advance the procurement of a new Leisure Management Software system be endorsed; and**
- b That the Board approves the £750 increase in the revenue budget, consequent upon the procurement of the new Leisure Management Software.**

### **2 Consultation**

- 2.1 The Chairman, Vice-chairman and Opposition Spokesperson for the Executive, Resources and Community and Environment Boards, together with Members with responsibility for Health, Well-being and Leisure, have all had an opportunity to comment on the content of this report. Any comments received will be reported verbally to the Board.

### **3 Report**

- 3.1 Further to the Executive Board's approval of the Capital Programme, Members will be aware that, in conjunction with the Corporate Services Division, the Leisure and Community Development Division has been progressing an undertaking to replace the current leisure management / customer management / booking system (Flex). The current DOS-based system was introduced in 2006. It uses out-dated technology, which is considered to be slow, not very user friendly and is causing problems in efficiently processing customers into the leisure facilities. Accordingly, as well as the project's inclusion within the Capital Programme, replacement of the system has been approved by Management Team.

- 3.2 The consequent replacement of the associated software has been subject to a full procurement / tendering exercise undertaken in accordance with the Council's Contract Standing Orders.
- 3.3 The Authority received seven tender submissions from appropriate companies, which were initially assessed through a robust (stage one) scoring process, within which 50% weightings were given to the cost and quality of bids. Following the completion of stage one, two suppliers, Delta and Gladstone, were invited to a stage two presentation with an internal procurement panel. The stage two scoring system allocated a 75% weighting to the content of the subsequent presentations and 25% to customer references. The company that achieved the highest combined score in stage two (presentations and customer references) would be awarded the contract. Gladstone scored 9% higher than Delta at this stage. Its package is also affordable within the context provided by the Capital Programme.
- 3.4 Initially, however, procurement of a Gladstone solution that is fully integrated with the Authority's Capita payment system would have resulted in an increase in the revenue budget of approximately £4,000. Nevertheless, the period subsequent to the presentations has been used to clarify costs and associated matters and to ensure the appropriateness of the desired integration with Capita. This period of review has provided assurances in relation to the question of integration and reduced the increase in revenue requirement to only £750 per annum, thereby providing good value for money to the Council (the 2014/15 revenue cost for Flex is £9,900 per annum, whilst the Gladstone system is projected to cost £10,300 a year, with an additional Capita integration cost of £350 per annum).
- 3.5 Having regard to Level C of the Council's Contract Standing Orders, the cost and quality scoring matrices, the outcome of the required financial checks and the Procuring Officer's recommendation, Gladstone's tender for the provision of the new Leisure Management Software system was approved. Its tender submission is economically advantageous to the Authority and represents "best value for money".
- 3.6 There was, however, a need to advance the purchase of the new system as a matter of urgency, in order to meet the procurement timetable and to ensure that it can be installed and staff trained sufficiently in advance of the opening of the new Coleshill Leisure Centre. In this regard, and in consultation with the Leader of the Council and the Leader of the Opposition, this course of action was approved by the Chief Executive under his Urgent Business Powers. The Board is requested to endorse this action and approve the relatively small consequent increase in the revenue budget.

#### **4 Report Implications**

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

4.1.1 The new Leisure Management Software system was procured within the approved capital programme budget of £50,000. Integration of the new system with the Authority's Capita payments system will require a small increase in the revenue budget of £750 per annum.

#### **4.2 Safer Communities Implications**

4.2.1 There are no safer communities implications arising directly from this report.

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

4.3.1 The new Leisure Management Software system complies with all relevant legislative requirements.

#### **4.4 Environment and Sustainability Implications**

4.4.1 There are no environment and sustainability implications arising directly from this report, other than the fact that the new system will use modern, fit-for-purpose technology that will improve the efficiency of customer focused operations within leisure facilities.

#### **4.5 Health, Wellbeing and Leisure Implications**

4.5.1 Leisure facilities have a positive impact on the health and well-being of individuals and communities through the provision of opportunities for formal and informal recreation and by contributing to an enhanced quality of life in the Borough.

#### **4.6 Human Resources Implications**

4.6.1 None.

#### **4.7 Risk Management Implications**

4.7.1 The risk associated with the report was in not procuring a new Leisure Management Software system, given that the Borough Council had been informed that the current Flex system would no longer be supported by its provider within the next 18 months.

#### **4.8 Equalities Implications**

4.8.1 There are no differential equality-related impacts on particular groups or individuals within the community arising from this report.

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

4.9.1 The procurement of a new Leisure Management Software system has positive and direct links to the following corporate priorities:

- Public services
- Access to services
- Consultation and communication
- Health and well-being

The Contact Officer for this report is Peter Wheaton (719257).

### **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	Procurement Panel	Scoring Matrices	April 2014

## 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	Leisure Management Software
Officer Responsible for Assessment	Peter Wheaton

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

<b>Equality Group</b>	<b>Positive impact</b>	<b>Negative impact</b>	<b>Reasons/Comments</b>
<b>Racial</b>			
<b>Gender</b>			
<b>Disabled people</b>			
<b>Gay, Lesbian and Bisexual people</b>			
<b>Older/Younger people</b>			
<b>Religion and Beliefs</b>			
<b>People having dependents caring responsibilities</b>			
<b>People having an offending past</b>			
<b>Transgender people</b>			

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

Not applicable

Please indicate if you believe that this document should proceed to further Impact Assessment:

Needs no further action

## Agenda Item No 17

### Executive Board

17 June 2014

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

#### Constitutional Amendments

### 1 Summary

- 1.1 The report seeks the Board's approval for a number of changes to the Council's Constitution

#### **Recommendation to the Council**

**That the changes to the Council's Constitution set out in the report be agreed.**

### 2 a – Setting the Council Tax

- 2.1 As Members may recall, the Government recently introduced legislation requiring Local Authorities to have a recorded vote at "budget decisions meetings". This term is defined in the legislation in summary means the setting of the level of Council Tax.
- 2.2 As a result, this Council needs to amend its Standing Orders. It is suggested that Procedural Standing Order No 11 is amended as follows (the new wording is underlined)

#### STANDING ORDER No 11

#### Voting

11. (1) Voting at Council meetings will be by a show of hands unless 3 Members, before the vote is taken, stand and request a recorded vote to show how each Member voted. In a recorded vote, the name of any Member abstaining from voting must also be recorded. Immediately after any vote is taken at a budget decision meeting (as defined in The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014) there must be recorded in the minutes of the proceedings of that meeting the names of the persons who cast a vote for the decision or against the decision or who abstained from voting

3       **b – Mobile Homes Act 2013**

3.1       The above Act introduces additional functions for this Council. A report, attached as the Appendix to this report, was recently considered and approved by the Housing Sub Committee. Part of that report, paragraph 5.4 recommended to this Board that certain changes were made to the Council's scheme of delegation to allow the discharge of these functions. The Board is asked to approve those changes

4       **c – Smoking in public places**

4.1       At the moment only Environmental Health Officers within the Assistant Chief Executive and Solicitor to the Council's division are authorised to take enforcement action with regard to the restrictions on smoking in public places introduced by the Health Act 2006. For operational reasons it would be helpful if staff within the Assistant Director (Housing)'s division were also so authorised. Part Five of the Powers Delegated to Officers from the Community and Environment Board's terms of reference can be amended to reflect this and this Board is asked to approve this.

5       **d – Miscellaneous Environmental Health functions**

5.1       A recent review of functions delegated to Officers has shown that functions under the legislation detailed below could usefully be added.

- Animal Welfare Act 2006
- The Food Safety & Hygiene (England) Regulations 2013
- The Official Feed And Food Controls (England) Regulations 2009
- The Official Controls (Animals, Feed And Food) (England) Regulations 2006
- Zoo Licensing Act 1981

The Board is asked to approve these amendments.

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



**Agenda Item No 7**

**Housing Sub Committee**

**28 April 2014**

**Report of the  
Assistant Director (Housing)**

**Mobile Homes Act 2013**

**1 Summary**

- 1.1 A report describing recent changes to the regulation of certain caravan sites, seeking Members' views on fees and related matters.

**Recommendation to the Housing Sub Committee**

- a That the report is noted and the proposed fees schedule is approved; and**
- b That the proposed Constitutional amendments are recommended for approval to the Executive Board**

**2 Consultation**

- 2.1 Councillors Winter and Johnston have been sent an advanced copy of this report for comment. Any comments received will be reported verbally at the meeting.

**3 Introduction**

- 3.1 Members may be aware of the Council's licensing and regulatory functions as they relate to 'caravan sites'. Broadly speaking, the Council can license caravan sites for residential and holiday use, subject to planning permission where necessary, except where any of several exemptions apply. Licenses have, so far, been issued and administered without fee. This led to criticism and claims of under resourcing and a lack of regulation with poor standards.

3.2 Mobile homes comprise an important and valuable part of the affordable housing stock, and are often occupied by retired people. The sites are often owned by people who rent pitches (space) to caravan owners (this includes larger mobile home units), who can connect to any infrastructure (power, drainage, water) and use the facilities such as access, waste disposal, parking, street lighting, leisure space, fire-fighting amenities, laundry and bathing blocks etc. The licensing laws have existed since 1960 (Caravan Sites & Control of Development Act, amended 1968), supplemented from time to time by other legislation such as the Mobile Homes Act 1983. Recently, concerns have been expressed about unfair terms in site letting arrangements, and unscrupulous operators who hold advantages over their tenants with little security of tenure or the ability to sell their unit as they wish. A Private Members Bill saw the issues brought under scrutiny in the consultation leading to the new Mobile Homes Act 2013.

#### 4 **Mobile Homes Act 2013**

4.1 The 2013 Act seeks to impose controls on site rules, and on unfair eviction and 'sale blocking' by site owners. Significantly, it provides a means for local Council's to determine their own fees for the issue, transfer or variation of site licenses and annual administration, though they are not obliged to. Councils cannot charge fees without having a published policy. The ability to charge fees is meant to guarantee a certain minimum level of regulatory scrutiny, such as an inspection on at least annual basis, or at a frequency determined by risk assessment. Sites can also be, and are, inspected on complaint or request – though instances are very rare.

4.2 There are also new powers to enforce site licence conditions. If a park owner is in breach of any of the site licence conditions the Council may now serve a "Compliance Notice" on them. This Notice will:

- i Set out the breaches which have been identified;
- ii Tell the park owner what he must do to correct the breaches;
- iii Provide a set time period for compliance; and
- iv Explain how they can appeal.

4.3 Failure to comply with a Compliance Notice becomes a criminal offence and on summary conviction at a Magistrates' Court could lead to fine at level 5 which is now unlimited. Subsequent prosecutions could also lead to revocation of the site licence. Site license applications may also be refused. The opportunity to introduce a 'fit and proper person' test for site operators similar to the alcohol licensing regime has been enacted but not activated.

- 4.4 The new controls and opportunities only apply to very few ‘relevant protected sites’ – used for residential purposes and capable of use all year round. Council run traveller’s sites are exempt, as are other traveller’s sites which are operated as family concerns rather than commercial businesses. Single unit sites can be charged fees, but guidance suggests it may be appropriate to set a higher threshold so as not to penalise that niche market. There is only one other multi-unit site which falls within the description of the Act, that is Castle View in Hartshill.
- 4.5 No fees are payable for the ‘continuation’ of an existing license, only for annual administration (i.e. existing licenses roll-forward, they do not need to be re-issued or varied). Fees can be charged for the issue of a new license or for the variation of conditions on a license, or the transfer of a license from one person to another. Guidance describes the type of activities which can be included in fee setting, and that fees must be fair and transparent and must not exceed estimated costs, or that any surplus is used to offset future year’s fees by appropriate reductions. The Council can also charge an annual administration fee (for existing *rolled-forward* licenses as well as new licenses) which can be used to cover the expense of annual inspections and administration. Matters which the Council cannot charge for, or the site owner cannot pass on to tenants in pitch fees, are also stipulated.

## 5 Implications for North Warwickshire

- 5.1 The impact of this legislation in North Warwickshire will be minimal. There is only one licensable multi-unit residential site, and a very small number of single unit sites. Regulatory activity and administration would be undertaken by existing staff within current capacity, as sites were routinely inspected anyway. Fee income will be modest, and is only designed and intended to cover costs, which were hitherto unrecoverable. New enforcement mechanisms will better protect residents, some of whom are vulnerable.
- 5.2 There will be a new public register of site rules, which the site operator must lodge with the Council, and for which a fee can be charged. The costs of varying, adding or deleting rules is also recoverable.
- 5.3 Analysis of the potential cost of chargeable activity and contact with other Councils on their scheme of fees has been conducted, with the results at Appendix A in a proposed fee schedule for Members consideration.
- ...
- 5.4 The Council’s scheme of delegation (Constitution) will require updating to reflect the responsibility for administering the provisions of this Act, via the Housing Sub-Committee to the Assistant Director (Housing) and, in their absence, the Environmental Health Manager for the purposes of determining license applications and variations and issuing enforcement ‘compliance notices’. It is prudent also to reaffirm the Council’s adoption of the latest (2008) model site license conditions for current and future site licenses.

## **6 Report Implications**

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

6.1.1 The proposal only seeks to recover costs of administering the regulatory system. A decision to not charge fees or charge reduced amounts would require growth of or absorption within other budgets.

### **6.2 Safer Communities Implications**

6.2.1 The recommendations improve the stability of the communities who rely on this type of accommodation.

### **6.3 Risk Management Implications**

6.3.1 As this a new policy, a risk assessment has been carried out and is attached.

The Contact Officer for this report is David Baxendale (719322).

**North Warwickshire Borough Council  
Fee Schedule under the 2013 Mobile Homes Act**

License application fee (new) – single units	£50
Annual* license administration fee – single units	£free
Site rules lodgement/variation/deletion fee – single units	£50
License Variation / transfer fee – single units	£50
License application fee (new) – multiple units	£25 per pitch
Annual* license administration fee – multiple units	£12 per pitch
Site rules lodgement/variation/deletion fee – multiple units	£50
License variation fee – multiple units	£200
License transfer fee – multiple units	£100
Enforcement Notice (service) fee	£200
Work in default rate	cost + 20%
<i>*invoiced each march, commencing March 2015</i>	
<i>The above fees will be evaluated after the first year of operation, compared with actual time and expenditure, and revised accordingly.</i>	

*(date of decision / issue .....  
Reference:.....)*

## Risk Management Form

**NORTH WARWICKSHIRE  
BOROUGH COUNCIL**

**Housing Division**

**Cost Centre or Service Private sector**

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
	<p>Mobile Homes Act 2013 - No corporate decision on fees policy nor on exercising enforcement powers.</p> <p>Need to create public register of 'site rules'</p>	<p>Unable to charge fees for activity – activity may not be carried out at all or as much – lower standards in this type of accommodation and higher risks to residents. Reputational risk to Council in case of incident or complaint.</p> <p>No statutory legal basis on which to take necessary or urgent enforcement action – legal challenge or delay if decided that the Council needs to act.</p> <p>New powers may require some staff training and systems development.</p>	<p>5</p> <p>5</p> <p>4</p>	<p>2</p> <p>2</p> <p>2</p>	<p>10</p> <p>10</p> <p>8</p>	<p>AD[H], EMH and ACE/Solicitor</p>	<p>Not applicable - the current licensing system is without fees and can continue the same, except for the use of new enforcement powers which require delegated authority.</p> <p>The Board report introduces both the fees and recommends to Exec. Board the appropriate delegation of powers.</p> <p>Training needs via appraisals, some self-directed learning already accomplished, exiting systems can be modified and expanded to incorporate.</p>	<p>1</p>	<p>1</p>	<p>1</p>
Risk Ref	Options for additional / replacement control procedure						Cost Resources	Likelihood (5 = high, 1 = low)	Impact (5 = high, 1 = low)	Net Risk Rating
	Training needs, invoicing and administration (costs covered by proposal), some minor system development, routine site inspections (already undertaken ad-hoc and on complaint). Development of 'site rules' public register. Occasional progress reports.						Negligible	1	1	1

Completed By: David Baxendale

Date: March 2014

**Agenda Item No 18**

**Executive Board**

**17 June 2014**

**Report of the  
Assistant Director  
(Finance and Human Resources)**

**Pay Policy Statement**

**1 Summary**

1.1 This report updates the Pay Policy Statement.

**Recommendation to the Board**

**To adopt the reviewed pay policy.**

**2. Introduction**

2.1 There is a requirement under Section 38 of the Localism Act 2011 for Councils to have and to publish a Pay Policy Statement, agreed by full Council, which will be subject to review at least annually.

**3 Purpose of the Policy**

3.1 The purpose is to provide transparency around how the Council deals with pay issues, by identifying:

- The methods by which salaries of all employees are determined;
- The detail and level of remuneration of the Council's most senior staff.

3.2 The policy has been reviewed in line with the requirements and is at Appendix A.

**4 Report Implications**

**4.1 Human Resources Implications**

4.1.1 As detailed in the report

**4.2 Risk Management Implications**

4.2.1 There is no risk to the council provided that the Pay Policy is reviewed and approved on an annual basis.

**4.3 Equalities Implications**

4.3.1 With regard to the Equal Pay requirements contained within the Equality Act, the Council ensures there is no pay discrimination within its pay structures and that all pay differentials can be objectively justified through the use of equality proofed Job Evaluation mechanisms which directly relate salaries to the requirements, demands and responsibilities of the role.

#### 4.4 Links to Council's Priorities

4.4.1 This policy statement ensures that the Council meets its obligation under Section 38 of the Localism Act 2011 for Councils, therefore ensuring compliance with legislation.

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**

**PAY POLICY STATEMENT 2014/15**

**Introduction and Purpose**

Under section 112 of the Local Government Act 1972, the Council has the “power to appoint officers on such reasonable terms and conditions as the Authority thinks fit”. This Pay Policy Statement (the ‘statement’) sets out the Councils approach to pay policy in accordance with the requirements of Section 38 of the Localism Act 2011. The purpose of the statement is to provide transparency with regard to the Council’s approach to setting the pay of its employees by identifying;

- the methods by which salaries of all employees are determined;
- the detail and level of remuneration of its most senior staff i.e. ‘chief officers’, as defined by the relevant legislation;
- the Group/Board responsible for ensuring the provisions set out in this statement are applied consistently throughout the Council and recommending any amendments to the full Council.

This policy statement is subject to review on a minimum of an annual basis in accordance with the relevant legislation prevailing at that time.

**Legislative Framework**

In determining the pay and remuneration of all of its employees, the Council will comply with all relevant employment legislation. This includes the Equality Act 2010, Part Time Employment (Prevention of Less Favourable Treatment) Regulations 2000, The Agency Workers Regulations 2010 and where relevant, the Transfer of Undertakings (Protection of Earnings) Regulations. With regard to the Equal Pay requirements contained within the Equality Act, the Council ensures there is no pay discrimination within its pay structures and that all pay differentials can be objectively justified through the use of equality proofed Job Evaluation mechanisms which directly relate salaries to the requirements, demands and responsibilities of the role.

**Pay Structure**

Based on the application of the Job Evaluation process, the Council uses the nationally negotiated pay spine as the basis for its local grading structure. This determines the salaries of the large majority of the workforce, together with the use of other nationally defined rates where relevant. The Council remains committed to adherence with national pay bargaining in respect of the national pay spine. There were no increases in the national pay spine since April 2009 until 2013 when a 1% increase was awarded.

All other pay related allowances are the subject of either nationally or locally negotiated rates, having been determined from time to time in accordance with collective bargaining machinery and/or as determined by Council Policy. In determining its grading structure and setting remuneration levels for all posts, the Council takes account of the need to ensure value for money in respect of the use of public expenditure, balanced against the need to recruit and retain employees who are able to meet the requirements of providing high quality services to the community, delivered effectively and efficiently and at times at which those services are required.

New appointments will normally be made at the minimum of the relevant grade, although this can be varied where necessary to secure the best candidate. From time to time, it may be necessary to take account of the external pay market in order to attract and retain employees with particular experience, skills and capacity. Where necessary, the Council will ensure the requirement for such is objectively justified by reference to clear and transparent evidence of relevant market comparators, using appropriate data sources available from within and outside the local government sector.

### **Senior Management Remuneration**

For the purposes of this statement, senior management means 'chief officers' as defined within S43 of the Localism Act. The posts falling within the statutory definition are set out below, with details of their basic salary as at 1 April 2012;

- a) Chief Executive  
The current salary of the post is £97,181. The salary falls within a range of four incremental points between £90,324, rising to a maximum of £97,181.
- b) Deputy Chief Executive  
The current salary of the post is £81,601. The salary falls within a range of four incremental points between £76,458, rising to a maximum of £81,601. The Deputy Chief Executive is the Council's Section 151 Officer and this was included in the evaluation of the role.
- c) Assistant Chief Executive & Solicitor to the Council  
The current salary of the post is £67,792. The salary falls within a range of four incremental points between £63,067, rising to a maximum of £67,792. The Assistant Chief Executive & Solicitor to the Council has Monitoring Officer responsibilities included in the evaluation of the role.
- d) Assistant Chief Executive Community Services  
The current salary of the post is £65,092. The salary falls within a range of four incremental points between £60,367, rising to a maximum of £65,092.

e) Assistant Directors

The salaries of posts designated as Assistant Directors fall within a range of four incremental points between £53,164, rising to a maximum of £58,311

Chief Officers' roles are subject to job evaluation under the Hay Job Evaluation Scheme and are paid a salary, which is considered a market rate within districts in the local government sector.

Employment of Chief Officers is in accordance with collective agreements negotiated from time to time by the Joint Negotiating Committee for Chief Officers of Local Authorities for Local Government Services, those set out in the National Agreement on Pay and Conditions of Service (currently known as The Blue Book) and as supplemented by:-

- local collective agreements reached with trade unions recognised by the Council
- the rules of the Council

### **Recruitment of Chief Officers**

When recruiting to all posts the Council will take full and proper account of its own Equal Opportunities, Recruitment, and Redeployment Policies. Where the Council is unable to recruit to a post at the designated grade, it will consider the use of temporary market forces supplements.

Where the Council remains unable to recruit Chief Officers under a contract of service, or there is a need for interim support to provide cover for a vacant substantive Chief Officer post, the Council will, where necessary, consider and utilise engaging individuals under 'contracts for service'. These will be sourced through a relevant procurement process ensuring the Council is able to demonstrate the maximum value for money benefits from competition in securing the relevant service. The Council does not currently have any Chief Officers engaged under such arrangements.

Elected Members appoint all Chief Officers. The pay level offered, on recruitment is typically the bottom point of the salary grade. In situations, however, where the individual recruited has a high level of knowledge or skills, and/or previous relevant experience, a higher salary, up to the maximum salary for that post, may be authorised, by the Chief Executive and the Elected Member recruitment panel. The recruitment panel would authorise this for an appointment of a Chief Executive.

### **Additions to Salary of Chief Officers**

The Council does not apply any bonuses or performance related pay to its Chief Officers.

In addition to basic salary, set out below are details of other elements of 'additional pay' which are chargeable to UK Income Tax and do not solely constitute reimbursement of expenses incurred in the fulfillment of duties;

- All Chief Officers were entitled to a lease car. Following consultation this is being phased out by April 2015. There is some protection in that when the car is returned the Chief Officer will receive the 'spot value' less 10% as a travel allowance so long as he/she remains in the role. The 'spot value' depends on the officer's grade. The 'spot values' for each grade are detailed at Appendix 1.

Newly appointed Chief Officers will use their own vehicle, and receive an Essential User Allowance. Employees who are not Chief Officers may also receive the Essential User allowance. Essential User Allowances are also detailed at Appendix 1.

- The Chief Executive is the Council's Returning Officer and the Electoral Registration Officer (who also manages the elections service) and receives an Election Allowance. The relevant bodies set this allowance. It varies each year depending on the number and type of elections in each year. There are planned elections on the 7 May 2015, Parliamentary, when the Chief Executive will be the Acting Returning Officer and Borough and Parish/Town Council when the Chief Executive will be the Returning Officer. The allowances are not yet known.
- A Chief Officer may be awarded an honorarium when they 'act up' in a role. The Special Sub Group of Executive Board can authorise these. An honorarium either is a one off payment or can be a monthly allowance for a temporary period. There are no honorariums expected for 2013/14.

### **Payments on Termination**

In the case of redundancy, a redundancy payment would be made to a Chief Officer in line with the Council's Retirement Policy & Procedure, and the Redundancy Policy & Procedure, which applies to all staff.

In the case of termination due to ill health, then there would be no termination payment but a higher pension benefit may be approved by the Warwickshire local government pension scheme. The pension benefit may include a lump sum in addition to an on-going pension payment.

On termination of employment, if it is not possible or desirable for the Chief Officer to serve their contractual or statutory notice period, then a payment may be made in lieu of the notice period not worked.

Any contractual payments such as outstanding annual leave are usually included in payments on termination of employment. Similarly, any monies owing to the Council would be deducted from payments made on termination.

The Council may choose to make a payment under a Compromise Agreement to protect against compensation claims that could be expensive or bring the Council into disrepute. The Special Sub Group of the Executive Board would approve any such payment.

Where a Section 151 Officer or Monitoring Officer cease carrying out these statutory roles, then the post would be re-evaluated to exclude these duties.

### **Increases to Pay**

Any cost of living increases agreed through NJC are applied to Chief Officers pay. This is typically on 1<sup>st</sup> April each year.

Chief Officers appointed on a salary scale will receive an incremental increase to their pay as follows:

Chief Officers appointed between 1<sup>st</sup> October and 31<sup>st</sup> March will receive an increment after six months service

Chief Officers appointed between 1<sup>st</sup> April and 30<sup>th</sup> September will receive an increment on the following 1<sup>st</sup> April

Thereafter, all Chief Officers will receive increments annually on 1<sup>st</sup> April.

Exceptional performance of Chief Officers is recognised by either accelerated increments or an honorarium. Accelerated increments are subject to their pay not exceeding the maximum salary for their post. This would be authorised by the Chief Executive.

Chief Officers' pay will be measured against the market on, at least, a three to five yearly basis, to ensure we maintain consistency with our peer local authorities. Where there are significant changes in market rates then a pay benchmarking assessment will be carried out for Chief Officers. The last pay benchmarking on Chief Officers was completed in November 2010 when the salaries for the Deputy Chief Executive, the Assistant Chief Executive and Solicitor to the Council and the Assistant Chief Executive Community Services were set. However, no salary increases were made at this time to any of the other Chief Officer posts as it was considered that the packages paid were comparable with the market rate for salaries within districts in the local government sector. The Council's Executive Board approves increases to Chief Officers pay.

Given that there have been no pay increments to Chief Officers since the last benchmarking exercise, packages remain comparable with market rates for salaries within districts in the local government sector.

## **Publication**

Upon approval by the full Council, this statement will be published on the Councils Website. In addition, for posts where the full time equivalent salary is at least £50,000, the Councils Annual Statement of Accounts will include a note setting out the total amount of

- salary, fees or allowances paid to or receivable by the person in the current and previous year;
- any sums payable by way of expenses allowance that are chargeable to UK income tax;
- any compensation for loss of employment and any other payments connected with termination;
- any benefits received that do not fall within the above

This policy will be available on our web site [www.northwarks.gov.uk](http://www.northwarks.gov.uk)

## **Lowest Paid Employees**

Our lowest paid employees' salary is determined by the grade for their post, which is underpinned by a job evaluation scheme, rather than being paid a market rate for their job. Market supplements are given to some posts where there are recruitment and retention difficulties. Currently none of our lowest paid employees receives a market supplement on their salary to bring it up to market rates.

There are two scale points within this grade and employees would start on the lowest scale point and progress to the top of the grade. They are employed on full time equivalent salaries in accordance with the minimum spinal column point currently in use within the Council's grading structure.

Whilst we may employ apprentices on a lower wage, ie the minimum wage, during their apprenticeship they do have a structured training plan leading to a qualification.

With regard to other aspects of remuneration policy, there is equity across all our employees. The same policies set out above apply to our lowest paid employees.

## **Relationship Between Remuneration of our Chief Officers and Other Employees**

Currently the average (mean) of our Chief Officers pay is 3.06 times that of the rest of our employees. Our top earning Chief Officer earns 4.70 times the mean of the rest of our employees.

Currently the average (mean) of our Chief Officers pay is 5.21 times that of our lowest paid employees. Our top earning Chief Officer earns 8 times the mean of our lowest paid employees.

Currently the median Chief Officers pay is 3.30 times that of the rest of our employees. Our top earning Chief Officer earns 5.08 times the median salary of the rest of our employees.

These figures are as at February 2013 and do not include lease car contributions, essential car user allowances and election allowances.

Our policy for 2013/14 is to maintain Chief Officers pay within the following maximums:

Ratio of mean pay (Chief Officers: rest of employees) = 1:4

Ratio of median pay (Chief Officers: rest of employees) = 1:4

And not to exceed the following multipliers for our top earning Chief Officer:

5.5 x mean pay of other employees

5.5 x median pay of other employees

### **Accountability and Decision Making**

In accordance with the Constitution of the Council, the Special Sub Group and the Executive Board are responsible for decision making in relation to the recruitment, pay, terms and conditions and severance arrangements in relation to employees of the Council.

### **RELATED DOCUMENTS**

Retirement Policy & Procedure  
Redundancy Policy & Procedure  
Recruitment Policy  
Disciplinary Procedure  
NJC Job Evaluation Scheme Outline  
Hay Job Evaluation Scheme

Date of this review	May 2014
---------------------	----------

## Appendix 1

### Annual Spot Value Less 10%

Chief Executive	£6,048
Deputy Chief Executive	£5,220
Assistant Chief Executive & Solicitor to the Council	£3,456
Assistant Chief Executive Community	£3,456
Assistant Directors	£3,456

### Annual Essential Car User Allowance

451-999cc	£840
1000-1199cc	£963
1200cc & above	£1,239



## Agenda Item No 19

### Executive Board

17 June 2014

#### Report of the Chief Executive and the Deputy Chief Executive

#### Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April 2013 - March 2014

### 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 2013 to March 2014.

#### **Recommendation to Council**

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

### 2 Consultation

- 2.1 Consultation has taken place with the relevant Members and any comments received will be reported at the meeting.

### 3 Background

- 3.1 This report shows the end of year position with the achievement of the Corporate Plan and Performance Indicator targets for 2013/14. This is the fourth report showing the progress achieved so far during 2013/14.

### 4 Progress achieved during 2013/14

- 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 local performance indicators during April 2013 to March 2014 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 (shown as a red triangle)

Green – target achieved (shown as a green star)

## 5 Performance Indicators

- 5.1 The year end returns are subject to review by Internal Audit and should be considered draft at this stage.
- 5.2 The current local performance indicators have been reviewed by each division and Management Team for monitoring for the 2014/15 year.

## 6 Overall Performance

- 6.1 The Corporate Plan performance report shows that 100% of the Corporate Plan targets and 62% of the performance indicator targets have been achieved. The targets not fully achieved include environmental health service requests, provision of additional homes, affordable housing, conservation areas and new homes built on previously developed land. Some of indicators are subject to a number of external factors for example the influence of the economy and developers. The report shows the individual targets that have been classified as red 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	Number	Percentage
Green	18	100%
Red	0	0%
Total	18	100%

### Performance Indicators

Status	Number	Percentage
Green	8	62
Red	5	38
Total	13	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 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 Equality Implications

8.5.1 There are a number of equality related targets and indicators including engagement with communities, developing the local economy, reducing domestic abuse, equality duty 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 local employment, enhancing community involvement and access to services, protecting and improving our environment, protecting and improving our countryside and rural heritage, tackling 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

NWCP Executive Board 13/14









	Action	Priority	Reporting Officer	Update	Status	Direction
NWCP 001	To ensure that we assess the impact of our services on, and actively engage with, all sections of our communities and to implement key actions agreed in the Consultation Action Plans relating to consultation and the provision of services and report by July 2013	Consultation and Communication	Maxey, Steve	All Board reports and major initiatives are reviewed by the Assistant Chief Executive and Policy Support Manager to ensure the Council's equality duties are discharged. The Council has an adopted consultation strategy, designed to ensure a range of views are heard.	★ Green	➔
NWCP 002	To continue to work with partners in the Coventry & Warwickshire Local Enterprise Partnership and with Hinckley and Nuneaton to maximise opportunities to gather feedback to develop the economy of the Borough and to report on progress by October in each year.	Local Employment	Barratt, Dorothy	Work is progressing with various strands - two key strands are skills and access to employment and training.	★ Green	➔
NWCP 003 11/12(1)	To report annually in March on the work of the local Financial Inclusion Partnership including for 2013/14 activity with the CAB and Warwickshire Welfare Rights Activity and the local impact of the Welfare Reform programme	Access to Services	Trahern, Bob	This was achieved and both a report and presentation on the excellent and award winning progress made by the Council during 2013/14 was given to the Community and Environment Board in March 2014	★ Green	➔
NWCP 004	To report the outcome of the public inquiry into the Core Strategy and recommend an adopted Strategy by December 2013 (subject to the Inspector's reporting timescale). To consult on a revised Site Allocation Plan and submit the same for consideration by the Planning Inspectorate by October 2013; and To submit final Development Plan documents relating to Development Management and Gypsy and Travellers by November 2013	Countryside and Heritage	Barratt, Dorothy	Legal compliance with the Duty to Co-operate has been passed. Examination in public undertaken in January 14. The Inspectors report awaited following further public consultation on affordable housing policy . Interim report expected in July 14 with full report in Septemebr 14. The Site Allocations work is progressing and a revised timetable for it and the other documents will be considered by the LDF Sub-committee in due course.	★ Green	➔
NWCP 005	To continue to oppose a) the HS2 proposal, in partnership with other affected Councils and community action groups and press for the maximum mitigation and other benefits for the Borough and b) the principle of Opencast Mining to be reported annually	Countryside and Heritage	Barratt, Dorothy	Work is continuing which includes: continuing to work with 51m; developing a Mitigation Plan with the County and other Warwickshrie Districts; preparing for the Hybrid Bill process; sending comments on the Draft Environmental Statement and Draft Phase 2. There has been no opencast mining proposals.	★ Green	➔

	Action	Priority	Reporting Officer	Update	Status	Direction
NWCP 008 11/12(1)	To ensure that the Council is prepared for emergencies and has suitable emergency and business continuity plans, as required by the Civil Contingencies Act, and to review both the emergency and business continuity plans annually in March	Public Services & Council Tax	Beggs, Robert	<p>Work on the Warwickshire Flood Pathfinder project is continuing. Some difficulties with seeking participation from local community representatives in Polesworth have been encountered. Further efforts have been made to encourage participation without success. Some flood alerts have been received during December and January without too much disruption being caused.</p> <p>The Business Continuity risks associated with the current office accommodation works are continuing to be considered. Discussions have been held with each division to ensure service based continuity plans are in place to respond to disruptions to our normal business operations. Local Resilience Forum Co-ordinator is starting to implement a revised programme of activities for the Warwickshire LRF.</p>	 Green	
NWCP 009	To achieve the savings required by the budget strategy including the commitment to keep Council Tax increases lower than inflation and to update the strategy to reflect future developments by October 2013	Public Services & Council Tax	Brewer, Chris	Updated financial strategy taken to September Executive Board.	 Green	
NWCP 010	To carry out reviews of systems in line with the Council's review plan and explore any opportunities for shared working that may arise, with a view to achieving savings and/or increasing capacity, to be reported quarterly	Public Services and Council Tax	Brewer, Chris	Planning system review is underway.	 Green	
NWCP 038 11/12(1)	To impliment the identified improvement works to the Council's main offices in accordance with the Project Plan to ensure the ongoing provision of services to the local community while safeguarding the safety and security of all residents, staff and visitors who use The Council House building and seeking to make the buildings more environmentally friendly. Detailed updates on progress of the project will be regularly reported	Public Services and Council Tax	Dobbs, Richard	The accommodation project is nearing completion with phases 1 to 3a already finished. The project is on time and on budget. Completion due by mid June.	 Green	
NWCP 042	To continue to look for ways of narrowing the Council's capital funding gap and report annually in February	Public Services & Council Tax	Garner, Sue	The latest position was reported to Executive Board in February.	 Green	




	Action	Priority	Reporting Officer	Update	Status	Direction
NWCP 048 11/12(1)	To carry out a review of Area Forum Funding by April 2013	Public Services & Council Tax	Powell, Simon	Task complete. The introduction of a new Local Community Projects Fund has been approved by Members and implemented accordingly.	★ Green	➔
NWCP 072(1)	To maintain the existing level of core funding for arts and welfare organisations	Public Services & Council Tax	Powell, Simon	Live and Local continues to be part-funded by the Authority. Other community arts organisations are able to apply for grants through the Local Community Projects Fund, three of which were awarded financial support in November 2013.	★ Green	➔
NWCP 075	To implement the Council Tax Support Scheme 2013/14 and carry out a review to enable a scheme to be set for 2014/15	Public Services and Council Tax	Trahern, Bob	The Council Tax Support Scheme was that reduced previous Council Tax Benefit levels by 8.5% was implemented successfully and initial in year collection rates of Council Tax exceeded expectations. Due to the ongoing issues within the economy and created by wider welfare changes, it was decided to retain the same scheme in 2014/15 as has existed in 2013/14.	★ Green	➔
NWCP 076	To update the Medium Term Financial Strategy to take account of external funding changes relating to Business Rates and report by September 2013	Public Services & Council Tax	Brewer, Chris	Updated Financial Strategy taken to September Executive Board.	★ Green	➔
NWCP 077	To review the Council's membership of the Coventry and Warwickshire Business Rates Pool by December 2013	Public Services & Council Tax	Brewer, Chris	Report taken to September Executive Board.	★ Green	➔
NWCP 078	To continue to work with partner organisations in Coventry, Warwickshire and Hinckley to develop a City Deal with central government, if this proves beneficial to the local economy, to report as necessary	Local Employment	Maxey, Steve	Executive Board approved the final version of the City Deal at its meeting on 27th January. The document is to be formally signed on 5th February. Work continues to implement the work programme.	★ Green	➔
NWCP 079	To work with the retailers in Atherstone, Polesworth and Coleshill to develop action plans for the use of the Portas monies and to help implement the plans	Local Employment	Maxey, Steve	Work continues in the three market towns to get the shop owners in these areas to agree a list of projects to improve the retail performance of these areas.	★ Green	➔





	Action	Priority	Reporting Officer	Update	Status	Direction
NWCP 080	To investigate options with Warwickshire County Council and the Environment Agency for flood mitigation and flood protection measures at locations susceptible to flooding and to review the existing Fillongley Property Protection measures	Environment	Dobbs, Richard	NWBC continues to work on local issues and support residents and communities during flooding events. Work on pathfinder initiatives with WCC and EA has begun recently which will support local flood action groups in Polesworth and Whitacre Heath . Some resilience work through the National Flood Forum has been requested for Fillongley via the pathfinder project.	 Green	

NWPI Executive Board 13/14

Ref	Description	Section	Priority	Year End Target	Performance	Traffic Light	Direction of Travel
NWLPI 158	To respond to all complaints and requests for service within three working days	Env Health (C, L & HP)	Public Services and Council Tax	99	97	 Red	
NWLPI 153	Number of domestic burglaries detected in the Local Authority area	Policy Support	Crime and Disorder	239	221	 Green	
NWLPI 154	Number of violent crimes in the local authority area	Policy Support	Crime and Disorder	515	497	 Green	
NWLPI 155	The number of vehicle crimes in the local authority area	Policy Support	Crime and Disorder	564	472	 Green	



Ref	Description	Section	Priority	Year End Target	Performance	Traffic Light	Direction of Travel
@NW:NI032	Violent Crime Offences related to Domestic Violence	Policy Support	Crime and Disorder	112	84	 Green	
@NW:NI047	People killed or seriously injured in road traffic accidents	Policy Support	Crime and Disorder	58	58	 Green	
NWLPI 008	The percentage turnout for local borough elections (former BV6)	Democratic Services	Public Services and Council Tax	39	N/A	N/A	N/A
NWLPI 126	% permitted process inspections carried out within scheduled timescale	Env Health (C, L & HP)	Public Services and Council Tax	100	100	 Green	
@NW:NI154	Net additional homes provided	Forward Planning	Countryside & Heritage	164	119	 Red	
@NW:NI155	Number of affordable homes delivered (as a percentage of completions)	Forward Planning	Countryside & Heritage	66	42	 Red	
@NW:NI159	Supply of ready to develop housing sites	Forward Planning	Countryside & Heritage	100	114.6	 Green	
NWLPI 016	Percentage of conservation areas in the local authority area with an up-to-date character appraisal (fomer BV219)	Forward Planning	Countryside & Heritage	40	20	 Red	

Ref	Description	Section	Priority	Year End Target	Performance	Traffic Light	Direction of Travel
NWLPI 015	Percentage of new homes built on previously developed land (former BV106)	Forward Planning	Countryside & Heritage	80	71	 Red	
NWLPI 134	Percentage of business continuity service plans reviewed within 12 months of approval	Policy Support	Public Services and Council Tax	100	100	 Green	

## Comments

A contributing factor towards not fully achieving the target level was the absence of one officer on maternity leave for the last financial year and the post was not covered during their absence. Therefore response times and service provision will have suffered.

The year end 2013/14 performance report shows 221 domestic burglaries in total. This is 8% lower than in 2012/13. Recent predictive analysis has been prepared which has highlighted the wards of Baddesley & Grendon, Dordon and Kingsbury as potential risk locations during the months of February to April.

The year end 2013/14 performance report shows 497 violent crimes in total. This is a 4% reduction compared to 2012/13. Within this category serious violent crime is down by 23 crimes, most serious violence increased by 1 crime and assaults with less serious injury were down by 24 crimes. The quarter 3 report shows that 17% of the violent crimes relate to domestic violence. The strategic assessment 2014 has identified town centre alcohol related violence, domestic related violence and young adult male offenders as themes to focus on. Young female and male victims will also be a focus for this priority.

The year end performance report shows 472 vehicle crimes in total. This is 17% less than in 2012/13. Recent predictive analysis has highlighted the wards of Arley & Whitacre, Coleshill South and Fillongley as priority locations during February to April.

## Comments

The number of reported domestic violence incidents has reduced to 84 compared to 113 in 2012/13. This is a proportion level of 17%. Further investigations of the reduction in reported domestic violence offences is required to fully understand if this is an on going trend.

The February performance report shows 58 KSI's during April to January. Final figures are still to be collated. Concerns about the road safety of Trinity Road Freasley have been expressed by the Fire & Rescue Service. The North Warwickshire Community Safety Partnership is raising this further with the County Council.

No local borough elections

information taken from single site working sheet

124 completions for 2013/14  
minus 3 demolitions  
minus 2 change of use & dwelling conversion losses  
=  
119 net additional homes

Information obtained from single site working sheet 2013/14

Information taken from 5 year housing supply. housing in pipeline 1607 / requirement for 5 years 1402  
 $1607/1402*100=114.6$   
205 over projected requirement

Atherstone and Coleshill conservation areas in place. Work is being carried out through the Warwickshire Historic Towns Project which includes Atherstone, Coleshill, Polesworth and Fillongley. This will include updating character appraisals.

## Comments

completions on pdl new build = 24  
completions on pdl renewal = 2  
change of use = 14 pdl completions  
conversion = 4 pdl completions

total = 44

44/62 (total number of new homes) = 71%

During the 2013/14 year focus has been made on the business continuity plans during the office accommodation works in the Council House. An internal group chaired by the Assistant Director Corporate Services has identified key risks and monitored any emerging issues. Each division has been consulted on the likely risks and assurance that service level continuity plans were up to date and adequate was verified. Report to Management Team prepared in October 13 .

## Agenda Item No 20

### Executive Board

17 June 2014

Report of the  
Assistant Director (Corporate Services)

Scrutiny Forward Plan and Annual  
Report

#### 1 Summary

- 1.1 This report provides information on the work of the Scrutiny Board and its Forward Plan which shows potential items for future Scrutiny Boards.

#### **Recommendation to the Board**

**That the Scrutiny Forward Plan and Annual Report, attached as Appendix A, is noted.**

#### 2 Report

- 2.1 There are some items that Scrutiny Board is required to consider each year or which it has chosen to consider as part of good governance practices. To help ensure these items are tabled at the appropriate time a Forward Plan, which is provided as Appendix A of the Resources Board Report, has been developed and was presented to Scrutiny Board on 9 June 2014.

...

- 2.2 There is also a well-established mechanism for identifying additional or replacement projects to those identified in the Board's Forward Plan. This process is in place to ensure higher priority matters, which may arise during the Council year, can be considered in a timely manner by the Scrutiny Board.

- 2.3 At its meeting in September 2013 the Scrutiny Board decided to fulfil the requirement on it to report annually to the Council on its workings and work programme through this Annual Report to Executive Board.

The Contact Officer for this report is Linda Bird (719327).

**Agenda Item No 7**

**Scrutiny Board**

**9 June 2014**

**Report of the  
Assistant Director (Corporate Services)**

**Scrutiny Forward Plan and Annual  
Report.**

**1 Summary**

- 1.1 This report provides a draft plan showing possible items for future Scrutiny Boards and seeks Members' views on the plan and their suggestions for further future topics for consideration by the Board.

**Recommendation to the Board**

- a That the draft plan provided as Appendix A is approved; and**
- b That this report is submitted to Executive Board to inform it of the Scrutiny Plan and to provide an update on the subjects considered by this Board in the last financial year.**

**2 Forward Plan**

- 2.1 There are some items that the Board is required to consider each year or which it has chosen to consider as part of good governance practices. To help ensure these items are tabled at the appropriate time a draft plan (Appendix A) has been developed for Members' comments and approval.

- 2.2 Members are also regularly asked to identify future topics for detailed Scrutiny work. Previously approved guidance to help members identify and propose projects is included elsewhere on this Agenda.

- 2.3 In accordance with current practice meetings will be cancelled if there are insufficient substantive items for a meaningful agenda.

- 2.4 At previous meetings Members agreed that the following items be brought to a future meeting, these have been included in the Forward Plan:-

- Presentation on the role of Human Resources and;
- A report on the progress made in respect of Food Banks and related issues be brought to a meeting of the Board in 2014.

**3 Annual Report**

3.1 At its meeting in September 2013 the Board decided to provide details of the work it had done, in the previous financial year, to Executive Board for information. Below is a list of the items considered and some information on key recommendations or outcomes.

- **Corporate Plan and Performance Indicator achievements 2012/13** - Report showing 2012/13 performance information and providing members with a selection of other contextual and comparative data intended to help paint a picture of overall performance.
- **“Making North Warwickshire a Safer Place”** – Annual report of the North Warwickshire Community Partnership and an invitation to the Board to suggest areas for further scrutiny, the issues identified are listed below and an update is provided elsewhere on this agenda:-
  - Rural crime and non-residential burglary.
  - Response to, and support for, the victims of crime.
- **Broadband Provision in the Borough** – The Coventry, Solihull and Warwickshire (CSW) Broadband Project Team presented on the progress being made and the plans for improving broadband and delivering Superfast Broadband . Members also had the opportunity to ask question of the CSW Team and BT.
- **Health Scrutiny** – Regular updates from the Chairman on health scrutiny and the North Warwickshire Clinical Commissioning process.
- **Food Premises inspection** – Presentation on the work of the service by the Environmental Health Manager.
- **Letting Council Properties** – Report on and discussion about the new Lettings Scheme. It was agreed that a progress report would be provided back to Scrutiny Board in 2014.
- **Industrial Units** – Follow up report on work commissioned by the Board to help increase the occupancy levels and income from the Council’s Industrial Units.
  - Comparison between 2011/12 and 2012/13 data showed an average increase in occupancy of 21%, with 2 sites fully occupied.

The Contact Officer for this report is Linda Bird (719327).



**Scrutiny Board – Forward Plan 2014/15**

<b>Report Subject</b>	<b>Reporting Month</b>	<b>Comments</b>
Performance Overview - Year End Summary	September (annually)	To include for example: <ul style="list-style-type: none"> <li>• PI's – red and exceptions.</li> <li>• Complaints / compliments.</li> <li>• Customer feedback (satisfaction , common services, issues)</li> </ul>
Crime and Disorder Partnership Scrutiny	December (annually)	Must be reported annually
Scrutiny Plan and Annual Report.	June (annually)	Annual report to the Board and to Exec Board covering the work of the Board.
Corporate Plan	February (annually)	Summary of Corporate Plan Key actions for the forthcoming financial year.
Service / Divisional Reviews	Specific Service / Division on request of the Board.	AD or Service Head to report on a specific service or the issues affecting their division/service. - Request for a presentation on the role of HR.
Health Scrutiny	Verbally or written report each board	
Letting Council Properties	Report back 2014/15	Report back 12 months after letting scheme launched in July 2013.
Overview and Scrutiny Handbook update	2014/15	Last published June 2011 and may need updating.
Food Banks (financial inclusion).	2014/15	Suggested at June 2013 meeting.
Trade Waste	2014/15	Trade waste reported to February 2013 Board. Suggestion for a report back after household collections changed.

**NORTH WARWICKSHIRE BOROUGH COUNCIL**

**MINUTES OF THE SPECIAL SUB-GROUP**

**17 February 2014**

Present: Councillor M Stanley in the Chair

Councillors Hayfield, Phillips, Smith and Sweet

**1 Disclosable Pecuniary and Non-Pecuniary Interest**

None were declared at the meeting.

**2 Accommodation Project**

The Assistant Director (Streetscape) reported on the progress of the accommodation project and sought approval for the purchase and installation of window blinds.

**Resolved:**

- a That the report be noted; and**
- b That the purchase and installation of window blinds as set out in paragraph 3.1 of the report of the Assistant Director (Streetscape) be agreed.**

**3 Development of New Indoor Leisure Facilities in Coleshill**

The Assistant Director (Leisure and Community Development) reported on progress in respect of the development of the new indoor leisure facilities in Coleshill.

**Resolved:**

**That the report be noted.**

**4 Joint Committee/LEP**

The Sub-Group was invited to endorse the terms of reference for the Joint Sub-Committee and also asked to consider a request for match-funding from the LEP.

**Resolved:**

- a That the terms of reference for the Coventry and Warwickshire Joint Committee be agreed;**
- b That the Council agrees to pay £11,600 in response to the request from the LEP for match-funding; and**
- c That subject to justification being provided by the LEP the Chief Executive, in consultation with Leader of the Council and the Leader of the Opposition, be authorised to agree the full payment of £15,000.**

**5 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.**

**6 Staffing Matter**

The Assistant Director (Leisure and Community Development) reported on staffing proposals within his Division and the Sub-Group was asked to agree a suggested course of action.

**Resolved:**

- a That one Community Projects Officer position, as detailed in the report, be made redundant with effect from 31 March 2014 and deleted from the staff establishment; and**
- b That the two Community Development Leader (A4U) positions detailed in the report be made redundant with effect from 31 March 2014.**

M Stanley  
Chairman

# NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE SPECIAL SUB-GROUP

17 March 2014

Present: Councillor M Stanley in the Chair

Councillors Phillips, Smith and Sweet

An apology for absence was received from Councillor Hayfield.

Councillor Moore was also in attendance.

**1 Disclosable Pecuniary and Non-Pecuniary Interest**

None were declared at the meeting.

**2 Accommodation Project**

The Assistant Director (Streetscape) reported on the progress of the accommodation project.

**Resolved:**

- a That the report be noted; and**
- b That the main terms of the licence between WCC and NWBC as set out in paragraph 2.3 of the report of the Assistant Director (Streetscape) be approved.**

**3 Development of New Indoor Leisure Facilities in Coleshill**

The Assistant Director (Leisure and Community Development) reported on progress in respect of the development of the new indoor leisure facilities in Coleshill.

**Resolved:**

**That the report be noted.**

**4 Coventry and Warwickshire Strategic Economic Plan**

The Assistant Chief Executive reported on the progress to date with regard to the Coventry and Warwickshire Strategic Economic Plan and sought delegated powers for the Chief Executive should any amendments be necessary prior to the submission to Government.

**Resolved:**

- a That the draft Strategic Economic Plan be noted;**
- b That the comments on the Plan supplied to date are endorsed; and**
- c That the Chief Executive, in consultation with Councillors M Stanley and Smith, be authorised to agree any amendments and submit further comments to the LEP prior to submission to Government**

**5 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.**

**6 Staffing Matter**

The Assistant Chief Executive (Community Services) reported on staffing proposals within his Division and the Sub-Group was asked to agree a suggested course of action.

**Resolved:**

- a That the temporary post of B.O.B Hub Support Officer be deleted from the Community Services Division structure; and**
- b That the post of Community Projects Officer be transferred into the Community Services Division and the reporting line of the post changed into the Financial Inclusion Manager with effect from April 2014.**

**7 Staffing Matter**

The Assistant Chief Executive (Community Services) reported on staffing proposals within his Division and the Sub-Group was asked to agree a suggested course of action.

**Resolved:**

- a** That an additional part time post of Overpayments and Appeals Officer (3 days) be approved in the Community Services Division; and
- b** That the application process be ring-fenced to existing Benefits Officers and on appointment, three days of the successful applicants post is deleted from the structure with effect from April 2014.

M Stanley  
Chairman

# NORTH WARWICKSHIRE BOROUGH COUNCIL

## MINUTES OF THE SPECIAL SUB-GROUP

14 April 2014

Present: Councillor M Stanley in the Chair

Councillors Moore, Phillips and Smith

Apologies for absence were received from Councillors Hayfield and Sweet (substitute Councillor Moore).

Councillor Pickard was also in attendance.

### 1 **Disclosable Pecuniary and Non-Pecuniary Interests**

None were declared at the meeting.

### 2 **Accommodation Project**

The Assistant Director (Streetscape) reported on the progress of the accommodation project.

**Resolved:**

**That the report be noted.**

### 3 **Development of New Indoor Leisure Facilities in Coleshill**

The Assistant Director (Leisure and Community Development) reported on the development of the new indoor leisure facilities in Coleshill. In particular he highlighted progress on the construction work and the costs associated with the project.

**Resolved:**

**That the report be noted.**

### 4 **Reviewing the Opening Hours of the Council's One Stop Shop**

The Assistant Chief Executive (Community Services) reported on proposed changes in opening hours for the face to face service provided through the Council's One Stop Shop in order to align with the opening hours of the DWP when the services co-locate in June 2014.

**Resolved:**

- a That the changing of opening times for the One Stop Shop with effect from 23 June 2014 be approved;
- b That the opening days of the One Stop Shop and Contact Centre are aligned with those of the Jobcentre Plus in 2014 only; and
- c That a formal review of arrangements is undertaken by the Council to review whether any changes to existing contracts are necessary if implemented from 2015/16 onwards.

**5 The A5**

The Sub-Group was informed of recent developments with regard to the A5 and endorsement was sought in respect of the Chief Executive's use of his urgent business powers.

**Resolved:**

- a That the recent developments with regard to the A5 be noted; and
- b That the Chief Executive's use of his urgent business powers be endorsed.

**6 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.**

**7 Development of New Indoor Leisure Facilities in Coleshill**

The Assistant Director (Leisure and Community Development) updated the Sub-Group on negotiations in respect of the draft Joint Use Agreement through which the new Coleshill Leisure Centre would be managed and used.

**Resolved:**

**That the draft Joint Use Agreement through which the new Coleshill Leisure Centre will be managed and used be agreed and the Assistant Chief Executive and Solicitor to**



**the Council be authorised to conclude the associated negotiations with The Coleshill School.**

M Stanley  
Chairman

# NORTH WARWICKSHIRE BOROUGH COUNCIL

## MINUTES OF THE SPECIAL SUB-GROUP

19 May 2014

Present: Councillor M Stanley in the Chair

Councillors Phillips, Smith and Sweet

An apology for absence was received from Councillor Humphreys

### 1 **Disclosable Pecuniary and Non-Pecuniary Interests**

None were declared at the meeting.

### 2 **Accommodation Project**

The Assistant Director (Streetscape) reported on the progress of the accommodation project.

**Resolved:**

**That the report be noted.**

### 3 **Development of New Indoor Leisure Facilities in Coleshill**

The Assistant Director (Leisure and Community Development) reported on the development of the new indoor leisure facilities in Coleshill.

**Resolved:**

**That the report be noted.**

### 4 **Exclusion of the Public and Press**

**Resolved:**

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

### 5 **Staffing Matter – Refuse and Recycling Section**

The Assistant Director (Streetscape) reported on a proposal to award an additional payment to a member of staff in the Refuse & Recycling Section in recognition of their work during

the planning, implementation and initial delivery of the new service. A revised report was circulated at the meeting.

**Resolved:**

**That an additional payment, as set out in para 2.4 of the report of the Assistant Director (Streetscape), be awarded to a staff member of the Streetscape Division's Refuse & Recycling team.**

**6 Staffing Matter – Streetscape Division**

The Assistant Director (Streetscape) reported on a proposed revision to the staffing structure of the Streetscape Division following the implementation of the new Refuse & Recycling service.

**Resolved:**

- a That one of the Assistant Manager (Refuse & Recycling) posts within the Streetscape Division be made redundant; and**
- b That the request to take voluntary redundancy by one of the post holders as set out in the report of the Assistant Director (Streetscape) be accepted.**

M Stanley  
Chairman

**NORTH WARWICKSHIRE BOROUGH COUNCIL**

**MINUTES OF THE LOCAL  
DEVELOPMENT FRAMEWORK SUB-COMMITTEE**

**9 April 2014**

Present: Councillor Sweet in the Chair.

Councillors Butcher, Humphreys, Phillips and Winter.

Apologies for absence were received from Councillors Simpson and Smith

**20 Disclosable Pecuniary and Non-Pecuniary Interests**

None were declared at the meeting.

**21 Core Strategy Update**

The Assistant Chief Executive and Solicitor to the Council gave an update on the Core Strategy.

**Resolved:**

- a That the affordable housing revised target and thresholds be approved for consultation;**
- b That the response to the Inspector set out in paragraph 3.2 of the report of the Assistant Chief Executive and Solicitor to the Council be endorsed; and**
- c That the remainder of the report be noted.**

**22 Site Allocations Plan – Revised Draft for Consultation**

Members were asked to consider a revised draft of the Site Allocations Plan for consultation.

**Resolved:**

- a That the revised Site Allocations Plan goes out for consultation;**

- b That, in consultation with the Chairman, Vice Chairman and Opposition Spokesperson of the Sub-Committee, the Assistant Chief Executive and Solicitor to the Council be given delegated power to agree minor changes, highlighted by the Sustainability Appraisal (SA);**
- c That any significant changes be brought back to Members; and**
- d That the consultation lasts for a period of 8 weeks.**

**23 Duty to Co-operate**

The Assistant Chief Executive and Solicitor to the Council updated Members on the work being undertaken under the Duty to Co-operate.

**Resolved:**

**That, subject to the suggested changes in the report of the Assistant Chief Executive and Solicitor to the Council, support is given to the Proforma on Duty to Co-operate with Birmingham City Council.**

R Sweet  
Chairman

**Agenda Item No 23**

**Executive Board**

**17 June 2014**

**Exclusion of the Public and Press**

**Report of the  
Chief Executive**

**Recommendation to the Board**

**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.**

**Agenda Item No 24**

**High Street Innovation Fund** - Report of the Assistant Chief Executive and Solicitor to the Council. - To follow.

Paragraph 3 – by reason of the report containing information relating to the financial or business affairs of any particular person (including the authority holding that information).