

**Annual Meeting between the Borough Council and  
Town and Parish Councils**

**Thursday, 28 January 2016 at 7.00 pm**

**At the Main Hall, Newton Regis Village Hall,  
Austrey Lane, Newton Regis, B79 0NL**

- 1 Welcome and evacuation procedure.
- 2 Minutes of the last meeting held on Thursday, 29 January 2015 (copy attached).
- 3 Matters Arising.
- 4 Budgets – NWBC.
- 5 Growth – NWBC.
- 6 Parish Engagement in Community Safety – Cllr Reilly, NWBC.
- 7 Neighbourhood Plan (Austrey Parish Council).
- 8 Flooding (Austrey Parish Council).

Supplementary to the agenda items listed above, a number of questions have been raised by Town and Parish Councils and responses provided by the Borough Council are attached.

A briefing note prepared by the Borough Council regarding Civil Parking Enforcement is also attached for information.

# **Annual Meeting between the Borough Council and Town and Parish Councils**

**Thursday, 29 January 2015 at 7pm**

**At Hartshill Community Centre**

Present: Councillor Sweet, Deputy Leader of North Warwickshire Borough Council in the Chair.

Members and Officers from North Warwickshire Borough Council and representatives from Town and Parish Councils within North Warwickshire.

## **1 Minutes**

The minutes of the meeting held on 29 January 2014, copies having previously been circulated, were received and noted.

## **2 Matters Arising**

None.

## **3 HGV's Travelling within Rural Areas**

Hartshill Parish Council reported that several heavy goods vehicles travel through Hartshill via unsuitable roads (ie non HGV routes) each day and concerns were raised on the impact this is having on the highways and the community in general.

The Deputy Leader and Chief Executive of North Warwickshire Borough Council explained that this does not fall within the remit of the Borough Council and should be addressed to Warwickshire County Council. County Councillors present at the meeting agreed to feed this back to Warwickshire County Council.

## **4 Parking Decriminalisation**

A formal question was raised from Hartshill Parish Council and Atherstone Town Council regarding parking decriminalisation. Hartshill Parish Council explained that the issue of inconsiderate parking within Hartshill has become increasingly dangerous. Atherstone Town Council echoed the comments from Hartshill and went on to state that the Town Council support decriminalisation as a method to combat this problem. A lengthy discussion ensued regarding this issue.

The Deputy Leader and Chief Executive stated that on-street parking responsibility falls within the remit of the Police unless the decriminalisation

process has taken place. County Councillors present at the meeting stated that as far as they are aware there are no plans at present to implement parking decriminalisation. However, those County Councillors present at the meeting agreed to take the views of the Town and Parish Councils on parking decriminalisation back to Warwickshire County Council.

## **5 Area Forums**

Alan Vaughton, Chair of NWALC, requested an update on any modifications North Warwickshire Borough Council were suggesting in connection with the improvement of Area Forums within the Borough. The general opinion given by a number of Town and Parish Councils were that they required updating in order to improve their effectiveness.

Steve Maxey, Assistant Chief Executive and Solicitor to the Council, informed the meeting that the Borough Council had examined numerous ways of improving the effectiveness of the Forums. Meetings of Area Forum North had been held trialling a new format with changes to the agenda style, however, this had been met with limited success.

Steve went on to explain that this item will be examined further when the Council enters into the next administration later this year.

## **6 HS2 Phase 1 Business and Community Fund**

Steve circulated a briefing note regarding the above and provided a brief outline on the current situation in relation to HS2.

## **7 Parish and Town Council Elections**

Detailed information regarding the administrative process for the above elections was circulated. A briefing for all Town and Parish Councils had been arranged for 19 February 2015 with nomination packs available from mid March. Any further queries should be directed to David Harris, Democratic Services Manager – davidharris@northwarks.gov.uk.

## **8 Planning Issues**

Steve Maxey gave a brief update on planning issues within the Borough. He reported that the Core Strategy had now been adopted and the next stage would be the Site Allocation Plans. A draft Site Allocation Plan had gone out for consultation twice and consultation will take place once more before being submitted to the Inspectorate.

## **9 North Warwickshire's view on assets of community value**

Alan Vaughton sought clarification on Community Assets and their advantages to Town and Parish Councils.

Steve Maxey explained that communities can ask this Council to list certain assets as being of value to the community. Parish Councils or local community groups can nominate both privately and publicly owned assets which meet the definition of community value. Decisions on whether the asset can be listed are made within 8 weeks of receipt of nominations. Further information can be obtained by emailing [communityassets@northwarks.gov.uk](mailto:communityassets@northwarks.gov.uk).

## 10 **Any Other Business**

Representatives from Town and Parish Councils present were invited to raise issues pertaining to their Council:

- Baddesley Ensor have set up a Youth Council which has been very successful.  
If any Council is interested in setting up something similar details can be obtained from Geoff Taylor.
- Severe congestion and traffic problems within the Borough were raised by Town and Parish Councils. A recent meetin had been held with the Highways Authority and Highways Englnd to discuss the problems and the potential impact that HS2 will pose. Local Parishes need to collate all information and explain local problems to HS2.
- Roadside litter was reported as a problem within some areas of the Borough. Affected Councils to contact Steve Maxey with details of the areas concerned.

The meeting closed at 8.45 pm.

## **Planning related questions from Town and Parish Councils**

### **Questions from Nether Whitacre Parish Council:**

- Q1 Could you clarify if Forward Planning are consulted on all planning applications that have a policy issue and explain why Forward Planning is rarely down as a consultee on board reports to the Planning Board. There are many instances where planning applications are contrary to Core Strategy but the views of Forward Planning are not referred to in the planning report. Why?
- A1 The Forward Planning team and the Development Management Team share an open place office and sit opposite each other. Discussions are held between them without the need for the formal consultation requests to be issued that are issued to external stakeholders. Forward Planning and Development Control always work together. The recommendations set out in the Board reports are discussed and debated here and then agreed. This is why there is no separate response from Forward Planning. However at the end of the day a single recommendation has to be made. The written report will always spell out where any differences might apply.
- Q2 Many planning applications are accepted and registered even though the quality of the plans/drawings submitted with the application are poor. The drawings need to be to scale and have dimensions shown on the drawings so that when viewed online the measurements can be read. Is that a practice that can be adopted going forward?
- A2 Planning applications are submitted in a variety of different ways and to varying standards. We are unable to “force” an applicant to use a qualified agent or architect and thus do the best that we can in ensuring that the proposal is fully understood. If Parish Councils do not understand a plan then they should always contact the relevant case officer.
- Q3 Due to a particular incident within our parish, where a stable block was demolished but the approval was for conversion of the building, we seek assurance that there will be improved dialogue between Development Control and the out sourced Building Control team. The dialogue needs to be on unauthorised demolition and also buildings/extensions not being built in accordance with approved plans.
- A3 There is close working between the Development Management and Building Control teams. Building Control are made aware of planning consents but will not routinely inspect buildings to see if the proposed work is appropriate. That is the responsibility of the land owner. In this particular case Building Control were asked to advise and gave the view that the building could not be converted. The decision to demolish it before seeking the subsequent approval for a new building was not made by Building Control or Development Management but by the landowner.

### **Question from Mancetter Parish Council**

- Q4 Pilot or Experimental Schemes – could the Council advise Parish and Town Councils when departments within the Borough Council launch such schemes (eg Planning Department 21 Day Experimental Turnaround for some Planning Applications).

Some Parish Councils meet bi-monthly and should, as part of the Transparency Code discuss all Planning applications at their Parish Council meeting or Planning Committee meeting.

- A4 Parish Council's always have had three weeks in which to comment and if they need longer then they should always contact the relevant case officer as is the usual practice. If practices change then we can notify Parish Councils.

Parish Council's only have 21 days to comment under the Regulations. Indeed Article 25 of the Development Management Procedure Order of 2015 says that they "MUST" respond in the 21 days. This was pointed out to all Parish Councils when it was introduced last year. Several Parishes have altered their procedures; changed the cycle of meetings or have delegated powers to a smaller working group. Perhaps other parishes can share practice with Mancetter. However as above always check with the case officer.

### **Questions from Baddesley Ensor Parish Council**

- Q5 Parking and the increase of on road parking by new housing developments. Could there be an investigation into how some of these problems could be reduced?
- A5 Our car parking standards generally ask for two off-street car parking spaces.
- Q6 What action can be taken to prevent developers from renegeing on promises made when their planning applications are submitted, particularly where those promises are adopted as conditions of Planning approval? Reference is made to the recently published decision of the developer of the 89 dwellings at Spon Lane, Grendon, to withdraw their promise to install a crossing on the A5, Watling Street despite its inclusion having influenced HM's Inspector to overturn the authority's rejection of the scheme.
- A6 Planning legislation enables all applicants to vary planning permissions; remove planning conditions and to seek amendments. These will always have to be dealt with.

Any other Planning related queries can be directed to:

Steve Maxey  
Assistant Chief Executive and Solicitor to the Council  
stevemaxey@northwarks.gov.uk

Jeff Brown  
Head of Development Control  
jeffbrown@northwarks.gov.uk

## General questions from Town and Parish Councils

### Question from Lea Marston Parish Council

- Q7 Will any funds from the business rates collected by NWBC for our parish, be passed on to the Parish Council?
- A7 Business rates are not passed onto Parish Councils however there are provisions that some part of the new Community Infrastructure Levy would be passed to Parish Councils where there is a Neighbourhood Plan. Recent announcements on funding of Councils makes it clear that retained business rates will replace direct grant funding from Government and will therefore be the core of funding for District and Borough Councils.

### Question from Curdworth Parish Council

- Q8 The minutes of the Area Forum meetings are very brief and don't provide enough information about what has been discussed at the meetings. More comprehensive minutes would be appreciated (Curdworth Parish Council).
- A8 This is a matter for each Forum and therefore each can decide on what level of notes are provided (within reason). It has always been the Borough Council's practice however to record decisions rather than all of the discussion.

### Questions from Baddesley Ensor Parish Council

- Q9 Update required on restructuring the failing Area Fora.
- A9 The Borough Council has had a preliminary look at the Forums – see [https://www.northwarks.gov.uk/meetings/meeting/575/special\\_sub-group](https://www.northwarks.gov.uk/meetings/meeting/575/special_sub-group) Interestingly, attendances in the South and East are up. The Borough Council's next steps is to discuss this with the Police and County Council however this has been delayed due to both key contacts moving roles.
- Q10 Decision by the Borough Council to join with WCC and the District Councils from the South in a Combined Authority rather than join Tamworth, Coventry and Solihull in joining the West Midlands Combined Authority. This decision may be seen as a step towards the introduction of unitary status for Warwickshire; something that has for some time been an ambition of the present administration at Shire Hall. Given that unitary status will move the centre of power away from North Warwickshire, and given the historic North/South divide, can the Borough Council reassure us that they have no such ambitions?
- A10 The Borough Council has not decided to join a Combined Authority with the County Council and southern Warwickshire Districts. There is no such Combined Authority. The Council's decision on the West Midlands Combined Authority was as follows;
- “That the Council does not seek to join the West Midlands Combined Authority at this time because of uncertainty about its functions and responsibilities, particularly the role that Non- Constituent Members would play in it, including voting rights. This does not rule out the possibility of joining at some future date, but the Council is of*

*the view that there is insufficient information to reach a conclusion within current timescales.”*

This Council has no ambitions for a unitary Council in Warwickshire and we currently understand that neither does the County Council now.

Any other general queries can be directed to:

Steve Maxey  
Assistant Chief Executive and Solicitor to the Council  
stevemaxey@northwarks.gov.uk



## **Briefing Note – Civil Parking Enforcement**

### **Overview**

Formal agreement has now been reached between the County Council and the Borough Council to implement Civil Parking Enforcement across the Borough. We are now commencing meetings with the County Council in order to determine what steps need to be taken and to determine the full scope of actions that will be necessary.

Civil Parking Enforcement (CPE) has now been deployed in the vast majority of Local Authorities. Within Warwickshire, North Warwickshire is the last remaining authority to implement CPE, all other Districts and Boroughs have been operational for a number of years. Civil Parking Enforcement transfers powers to enforce on-street parking restrictions from the Police to the Highways Authority, which in this case would be Warwickshire County Council. The overall benefits of CPE are better parking enforcement leading to greater turnover of on-street parking spaces and increased parking capacity, improved traffic flow, less congestion, improved accessibility and increased road safety. The greater availability of parking spaces should benefit the Borough's residents, visitors and businesses alike.

The Department of Transport will only approve applications where both on-street and off-street operations can be transferred at the same time. So although the on-street (i.e. all public highways etc.) arrangements have to be managed and enforced by the County Council, off-street parking provision is normally managed by the District and Boroughs, either directly or via contractual arrangements with the County Council or an external Parking Services company. It is important, therefore, that on-street and off-street parking provision and management is fully integrated and to that end the Borough and County Councils will be working closely together throughout the CPE implementation process. The Borough Council will undertake a review of its off-street parking arrangements over the coming months to ensure that off-street capacity is best able to complement on-street parking availability when CPE is implemented.

Implementation can normally take around 18 months. As the process has already started, WCC are anticipating that CPE will "go live" within North Warwickshire during Spring 2017. Once implemented, on-street enforcement will focus initially on formalising the parking restrictions that are currently in place. Further enhancements to the existing restrictions (such as residents' parking schemes) may be considered in due course once the effects of fully enforcing the current parking restrictions have become clear.

### **Timetable**

- NWBC will establish a Task & Finish Group in February 2016 to review off-street parking provision and liaise with WCC on the implementation of CPE
- WCC will begin initial briefings with WCC Councillors in February/March
- Formal statutory consultation (including parish & town councils) will begin in March/April 2016
- Consultation on proposed changes to Traffic Regulation Orders (which govern on-street parking restrictions) will take place in late 2016
- CPE implemented Spring 2017.