



**AGENDA  
for  
MEETING OF  
THE COUNCIL**

to be held on

**Wednesday, 11<sup>th</sup> December 2024**

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Date: 3<sup>rd</sup> December 2024

Our Ref: KB

To: All Members of the Borough Council

A MEETING OF THE COUNCIL will be held on **Wednesday 11<sup>th</sup> December, 2024 at 6.00 p.m.**

All members of the Council are summoned to attend to determine the business as set out below.

## **AGENDA**

1. **EVACUATION PROCEDURE**

A fire drill is not expected, so if the alarm sounds, please evacuate the building quickly and calmly. Please use the stairs and do not use the lifts. Once out of the building, please gather outside the Lloyds Bank on the opposite side of the road.

Please exit by the door by which you entered the room or by the fire exits which are clearly indicated by the standard green fire exit signs.

If you need any assistance in evacuating the building, please make yourself known to a member of staff.

Please make sure all your mobile phones are turned off or set to silent.

2. **APOLOGIES** - to receive apologies for absence from the meeting.

3. **MINUTES** - to confirm the minutes of the Ordinary Meeting held on 18<sup>th</sup> September 2024 (**Page 7**) and the Extraordinary Council held on 4<sup>th</sup> October 2024 (**Page 31**)

4. DECLARATIONS OF INTEREST - To receive declarations of disclosable pecuniary interests and other interests in matters under consideration pursuant to Council procedure Rule 4A.2(iii).

#### **Declaring interests at meetings**

If there is any item of business to be discussed at the meeting in which you have a disclosable pecuniary interest or non-pecuniary interest (Other Interests), you must declare the interest appropriately at the start of the meeting or as soon as you become aware that you have an interest.

Arrangements have been made for interests that are declared regularly by members to be appended to the agenda (**Page 49**). Any interest noted in the Schedule at the back of the agenda papers will be deemed to have been declared and will be minuted as such by the Committee Services Officer. As a general rule, there will, therefore, be no need for those Members to declare those interests as set out in the schedule.

**There are, however, TWO EXCEPTIONS to the general rule:**

**1. When the interest amounts to a Disclosable Pecuniary Interest that is engaged in connection with any item on the agenda and the member feels that the interest is such that they must leave the room. Prior to leaving the room, the member must inform the meeting that they are doing so, to ensure that it is recorded in the minutes.**

**2. Where a dispensation has been granted to vote and/or speak on an item where there is a Disclosable Pecuniary Interest, but it is not referred to in the Schedule (where for example, the dispensation was granted by the Monitoring Officer immediately prior to the meeting). The existence and nature of the dispensation needs to be recorded in the minutes and will, therefore, have to be disclosed at an appropriate time to the meeting.**

**Note: Following the adoption of the new Code of Conduct, Members are reminded that they should declare the existence and nature of their personal interests at the commencement of the relevant item (or as soon as the interest becomes apparent). If that interest is a Disclosable Pecuniary or a Deemed Disclosable Pecuniary Interest, the Member must withdraw from the room.**

Where a Member has a Disclosable Pecuniary Interest but has received a dispensation from Audit and Standards Committee, that Member may vote and/or speak on the matter (as the case may be) and must disclose the existence of the dispensation and any restrictions placed on it at the time the interest is declared.

Where a Member has a Deemed Disclosable Interest as defined in the Code of Conduct, the Member may address the meeting as a member of the public as set out in the Code.

**Note: Council Procedure Rules require Members with Disclosable Pecuniary Interests to withdraw from the meeting unless a dispensation**

**allows them to remain to vote and/or speak on the business giving rise to the interest.**

**Where a Member has a Deemed Disclosable Interest, the Council's Code of Conduct permits public speaking on the item, after which the Member is required by Council Procedure Rules to withdraw from the meeting.**

5. ANNOUNCEMENTS - to receive announcements from the Mayor, Leader, Members of the Cabinet or the Chief Executive.
6. PUBLIC PARTICIPATION - (maximum 20 minutes).  
to hear and answer questions by any resident of the Borough concerning the work of the Council where notice has been given (maximum 20 minutes). A copy of the Procedure Rule 9 is attached (**Page 56**) and this is not subject to debate. A question or statement can be submitted using the link below which will send your submission to the Chief Executive and Member Services: [Ask a question at meetings of Full Council | Public participation at meetings | Nuneaton and Bedworth Borough Council](#)
7. QUESTIONS BY MEMBERS - (Council Procedure Rule 10). A copy of Procedure Rule 10 is attached (**Page 58**) and this is not subject to debate.
8. SPECIAL URGENCY DECISIONS - (Access to Information Procedure Rule 4B.16) – None taken
9. CABINET – report by Leader of the Council (**Page 60**)  
Members may ask questions on the report and receive answers from the Leader or other Cabinet members, and this is not subject to debate.
10. REVIEW OF MEMBERS' ALLOWANCES – report of the Chair of the Independent Remuneration Panel with covering report from Assistant Director – Democracy and Governance attached (**Page 63**)
11. APPOINTMENT OF MONITORING OFFICER – report of the Chief Executive attached (**Page 104**)
12. RECOMMENDATIONS FROM CABINET OR OTHER COMMITTEES  
Licensing Committee – 25<sup>th</sup> September 2024
  - a) GAMBLING ACT 2005 – STATEMENT OF LICENSING POLICY 2025-2028  
At its meeting on 25<sup>th</sup> September 2024, the Licensing Committee considered the above report (**copy attached Page 107**) by the Assistant Director – Environment and Enforcement and put forward the following recommendation for Council approval:  
  
**IT BE RECOMMENDED TO FULL COUNCIL that this policy be adopted in accordance with the legislative provisions.**

**Cabinet – 6<sup>th</sup> November 2024**

**b) CAPITAL FORECAST Q2 2024/25**

At its meeting on 6<sup>th</sup> November 2024, Cabinet considered the above report (**copy attached page 131**) by the Assistant Director – Finance and put forward the following recommendations for Council approval

- i) IT BE RECOMMENDED TO COUNCIL that an update to the 2025/26 forecasted Budget for Capital be included for s106 funded projects detailed in 4.18 of the report; and**
- ii) IT BE RECOMMENDED TO COUNCIL for approval of a change to the Capital and Revenue Budget on Cemeteries for 2024/25 detailed at 4.21 in the report.**

**Audit and Standards Committee – 12<sup>th</sup> November 2024**

**c) TREASURY MANAGEMENT 2024/25 – MID YEAR REVIEW**

At its meeting on 12<sup>th</sup> November 2024 at Audit and Standards Committee, considered the above report (**copy attached page 143**) by the Finance Manager – Treasury and put forward the following recommendation for Council approval

**IT BE RECOMMENDED TO COUNCIL that the Treasury Management Report for 2024/25 – Mid-year review be noted.**

**Audit and Standards Committee – 12<sup>th</sup> November 2024**

**d) REMOVAL OF ELECTED MEMBERS FROM GRAYSON PLACE (NBBC) LIMITED AND NABCEL DIRECTORSHIP ROLES**

At its meeting on 12<sup>th</sup> November 2024 at Audit and Standards Committee, considered the above report (**copy attached page 158**) by the Constitution Review Working Party (CRWP) and put forward the following recommendation for Council approval

**IT BE RECOMMENDED TO COUNCIL to approve the removal of Elected Members from Grayson Place Limited and NABCEL directorship roles**

**Audit and Standards Committee – 12<sup>th</sup> November 2024**

**e) RECOMMENDATIONS FROM THE CRWP – REMOVAL OF APPEAL COMMITTEE ON THE DISMISSAL OF EMPLOYEES**

At its meeting on 12<sup>th</sup> November 2024 at Audit and Standards Committee, considered the above report (**copy attached page 163**) by Assistant Director- Democracy and Governance and Monitoring Officer and put forward the following recommendation for Council approval

**IT BE RECOMMENDED TO COUNCIL that the constitution be amended accordingly.**

**Audit and Standards Committee – 12<sup>th</sup> November 2024**

**f) RECOMMENDATIONS FROM THE CRWP – CHANGES TO THE DELEGATIONS OF THE ASSISTANT DIRECTOR OF PLANNING**

At its meeting on 12<sup>th</sup> November 2024 at Audit and Standards Committee, considered the above report (**copy attached page 168**) by Assistant Director- Democracy and Governance and Monitoring Officer and put forward the following recommendation for Council approval

- i) the recommendations as set out in the report and appendices be approved, with the addition of a definition for ‘major applications’ being added to the glossary; and**
- ii) IT BE RECOMMENDED TO COUNCIL that the constitution be amended accordingly.**

**NOTE: Points of Order and Personal Explanation can only be raised in accordance with Council Procedure Rules which are set out below:-**

**Point of order**

A Member may raise a point of order at any time. The Mayor will hear them at the end of the speech of the Member speaking at the time the point is raised. A point of order may only relate to an alleged breach of these Council Rules of Procedure or the law. The Member must indicate the rule of law and the way in which he/she considers it has been broken. The Mayor shall consider the Point of Order and, if necessary, take advice on the matter from the Monitoring Officer and, shall then rule on the Point of Order raised. There shall be no discussion or challenge to the advice given or the Mayors decision in the meeting. If a Member persistently seeks to raise a Point of Order but is unable to identify the procedure rule or legal principle infringed then, after having being warned by the Mayor, any further abuse of this procedure rule shall not be tolerated and the Mayor shall move that the Member not be heard further pursuant to Procedure Rule 4.19.13. The ruling of the Mayor on the matter will be final.

**Personal explanation**

A Member may make a point of personal explanation at any time. The Mayor will hear them at the end of the speech of the Member speaking at the time the point is raised. A personal explanation may only relate to some material part of an earlier speech by the Member which may appear to have been misunderstood in the present debate. The ruling of the Mayor on the admissibility of a personal explanation will be final.

**NUNEATON AND BEDWORTH BOROUGH COUNCIL**

**COUNCIL**

**18<sup>th</sup> September, 2024**

A Council meeting of the Nuneaton and Bedworth Borough Council was held on Wednesday, 18<sup>th</sup> September 2024.

**Present**

The Mayor (Councillor W. Hancox)  
The Deputy Mayor (Councillor B. Saru)

Councillors E. Amaechi, M. Bird, J. Bonner, D. Brown, J. Clarke, J. Collett, T. Cooper, S. Croft, L. Cvetkovic, S. Dhillon, M. Etienne, J. Hartshorn, S. Hey, P. Hickling, B. Hughes, T. Jenkins, A. Khangura, N. King, S. Markham, W. Markham, B. Pandher, C. Phillips, K. Price, R. Roze, J. Sheppard, T. Sheppard, C. Smith, T. Venson, C. Watkins K. Wilson and M. Wright.

Apologies were received for Councillors A. Bull, R. Smith, M. Walsh, J. Gutteridge and M. Kondakor (family bereavement)

CL24 **Minutes**

**RESOLVED** that the minutes of the Ordinary Council meeting held on 10<sup>th</sup> July 2024 were confirmed and signed by the Mayor.

CL25 **Declarations of Interests**

**RESOLVED** that the Declarations of Interests for this meeting are as set out in the schedule attached to these minutes.

CL26 **Announcements**

The Mayor made the following announcements:

The Councils sends its thoughts and best wishes to those affected by the flooding in Central Europe.

In addition the Council sends its condolences to the family of the man who recently died in a collision at the Griff roundabout

CL27 **Public Participation**

**Question 1 – Mr Keith Kondakor read the following statement as follows:**

We need to be working for a better future in the borough and cannot spend too much time looking into the fiasco of the last 3 years. However, there is a need to ensure that the recent history is not forgotten or edited.

I would like the council to publish as much of the external consultant's report into the Nuneaton regeneration projects viability as possible. £43 million of regeneration projects were paused by the previous administration in February as a result of this report. I believe the consultant's work was done around December 2023 as there is an order and invoice from Amion Consulting around that time.

I would also like the council to publish the conclusion of the external investigation into myself produced in 2021 at great expense to put an end to the issues from June 2019 council meeting,

Finally, I would like the council to provide me with details around the authorisation of spending council tax payers money on legal costs to defend the previous deputy leader over comments made on Twitter. I have already put in a subject access request, but currently this is not being progressed.

**Councillor C. Watkins, Leader of the Council responded as follows**

Thank you for your statement, Mr Kondakor, I understand that you have been in contact with the officers and I will arrange for one of the officers to send you a full reply in future.

And Mr Kondakor, as far as I'm aware, some of it is confidential, but as going on my previous answer, I will arrange for the officers to be in touch with you in future.

CL28 **Questions by Members**

**Question 1 – Councillor Michael Bird asked the following question to the Leader of the Council:**

Many residents within the Borough are dismayed as to what is happening to the Towns once prestigious markets and characteristic town centre. Given that it will be some considerable time before the proposed programme of re-generation for the Town is brought to fruition. I together with many others feel, that there is an urgent need to at least preserve and possibly enhance what we already have. I am sure that most members are of the same opinion as myself in



recognising that the Market and the Town is very important and was once held in high regards by many residents both in the borough and outside it. Sadly, this is not the case today and it would be devastating to the towns economy if the Market was to fail completely, I don't think that this is an option that would be acceptable and would at the very least cause further damage to both the Councils and the Towns reputation.

Therefore will the portfolio holder and Leader assure the Residents of the Borough that their Markets and Town Centres are in safe hands and confirm that by way of an energised business and Marketing strategy supported by a dynamic management team the Markets and Town Centres decline will be turned around and continue to remain a viable, and futuristic, major attraction to our town centres for many more years to come?

**Councillor N. King, Portfolio Holder for Business and Regeneration, responded as follows:**

At the present moment we are working on a strategy to support the markets.

This will be presented to the cabinet in October and action plan this year as the town centre's regeneration are top of our priorities for the Labour administration. We recognise that we are market towns and we are very mindful of the consumer demands and we'd like to keep the markets as a major attraction.

And I can quite assure you that I'm very passionate about the markets.

**Councillor Michael Bird asked the following supplementary question**

Can I just ask that this is expediated as soon as possible because I think the market is failing week by week and we need to preserve the current traders.

That's all I'm asking really.

OK, thank you.

**Councillor N. King responded as follows**

Yes, I can quite assure you that will be the case.

The action plan will be presented in October and then it will be put into place as soon as possible.

Preferably, it will happen this year so that we can sustain our markets and keep them.

**Question 2 – Councillor M. Kondakor submitted a question to the Portfolio Holder for Business and Regeneration as follows:**

Just last week the Hampton by Hilton hotel opened in town; on the same day, a Delegated Officer decision was made to pay ██████\* per month for the next 4 months to a company, recommended by Hilton, to oversee the contract/management of the Hotel etc. There are no independent directors on the board of Grayson Place Ltd. This raises a multitude of questions, such as why was this only done when the hotel opened when the issues must have been known for a long while etc.

What is the Council doing to ensure independent oversight of the Hotel operation going forward?

*(\*value (£) redacted by officers to protect commercially sensitive information.)*

**In Councillor M. Kondakor's absence a written response was provided as follows:**

The Directorate of the hotel management company is being reviewed, with an active view to considering whether the use of Non-Executive Directors would be appropriate to bring specialist expertise to the board. Furthermore, the Shareholder board will provide a level of challenge to the management board. In the interim, the contract mentioned does give us some external expertise during the early ages of operation.

**Question 3 – Councillor Mike Wright asked the following question to the Portfolio Holder for Leisure, Communities and Health.**

Given the combination of stringent financial constraints faced by local authorities, and the continued threats to wildlife habitats, could the responsible cabinet member clarify what steps are being taken to ensure that we get the maximum possible 'biodiversity for our buck'? Planting trees in woodland areas - where natural regeneration would fill in the gaps as well or better - does not seem like the best use of resources. Similarly, biodiversity in grassland areas - other than those which need to be kept short for amenity purposes - could be increased at zero (or even negative) cost by a wider application of the 'No Mow May' principle, Would they agree that there is room for improvement here?

**Councillor T. Jenkins, Portfolio Holder for Leisure, Communities and Health, responded as follows:**

Thank you Mr Mayor and thank you Councillor Wright for your question.

So in order to get the maximum possible biodiversity for our buck, we'll continue to work with the Warwickshire County Council's Ecology Unit to comment on planning applications to seek to maximise the creation of wildlife habitat within new developments.

We'll be involved in Warwickshire County Council's upcoming preparation of a local Nature Recovery strategy for Warwickshire and we'll public report on MBB CS progress and activity to take this forward.

Through biodiversity offset habitat creation commitments and part as part of planning negotiations and agreements already made, we have a significant programme to create new habitats in the next 5 to 10 years.

We'll also continue to manage existing habitat areas, including most of the local wildlife sites in the borough to retain biodiversity value and hopefully increase it with a significant contribution from the Conservation Volunteers Group.

We will continue some carefully targeted tree planting activity in appropriate locations whilst keeping formal recreation green space and not reducing the existing value of wildlife habitat areas.

With regards to tree planting in Woodlands, as a passionate conservationist, I completely agree however that it in general is a waste of time, money and effort.

There are specific circumstances where there are reasons to do it, where there's a lack of species, so if the woodland species poor we can introduce new species that wouldn't get there naturally.

So work that has been carried out.

There's been a couple of places, Donnithorne Woods where trees have to be taken out and it is quite species poor, so new trees have been put in that will improve biodiversity there.

The other areas around Bucks Hill Cemetery where because of the tree loss from trees dying from being in standing water for so long, we have put trees in that will hopefully cope for a lot of the trees became unsafe there so we had to take those out.

So we put different species in that will hopefully cope with the conditions there and we are working on that.

So I mean, it's been a long standing issue as everyone is aware, but we are working to hopefully rectify that and if that is done then the issue will hopefully be resolved.

So with regards to the no MO May, I think we almost had that this year with the amount of rain and the days that Glendale couldn't get out and mow.

Unfortunately, there was a knock on effect with that.

So Glendale will play and catch up for most of the summer, but I think a blanket ban on mowing across the borough would resulting quite a lot of problems.

One of the issues is because of financial constraints and the cut and drop policy, a lot of the grassland is being enriched.

So you'll get a lot of dump grass, domination of all the ground flora.

So I think it has to be specifically targeted.

We are definitely committed to introducing greater areas of native wildflower meadows and areas where that has been done, you know, wonderful in the spring and summer.

So we are looking to do more of that in the future.

But of course there's always room for improvement to biodiversity and I'm happy to meet with you to discuss ways that we can move that forward in the future.

Thank you.

**Question 4 - Councillor Sue Markham asked the following question to the Portfolio Holder of Leisure, Communities and Health:**

I understand that the tractor used for towing the grass cutter is also used for hedge cutting, and only one function can be performed at a time.

Last week, contractors attended Laburnum Close in Bedworth to trim a hedge approximately 10 yards in length, consisting of three different bushes. They trimmed the sides of the bush at the entrance to a grassed area following complaints from myself and residents, and after an inspection by you. However,

they only trimmed the top of the middle section, leaving the problematic bush at the end untouched because it wasn't on their worksheet.

Wouldn't it be more cost-effective to complete one area fully before moving on, instead of making multiple trips? This is one of multiple complaints about the same thing - unfinished work, and this approach is causing more complaints and frustration among residents.

I appreciate that the crew follows a specific worksheet, but why do they complete only part of a job and then move to another area within the borough? Who prepares the worksheet, and why is there no coordination to ensure jobs are completed efficiently?

**Councillor T. Jenkins, Portfolio Holder for Leisure, Communities and Health, responded as follows:**

Thank you, Councillor Markham for your question.

Glendale have contracted to deliver a specification and they are an independent commercial contract so they are ultimately responsible for managing their own operations to fulfil that.

It is a significant amount of work which amounts to approximately 2000 plus operations a month and with the nature and volume of the work there, there will inevitably be issues.

I appreciate recurrent theme is Glendale's time scales are not very specific and areas are not finished on the same day.

But many of the activities are weather and equipment dependent.

We're in a poor weather can significantly delay activities as does equipment breakdown and then the knock-on effects happens for all activities planned that day and ongoing.

I'm not trying to make excuses for Glendale, but this is why they're reluctant to give specific dates and times for completion of specific requests.

Regarding the Laburnum close, the problematic bush in question was cut back because I remember when we visited it was partly obscuring the entrance and that has been cleared, but at the same time it wasn't as much as I was expecting either.

So that particular section will be removed over the winter to enable greater visibility around the entrance to the green space in the play area.

So at some stage over the winter it will be carried out.

Thank you.

**Councillor Sue Markham asked a supplementary question as follows:**

So the hedge that was a danger to the public regarding the road crossing at Heath Road took ten phone calls and a portfolio holder visit to get it trimmed.

What actions did you need to take to get that hazardous hedge trimmed and why, when it was a danger to both pedestrians and vehicle traffic alike, did it take from June to September to be completed?

**Councillor T. Jenkins, responded as follows:**

Thank you, Councillor Markham, I was frustrated by that too.

I did go out and meet with you and local residents and could see that there was an issue there.

I did request that several times, but it was eventually done and it will be removed as we've agreed later in the winter too.

**Question 5 – Councillor Kris Wilson asked the following question to the Leader of the Council:**

At the Planning meeting on 3 September 2024 the committee were informed by a backbench Labour councillor that two local ward members - Cllrs Roze and Jenkins - were told not to speak on a planning application because they were Cabinet members. As local ward councillors - regardless of leadership responsibilities on this Council - we are elected first and foremost to speak up for their local residents. I have asked officers who gave the instruction to Cllrs Roze and Jenkins not to speak at the committee. I have been advised that no such instruction was given by officers.

Can the Leader of the Council please confirm whether he gave the instruction to two local ward councillors not to speak on behalf of their residents?

**Councillor C. Watkins, Leader of the Council, responded as follows:**

Thank you, Mr Mayor and thank you Councillor Wilson for your question.

No, I did not give them instructions not to speak for their residents.

I can go through what happened, I explained to Councillor Roze that being Cabinet Member for Planning and Enforcement that it wouldn't look good for this council and also explained the cost implications if it was refused, and he decided not to speak.

I also explained to Councillor Jenkins of his responsibilities and what it could mean to this council.

However, he decided to speak so he still spoke on the planning and also you, you was there, so you was present.

So you also were there when the legal advice from the legal guy who also said that Councillor Roze should not speak on the item.

**Councillor L. Cvetkovic moved the following motion:**

**'This Council believes in the fundamental principle that local councillors are here to serve the residents the elect them into office and that no councillor, regardless of responsibility, should be deprived of their right to speak at any meeting of this council during public participation unless prohibited to do so by law.'**

**The motion was seconded by Councillor K. Wilson**

**A recorded vote was taken as follows:**

**FOR: Councillors E. Amaechi, M. Bird, J. Bonner, D. Brown, J. Clarke, J. Collett, T. Cooper, S. Croft, L. Cvetkovic, S. Dhillon, M. Etienne, J. Hartshorn, S. Hey, P. Hickling, B. Hughes, T. Jenkins, A. Khangura, N. King, S. Markham, W. Markham, B. Pandher, C. Phillips, K. Price, R. Roze, B. Saru, J. Sheppard, T. Sheppard, C. Smith, T. Venson, C. Watkins, K. Wilson and M. Wright.**

**AGAINST: W. Hancox**

**ABSTENTIONS: None**

**The motion was carried**

**RESOLVED** that this Council believes in the fundamental principle that local councillors are here to serve the residents they elect them into office and that no councillor, regardless of responsibility, should be deprived of their right to speak at any meeting of this council during public participation unless prohibited to do so by law.

**Question 6 – Councillor Tony Venson asked the following question to the Portfolio Holder for Resources and Customer Services:**

Can I ask my colleague, Councillor Steve Hey whether he thinks it is right that Councillors should be excluded from talks with Warwickshire Fire and Rescue Service Unions about the savage cuts to their operations in Nuneaton?

**Councillor S. Hey, Portfolio Holder for Resources and Customer Services, responded as follows:**

We did make it clear the last councillor, we're totally opposed to the cut in the number of appliances at Nuneaton Fire and Rescue Service from two to one.

This is one of the busiest stations in the county which also supports part of Leicestershire and North Warwickshire.

Following the last council the Leader did have a meeting with the Leader of Warwickshire County Council and the Chief Fire Officer about the cuts to the fire services in Nuneaton.

After just a short time discussion he tells me it was clear they were just working to a script and that both the Chief Fire Officer and the leader of Warwickshire County Council were not going to listen to any of his concerns.

But the situation actually then gets more farcical and worrying.

An invitation was sent by the Fire Brigade Union to all councillors to meet them at Nuneaton fire station to discuss the situation last Friday evening.

This was attended by myself and Councillors Tony Venson and Michele Kondakor and Mr Kondakor

No one in Nuneaton Bedworth Borough Council Conservative Councillors attended.

We were actually greeted by a very embarrassed Fire Brigade Union official who



informed us that it had been told by the Chief Fire Officer not to allow us into the building with no reason being given.

What on earth of Warwickshire County Council got to hide?

What we did is we actually convened in another venue being resourceful people and the fire brigade unit explained that Warwickshire Fire and Rescue is getting to a situation that can only be described as a dangerous reduction in services.

This not only puts firefighters at great risk but reduces the amount of cover, thus putting the community at risk from the reduction.

So not only are the Conservatives embarking on a dangerous set of cuts, but they are trying to stifle legitimate democratic debate on it.

What an absolute disgrace.

Thank you, Councillor Venson, and thank you, Mr Mayor.

**Question 7 – Councillor Damon Brown asked the following question to the Portfolio Holder for Leisure, Communities and Health:**

Could the Portfolio holder please explain why on Nuneaton Labour's Facebook pages there are numerous excellent examples of NBBC dealing with hedges and bushes being cut back, yet when Conservative Councillors in Bulkington reported an issue of a hedge growing from the Recreation Ground and obscuring the fence of a resident in Barbridge Road, so they can't maintain it, nothing has been done about it.

The Council sat on this item for two months without even investigating the issue and when the Councillor complained a hasty investigation was done which simply closed down the enquiry. Upon speaking to customer services about this, the Councillor was informed that Glendale could not carry out the work as it was not budgeted for. Further to this, the Councillor asked to speak to Officers regarding this issue but has yet to receive any reply for a meeting.

Can the Portfolio holder please look in to both the handling of this case, which was most unsatisfactory, and guarantee that the work will be done?

I believe that this is the minimum any resident can expect from NBBC. I hope it will lead the portfolio holder to review how cases are dealt with so other residents do not have to face similar issues. The reference is GM622705899

**Councillor T. Jenkins, Portfolio Holder for Leisure, Communities and Health, responded as follows:**

Thank you, Councillor Brown, for your question.

Well firstly, I'm pleased to hear that lots of people in Nuneaton on Facebook are happy with the grounds maintenance, but I am sorry to hear the problems in Bulkington.

I've been given limited information on the issue in on Bulkington Rec and it appears that there were issues going back to last year as well.

And while I don't want to get into details of specific cases in order to protect residents privacies, I'll happily speak to Councillors Brown and Councillors Cvetkovic to try and reach a resolution to this matter.

While I'm here, I would like to urge all members from all parties when they are submitting grounds maintenance inquiries.

Please check Glendale Live just to check that the work isn't scheduled to be carried out imminently because obviously that ties up office time and if it is going to be scheduled in the next few days, then there isn't any need to put that in and also put it in as a grounds maintenance inquiry rather than a member inquiry unless it's dangerous or obstructing a path or whatever.

So I would also like to add that Councillor Hey is actively looking at the member inquiry system to see how this can be improved and make it more efficient for both members and officers because yes, we all know it's great for using that system.

So we are, we are looking into that.

Thank you.

**Councillor Damon Brown asked a supplementary question**

Part of my question related to the fact that Glendale's told the councillor in writing that work was not budgeted for.

Can you confirm that, whether that is correct or not and why would Glendale say that?

**Councillor T. Jenkins responded as follows:**

Thank you, Councillor Brown, I don't have that specific information but I will look into it and come back to you in writing.

**Question 8 – Councillor Lubs Cvetkovic asked the following question to the Portfolio Holder – Resources and Customer Services:**

In July I asked to meet with Officers to discuss staging the Bulkington Christmas lights event, something I have done and supported over the previous two years. I was met with a wall of silence for several days. Eventually being told by Officers “there is no budget for the Bulkington Xmas lights 2024”.

It is reprehensible that no effort was made to communicate what is going on. It is disappointing that Cllr Watkins did not share this information or look to support Bulkington’s residents in staging an alternative event.

I am sorry that Councillor Watkins feels his email address had been shared on social media and that residents had contacted him directly. However, this information is in the public domain and as leader he should welcome feedback from the residents we are here to serve.

There still has been no official communication from NBBC about event in Bulkington instead Nuneaton Labour’s Face book page appears to be the new unofficial mouthpiece for communicating key information.

Cllr Watkins has spoke of the need to save millions of pounds. I hope the several thousand saved from Bulkington will be put to good use and not for frivolous projects.

I would like to know apart from the cuts to Bulkington’s Christmas lights event, what other budgetary cuts have been made that we have not been made publicly aware of?

**Councillor S. Hey, Portfolio Holder for Resources and Customer Services, responded as follows:**

I thank you Mr Mayor and thank you Councillor Cvetkovic.

Thank-you Mr. Mayor

Let’s get one thing out of the way first. The Council is not offering Officer time and support for the setting up and clearing up after the Bulkington Lights switch on event. I hope that is clear enough for you.

The cost of this is fairly minor (under £2000) but that is not the point.

Let's explore this a little further.

Given the financial situation left by the last administration we are asking communities to do as much as possible to help themselves as part of support packages from the Council. In other words working together for the wider good.

You say you weren't being told what was going on. No you were just being impatient.

Your impatience led you to raise this on Social Media where initially on social media in Bulkington you started with the headline "Council Cancel Bulkington Christmas Lights". This completely exaggerated and false claim was broadcast on social media just 2 weeks after another false rumour was spread nationally which led to riots. How irresponsible can you get.

You complain in your question that the Labour Group FB page is an unofficial communication channel. So what was the Bulkington FB page being used for then? Talk about the pot calling the kettle black. At least we get our facts right on our page.

So let's make something else absolutely clear. The Council are NOT cancelling the Bulkington Christmas lights. In fact we are spending over £22,000 on them. An apology would be appreciated.

But there are some wider issues involved. Why is Bulkington Ward getting £22,000 of lights and not other Wards such as Attleborough, Galley Common and Keresley which can all lay legitimate claim to having village centres.

You've stated elsewhere that businesses in Bulkington benefit from the switching on event. That's great so can they not also be asked to contribute something? Do the community group have funds left over from the stall charges from previous years? There is a Crowdfunding campaign happening. So it can be done!

You know all power to your elbow.

Can I remind Members opposite that they cancelled support for Stockingford and Keresley Community Centres amounting to £131,000 and suggested that the community get more involved.

You ask about cuts and savings. Please be assured that all will be revealed as part of the budget setting process for next year which is now under way. There will be nothing frivolous about that.

Thank you, Mr. Mayor.

**Councillor L. Cvetkovic asked a supplementary question but it was inaudible due to the mic not being turned on.**

**Councillor S. Hey gave no reply**

**Question 9 – Councillor E. Amaechi asked the following question to the Leader of the Council:**

Can I ask the Leader how the Council is getting on with providing much-needed Council accommodation bearing in mind it was one of the key promises in our manifesto?

**Councillor C. Watkins, Leader of the Council, responded as follows:**

Yes, actually I was at Byford St and Wood Street yesterday seeing that the finished products of the conversion from the old Byford court. I'll be at that on the 30<sup>th</sup> when the residents will be start receiving their keys.

And so that will be one of the projects that I have I actually started in 2021.

So that, that was, it's good to see that coming to the end now.

And we also then went after that to another one that we're hoping to get through by Christmas.

We'll get some council houses through by Christmas off the one in Vale View.

So I could stand there and, you know, say promise, my promise kept and keep going on like that.

But I won't because I'd like to get the job done.

The job is done.

The first lot of council houses will be here with these within this month.

The second lot of council houses off the other development will be coming

forward before Christmas. So we will have council houses occupied before Christmas.

I've also instructed officers to look at the land that we've got available within the council and we are.

I'm working closely with the housing team to look at building more council houses within our term.

Thank you very much.

CL29 **Special Urgency Decisions**

None taken

CL30 **Cabinet**

The Leader of the Council submitted the Leaders report on behalf of Cabinet. The report highlighted matters considered at the Cabinet meetings held on 17<sup>th</sup> July 2024 and 10<sup>th</sup> September 2024 and details of reports from the West Midlands Combined Authority Board (WMCAB), which has a direct impact on NBBC.

**RESOLVED** that the report be noted.

CL31 **Recommendations from Cabinet and Other Committees**

**i) Capital Outturn 2023/24**

At the Cabinet meeting held on the 17<sup>th</sup> July 2024 a report by Strategic Director – Corporate Resources was submitted and a recommendation put forward for Council approval.

Councillor S. Hey moved the recommendation for council approval.

Councillor C. Watkins seconded the recommendation.

A vote was taken.

**RESOLVED** that the updated Capital Budget for 2024/25 be approved

**ii) Recommendations from the Constitution Review Working Party**

At the Audit and Standards Committee meeting held on the 10<sup>th</sup> September 2024 a report by the Monitoring Officer was submitted and a recommendation put forward for Council approval.

Councillor J. Bonner moved the recommendation for council approval.

Councillor C. Watkins seconded the recommendation.

A vote was taken.

**RESOLVED** that the constitution be amended accordingly.

**iii) Treasury Management 2024/25 – Quarter 1 Review**

At the Audit and Standards Committee meeting held on the 10<sup>th</sup> September 2024 a report by Finance Manager - Treasury was submitted and a recommendation put forward for Council approval.

Councillor J. Bonner moved the recommendation for council approval.

Councillor C. Watkins seconded the recommendation.

**RESOLVED** that Treasury Management Report for 2024/25 – Quarter 1 be noted.

**iv) Updates to the Local Development Scheme**

At the Cabinet meeting held on the 11<sup>th</sup> September 2024 a report by the Strategic Director – Economy and Place was submitted and a recommendation put forward for Council approval.

Councillor R. Roze moved the recommendations.

Councillor C. Watkins seconded the recommendations.

A vote was taken.

**RESOLVED** that

- a) The amendments to the Local Development Scheme be noted; and
- b) The amended Local development Scheme be adopted.

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Mayor

## Council - Schedule of Declarations of Interests – 2024/2025

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
	General dispensations granted to all members under s.33 of the Localism Act 2011			Granted to all members of the Council in the areas of: <ul style="list-style-type: none"> <li>- Housing matters</li> <li>- Statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992</li> <li>- An allowance, payment given to members</li> <li>- An indemnity given to members</li> <li>- Any ceremonial honour given to members</li> <li>- Setting council tax or a precept under the Local Government Finance Act 1992</li> <li>- Planning and Licensing matters</li> <li>- Allotments</li> <li>- Local Enterprise Partnership</li> </ul>
	E. Amaechi	<ul style="list-style-type: none"> <li>- Employed NHS Wales Shared Services Partnership (NWSSP)</li> <li>- Ricky Global Consultants Ltd</li> <li>- Purple Dove Events Ltd</li> <li>- Director – Techealth Ltd</li> </ul>	The Labour Party (sponsorship) - Foundation Governor - Our Lady and St. Joseph Academy, Nuneaton.  - Member of: - British Computer Society. - Igbo Community Coventry. - Mbaise Community, Coventry.  Representative on the following Outside Bodies: - Committee of Management of Hartshill and Nuneaton Recreation Ground - EQuIP: Equality and Inclusion Partnership - West Midlands Combined Audit, Risk and Assurance Committee - Pride in Camp Hill (PinCH)	
	M. Bird		<ul style="list-style-type: none"> <li>- Life Member of National Association of British Market Authorities.</li> <li>- Member of the Stockingford Allotment association and Pavillion Club.</li> </ul>	
	J. Bonner	Employed by Etone College (Matrix Academy Trust) - Teacher	The Labour Party (sponsorship) Member of: - The Labour Party - National Education Union	
	D. Brown	Employed by H.M Land Registry	Regional Coordinator, Ragdoll Rescue Charity.	



	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
	A. Bull	Employed by FedEx	The Labour Party (sponsorship) -CWU Trade Union Member  Representative of the following Outside Bodies: <ul style="list-style-type: none"> <li>• Age UK (Warwickshire Branch)</li> </ul>	
	J. Clarke	-Employed by Marcus Jones - Warwickshire County Councillor	Nuneaton Conservative Association; Deputy Chairman  Officer of the Abbey Preceptory Masonic Buildings - Nuneaton	
	J. Collett	Employed by: - Consigliere Strategy Ltd - Director, Research and Insights for Fullbrook Strategies Ltd.	- Nuneaton Conservative Association (sponsorship) - Member of: - Nuneaton Rugby Club - Nuneaton Town Football Club - Nuneaton Cricket Club	
	T. Cooper	None		
	S. Croft	Employed at Holland & Barrett Retail Ltd		
	L. Cvetkovic	Head of Geography (Teacher), Sidney Stringer Academy, Coventry	The Bulkington Volunteers (Founder); Bulkington Sports and Social Club (Trustee)  Member on the following Outside Bodies: <ul style="list-style-type: none"> <li>• Building Control Partnership Steering Group</li> </ul>	
	S. Dhillon	Employed by UHCW NHS Trust	Member (Rep) at Unison – UHCW Trust  Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>• Warwickshire Adult Social Care and Health Overview and Scrutiny Committee</li> <li>• Camp Hill Urban Village: Pride in Camp Hill Board</li> <li>• Committee of Management of Hartshill and Nuneaton Recreation Ground</li> <li>• George Eliot Hospital NHS Trust – Public/User Board</li> <li>• West Midlands Combined Authority Wellbeing Board</li> </ul>	
	M. Etienne	Employed by Network Rail	- Member of The Conservative Party and Nuneaton Conservative Association - RMT Member	

	<b>Name of Councillor</b>	<b>Disclosable Pecuniary Interest</b>	<b>Other Personal Interest</b>	<b>Dispensation</b>
	J. Gutteridge	None		
	B. Hancox		<p>The Labour Party (sponsorship) Member of:</p> <ul style="list-style-type: none"> <li>- The Labour Party</li> <li>- Unite the Union</li> <li>- British Gurkha Veterans Association (Adviser)</li> </ul> <p>Representative on the following Outside Bodies:</p> <ul style="list-style-type: none"> <li>• Nuneaton Festival of Arts</li> <li>• Bedworth Neighbourhood Watch Committee</li> <li>• Nicolas Chamberlaine's School Foundation</li> </ul>	
	J. Hartshorn	Employed by Asda Nuneaton	Member of Nuneaton Conservatives	
	S. Hey	<p>Director –</p> <ul style="list-style-type: none"> <li>- Heywire Ltd</li> <li>- Brilliant Bookings Ltd</li> </ul>	<p>Member of the Labour Party, National Trust, CAMRA (Campaign for Real Ale), Royal Photographic Society.</p> <p>Representative on the following Outside Bodies:</p> <ul style="list-style-type: none"> <li>• West Midlands Employers Board (NBBC representative)</li> <li>• Local Government Superannuation Scheme Consultative Board</li> <li>• Grayson Place (NBBC) Limited</li> <li>• West Midlands Employers</li> <li>• Nuneaton and Bedworth Older People's Forum</li> </ul>	
	P. Hickling	<ul style="list-style-type: none"> <li>- Employed by Wyggeston and Queen Elizabeth I College (Teacher)</li> <li>- Pearson Education (Snr Examiner)</li> </ul>	<p>The Labour Party (sponsorship)</p> <ul style="list-style-type: none"> <li>- Member of The Labour Party (CLP and Secretary of Nuneaton West)</li> <li>- Member of National Education Union</li> <li>- Committee Member of Nuneaton Historical Association</li> </ul> <p>Representative on the following Outside Bodies:</p> <ul style="list-style-type: none"> <li>- Friendship Project for Children</li> </ul>	
	B. Hughes	Full Time Carer	<p>Member of the Labour Party. Member of the National Trust. Member of the Caravan and Motorhome Club Member of CAMRA</p>	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>• George Elliot Hospital NHS Foundation Trust Governors</li> </ul>	
	T. Jenkins	Managing Partner – Gribblybugs LLP	The Labour Party (sponsorship) - Committee Member of Warwickshire Amphibian & Reptile Team - Member of Warwickshire Wildlife Trust - Member of Equity – Trade Union Members of National Trust and English Heritage Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>• Nuneaton and Bedworth Sports Forum,</li> <li>• Safer Warwickshire Partnership Board,</li> <li>• Warwickshire Health and Wellbeing Board,</li> <li>• Warwickshire Police and Crime Panel,</li> <li>• Biodiversity Champion</li> <li>• Committee of Management of Hartshill and Nuneaton Recreation Ground</li> <li>• Exhall Education Foundation</li> <li>• Foleshill Charity Trustee – Proffitt's Charity</li> </ul>	
	A. Khangura	Self-Employed		
	N. King	Employed by Love Hair and Beauty	Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>• Nuneaton Town Deal Board</li> </ul>	
	M. Kondakor		- Member of the Green Party - Member of Nuneaton Harriers AC - Chair – Bedworth Symphony Orchestra	
	S. Markham	County Councillor – WCC (Portfolio Holder for Children's Services)	Governor at Ash Green School Member of the following Outside Bodies: <ul style="list-style-type: none"> <li>• Hammersley, Smith and Orton Charities</li> <li>• Trustee of Abbey Theatre</li> <li>• Bedworth Board</li> </ul>	
	W. Markham		Governor at Ash Green School for SEND	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			Member of Unite Union	
	B. Pandher		<ul style="list-style-type: none"> <li>- Member of Warwickshire County Council.</li> <li>- Member of the Conservative Party</li> <li>- President &amp; Trustee of Nanaksar Gurdwara Gursikh Temple Coventry;</li> <li>- Coordinator of Council of Sikh Temples in Coventry;</li> <li>- Secretary of Coventry Indian Community;</li> <li>- Trustee of Sikh Monument Trust</li> <li>- Vice Chair Exhall Multicultural Group</li> </ul>	
	C. Phillips	Member of Warwickshire County Council	<ul style="list-style-type: none"> <li>- Chair of Governors – Stockingford Nursery School</li> <li>- Member of Labour Party</li> <li>- Part-time Carer</li> </ul>	
	K. Price	Warwickshire County Council	The Labour Party Unite the Union BASW Social Work England Registration	
	R. Roze	Director – InfiniTEN Ltd	<p>Representative on the following Outside Bodies:</p> <ul style="list-style-type: none"> <li>• A5 Member Partnership</li> <li>• Nuneaton and Bedworth Community Enterprises Ltd</li> <li>• PATROL (Parking and Traffic Regulations Outside of London) Joint Committee Services.</li> <li>• Building Control Partnership Steering Group</li> <li>• Bedworth Town Deal Board</li> </ul>	
	B. Saru	<ul style="list-style-type: none"> <li>- Director – Saru Embroidery Ltd</li> <li>- Co-founder and Owner – Fish Tale Ale Beer</li> </ul>	<ul style="list-style-type: none"> <li>- Labour Party (sponsorship)</li> <li>- Chair of the British Gurkha Veterans Association</li> </ul> <p>Representative on the following Outside Bodies:</p> <ul style="list-style-type: none"> <li>- Armed Forces Covenant</li> </ul>	
	J. Sheppard		<p>Representative on the following Outside Bodies:</p> <ul style="list-style-type: none"> <li>• Sherbourne Asset Co Shareholder Committee</li> <li>• Warwickshire Direct</li> </ul>	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			Partnership <ul style="list-style-type: none"> <li>• Warwickshire Waste Partnership</li> <li>• Nuneaton Neighbour Watch Committee</li> </ul>	
			Director of Wembrook Community Centre.	Dispensation to speak and vote on any matters of Borough Plan that relate to the Directorship of Wembrook Community Centre
			Member of Labour Party	
	T. Sheppard	Self Employed	Member of Unite the Union Member of Labour Party	
	C. Smith	Software Engineer – Prophet PLC	- Member of Labour Party and Unite - Member of Nuneaton RFC - Safeguarding – Manor Park RFC  Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>• Astley Charity</li> </ul>	
	R. Smith		- Conservative Party Member - Chair of Trustees - Volunteer Friends, Bulkington; - Trustee of Bulkington Sports and Social Club.	
	T. Venson	Employed by Freightliner Heavy Haul	ASIEF Trade Union The Labour Party  Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>• Building Control Partnership Steering Group</li> <li>• Warwickshire Joint Overview and Scrutiny Committee</li> </ul>	
	M. Walsh	Employed by MacInnes Tooling Ltd. – UK Sales Manager	Trustee of the Nuneaton Scouts Association.  Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>• Hammersley Smith and Orton Charity</li> </ul>	
	C.M. Watkins	Employee of Nutri Pack	Representative on the following outside bodies: <ul style="list-style-type: none"> <li>• Nuneaton and Bedworth Community Enterprises Ltd. (NABCEL)</li> <li>• Coventry, Warwickshire and Hinckley and Bosworth Joint Committee</li> <li>• Local Government Association</li> <li>• Nuneaton and Bedworth</li> </ul>	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			<p>Hone Improvement Agency</p> <ul style="list-style-type: none"> <li>• Nuneaton and Bedworth Safer and Stronger Communities Partnership</li> <li>• Nuneaton and Bedworth Community Enterprises Ltd</li> <li>• Warwickshire Housing Support Partnership</li> <li>• West Midlands Combined Authority Board (WMCA)</li> <li>• West Midland Combined Housing and Land delivery Board</li> </ul>	
	K.D. Wilson	Delivery Manager, Nuneaton and Warwick County Courts & West Midlands and Warwickshire Bailiffs, HMCTS, Warwickshire Justice Centre, Nuneaton	<ul style="list-style-type: none"> <li>- Deputy Chairman – Nuneaton Conservative Association</li> <li>- Nuneaton Conservative association (sponsorship)</li> <li>- Board Member of the Conservative Councillors' Association.</li> <li>- Corporate Tenancies: properties are leased by NBBC to Nuneaton and Bedworth Community Enterprises Ltd, of which I am a Council appointed Director.</li> </ul> <p>Representative on the following Outside Bodies:</p> <ul style="list-style-type: none"> <li>-LGA People &amp; Places Board (Member)</li> <li>-Director of Nuneaton and Bedworth Community Enterprises Ltd (NABCEL)</li> <li>-Director of Grayson Place (NBBC) Ltd</li> </ul>	
	M. Wright			

## **NUNEATON AND BEDWORTH BOROUGH COUNCIL**

### **COUNCIL**

**4<sup>th</sup> October, 2024**

An Extraordinary Council meeting of the Nuneaton and Bedworth Borough Council was held on Friday, 4<sup>th</sup> October 2024.

### **Present**

The Mayor (Councillor W. Hancox)  
The Deputy Mayor (Councillor B. Saru)

Councillors E. Amaechi, M. Bird, J. Bonner, D. Brown, J. Clarke, J. Collett, T. Cooper, L. Cvetkovic, S. Dhillon, M. Etienne, J. Gutteridge, S. Hey, P. Hickling, B. Hughes, T. Jenkins, A. Khangura, N. King, M. Kondakor, S. Markham, W. Markham, B. Pandher, C. Phillips, K. Price, R. Roze, J. Sheppard, C. Smith, R. Smith, T. Venson, M. Walsh, C. Watkins, K. Wilson and M. Wright.

Apologies were received for Councillors A. Bull, S. Croft, J. Hartshorn and T. Sheppard.

#### CL32 **Declarations of Interests**

**RESOLVED** that the Declarations of Interests for this meeting are as set out in the schedule attached to these minutes.

#### CL33 **Announcements**

Councillor M. Walsh announced that the 2023/24 Mayors charity appeal raised £33,312.22 for Zoe's Place Baby Hospice. He gave thanks to all who had helped raise the money, and who had contributed in any way.

#### CL34 **Public Participation**

##### **Question 1 – Mr Keith Kondakor made the following statement:**

It is very wasteful for the Conservatives to force the Full Council meeting to have an extra council meeting when they could have asked for their motions to go to the last full council meeting which lasted just over one hour.

While we have been awarded tens of millions in grants, little has been spent effectively. The majority were awarded to projects that were so gold plated or unrealistic that they could not progress. We need to see the external viability report that led to £43 million funding being paused at this February's Budget.

On Grayson Place, we have spent millions on consultants, planners and even brand marketing experts but do not have a viable project. We seem to be getting phase 2 built with bits missing and buildings that may not have a viable operator. The current design seems deeply flawed.

On Bridge to Living, we seem to have burned millions, probably three million, to get to a curve of abandoned shops and too little money left to replace them. On the museum, we burned around £140 thousand on a design that is too expensive ever to build.

All the transport projects are wrecked with so much repeated design work but not one inch of improved or extra infrastructure.

We need the Conservative group to be apologising to the public for the many millions they have wasted and the opportunity they have squandered. The current leader of the opposition and his deputy should never be allowed to manage major projects again.

We also have the Conservatives playing games over housing numbers and their comments are misleading. Both Labour Government with 774 annual target and the Conservatives with 545 annual target are proposing targets above the official objective need of 421 per year. Neither has bothered to take part in the Borough Plan hearings to argue for a sensible base figure. Neither has pushed for us to get the infrastructure needed even for that level of growth. We have growth we need infrastructure.

**Question 2 – Mr Sam Margrave submitted the following question:**

As the Bedworth Town Deal has been suspended and we expected funding to be directed to Bedworth Civic Hall, will the Council consider reducing the rent and ensuring this is inline with other community venues in Nuneaton such as Saints, The Heritage Centre, Stockingford Community Centre, and the Abbey who pay peppercorn rent so volunteers can focus on delivering for the Borough and not paying rent that sees the Council profit from the hard work of local residents in a Bedworth venue unfairly and unlike Nuneaton counterparts?

**The Mayor confirmed that this question had been noted.**

**CL35 NOTICE OF MOTIONS**

In accordance with the Council Constitution at the Council Procedure Rules, rule 4.3.1 a request was made to convene an Extraordinary Full Council Meeting to consider five motions:



a) Transforming Nuneaton

**Councillor K. Wilson put forward a motion for approval that:**

This Council recognises that Nuneaton Town Centre secured record investment during the previous Conservative Government and administration, recognising the decline in our town centre after decades of Labour rule.

As significant amounts of funding are required to be spent by deadlines as part of the funding agreements, this Council:

- i) Calls upon the Labour Cabinet and Group to proceed with the town centre regeneration projects as a matter of urgency;
- ii) Calls upon the Labour Cabinet to ensure that Grayson Place construction contracts are signed as soon as possible to safeguard the Council's financial position; and
- iii) Calls upon the Labour Cabinet to work constructively with the administration at Warwickshire County Council to ensure that the new Library & Business Centre and regeneration of Vicarage Street is progressed to revitalise that end of, and gateway into, Nuneaton Town Centre.

Councillor T. Cooper seconded the motion.

**Councillor S. Hey put forward an amendment which was seconded by Councillor N. King as follows:**

This Council recognises the success of the previous Borough Labour Administration in securing over £68m for the regeneration projects in Nuneaton Town Centre and expresses concern that the incoming Labour administration faced a number of problems not addressed by the Conservative administration not least the fact that costs had not been finalised, which has required the movement of a further £3.5m to support the delivery of phase 2 of the scheme.

This Council also:

1. Notes that the Labour Cabinet and Group are continuing to press ahead with the town centre projects as quickly as possible.
2. Notes that the Phase 2 construction contracts letters of intent have now been signed and that work on the ground has started.
3. Notes that the Labour Cabinet and Group have delivered improvements to the layout of Phase 2 to improve emergency service access.
4. Notes that the Labour Cabinet are continuing to work constructively with

Warwickshire County Council to ensure that the new Library and Business Centre and regeneration of Vicarage Street as well as other projects such as the public transport proposals are processed to help revitalise all parts of Nuneaton Town Centre.

**Councillor K. Wilson moved an adjournment to consider the amendment. An adjournment of 5 minutes was agreed.**

**A recorded vote on the amendment was taken.**

FOR: Councillors E. Amaechi, J. Bonner, S. Dhillon, W. Hancox, S. Hey, P. Hickling, B. Hughes, T. Jenkins, N. King, W. Markham, C. Phillips, K. Price, R. Roze, B. Saru, J. Sheppard, C. Smith, T. Venson and C. Watkins

AGAINST: Councillors M. Bird, D. Brown, J. Clarke, J. Collett, T. Cooper, L. Cvetkovic, M. Etienne, J. Gutteridge, A. Khangura, S. Markham, B. Pandher, R. Smith, M. Walsh and K. Wilson

ABSTENTIONS: Councillor M. Kondakor and M. Wright

The amendment was carried and became the substantive motion.  
A vote was taken on the substantive motion.

**RESOLVED** that this Council recognises the success of the previous Borough Labour Administration in securing over £68m for the regeneration projects in Nuneaton Town Centre and expresses concern that the incoming Labour administration faced a number of problems not addressed by the Conservative administration not least the fact that costs had not been finalised, which has required the movement of a further £3.5m to support the delivery of phase 2 of the scheme.

This Council also:

1. Notes that the Labour Cabinet and Group are continuing to press ahead with the town centre projects as quickly as possible.
2. Notes that the Phase 2 construction contracts letters of intent have now been signed and that work on the ground has started.
3. Notes that the Labour Cabinet and Group have delivered improvements to the layout of Phase 2 to improve emergency service access.
4. Notes that the Labour Cabinet are continuing to work constructively with Warwickshire County Council to ensure that the new Library and Business Centre and regeneration of Vicarage Street as well as other projects such as the public transport proposals are processed to help revitalise all parts of Nuneaton Town Centre.

b) Bedworth Town Deal

**Councillor D. Brown put forward a motion for approval that:**

This Council expresses alarm at the apparent cancellation by incoming Labour Government at Westminster of the funding for a Bedworth Town Deal that would bring in up to £20 million investment into the town. This Council:

- i) Requests the Leader of the Council to write to the Chancellor of the Exchequer and Secretary of State for Housing, Communities and Local Government to call on them to honour the funding for a Bedworth Town Deal that was set out in the 2024 Conservative Budget and confirmed in the Treasury Papers presented to Parliament; and
- ii) Requests the Leader of the Council to write to the new Member of Parliament for Bedworth and North Warwickshire to call on her to stand up for the residents she was recently elected to represent and make representations to the Chancellor of the Exchequer and Secretary of State for Housing, Communities and Local Government supporting this Council's position.

Councillor K. Wilson seconded the motion.

**Councillor R. Roze put forward an amendment which was seconded by Councillor T. Jenkins as follows:**

This Council acknowledges the ongoing efforts to secure the investment through the former Bedworth Town Deal. While the confirmation is awaited, the Council remains focused on building a robust plan that reflects the long-term needs of Bedworth's community. In line with Labour's commitment to local regeneration and inclusive growth, the Council will continue prioritising projects that deliver high-quality jobs, infrastructure improvements, and enhanced community services—ensuring that any funding received is used transparently and effectively to support Bedworth's transformation.

1. This Council requests that the Leader writes to the Chancellor of the Exchequer to highlight the importance of the investment previously considered under the Bedworth Town Deal, emphasising the transformative impact this funding would have on local economic regeneration and community well-being. The Council further requests that the Leader urges prompt confirmation of the funding to ensure that Bedworth can move forward with critical development projects under the Labour administration.
2. This Council requests that the Leader writes to the local Labour Member of Parliament, encouraging their active support for the Bedworth Town Deal and seeking their advocacy in Parliament to ensure the investment is confirmed and allocated promptly. The Council believes that cross-party

cooperation is vital in securing this crucial funding for the benefit of our community.

**Councillor K. Wilson moved an adjournment to consider the amendment. An adjournment of 5 minutes was agreed.**

A Vote on the amendment was taken.  
The amendment was carried and became the substantive motion.

A vote was taken on the substantive motion.

**RESOLVED** that this Council acknowledges the ongoing efforts to secure the investment through the former Bedworth Town Deal. While the confirmation is awaited, the Council remains focused on building a robust plan that reflects the long-term needs of Bedworth's community. In line with Labour's commitment to local regeneration and inclusive growth, the Council will continue prioritising projects that deliver high-quality jobs, infrastructure improvements, and enhanced community services—ensuring that any funding received is used transparently and effectively to support Bedworth's transformation.

1. This Council requests that the Leader writes to the Chancellor of the Exchequer to highlight the importance of the investment previously considered under the Bedworth Town Deal, emphasising the transformative impact this funding would have on local economic regeneration and community well-being. The Council further requests that the Leader urges prompt confirmation of the funding to ensure that Bedworth can move forward with critical development projects under the Labour administration.
2. This Council requests that the Leader writes to the local Labour Member of Parliament, encouraging their active support for the Bedworth Town Deal and seeking their advocacy in Parliament to ensure the investment is confirmed and allocated promptly. The Council believes that cross-party cooperation is vital in securing this crucial funding for the benefit of our community."

c) Bulkington Lights

**Councillor R. Smith put forward a motion for approval that:**

Bulkington is the largest village in the Borough of Nuneaton and Bedworth (and one of the largest in the County of Warwickshire), with a long tradition of this Council supporting its unique identity.

Following the announcement by the Leader of the Council that he will be

withdrawing support for the Bulkington Light Switch On event this Council:

- i) Expresses its dismay that the new Labour administration has withdrawn the funding to support the Christmas Light Switch On for Bulkington Village Centre; and
- ii) Requests the Leader of the Council to restore the £1600 allocated (Budget Entry Account 3825/Cost Centre EH20/subdata E159) in the Budget set in February 2024 to enable the Christmas festivities in Bulkington to be supported by the Borough Council.

Councillor L. Cvetkovic seconded the motion.

**A recorded vote on the amendment was taken.**

FOR: Councillors M. Bird, D. Brown, J. Clarke, J. Collett, T. Cooper, L. Cvetkovic, M. Etienne, J. Gutteridge, A. Khangura, S. Markham, B. Pandher, R. Smith, M. Walsh and K. Wilson

AGAINST: Councillors E. Amaechi, J. Bonner, S. Dhillon, W. Hancox, S. Hey, P. Hickling, B. Hughes, T. Jenkins, N. King, C. Phillips, K. Price, R. Roze, B. Saru, J. Sheppard, C. Smith, T. Venson and C. Watkins

ABSTENTIONS: Councillor M. Kondakor, M. Wright and W. Markham.

**RESOLVED** that the motion was lost.

d) Housing Numbers Consultation

**Councillor R. Smith put forward a motion for approval that:**

Following the announcement by the incoming Labour Government that the housing target for Nuneaton and Bedworth will increase by 83.8% if the figures as set out in the Ministry of Housing, Communities and Local Government consultation are confirmed, this Council:

- i) Confirms its view that any housing targets set for Nuneaton and Bedworth should be dictated by local need and not arbitrary figures imposed by Central Government;
- ii) Requests that the Leader of the Council and Portfolio Holder for Planning urgently to respond to the Government consultation to set out this Council's opposition to any housing targets being imposed on Nuneaton and Bedworth that are not based on local need and an objection to the proposed increase to our housing target of 83.8%; and
- iii) Requests the Leader of the Council writes to the three new Labour Members of Parliament for our Borough to outline this Council's opposition to the Government consultation and their imposition of arbitrary housing

targets and ask them to reply to the consultation supporting the position of this Council.

Councillor K. Wilson seconded the motion.

**Councillor R. Roze put forward an amendment which was seconded by Councillor T. Venson as follows:**

This Council acknowledges that the National Planning Policy Framework consultation response from the Council was submitted on 24<sup>th</sup> September 2024, addressing key local concerns, including flexibility around housing targets, environmental constraints, and infrastructure limitations. In particular, the submission emphasised the following key points:

1. There is a need for flexibility in housing assessments, allowing for local constraints such as Green Belt protections, land availability, and infrastructure capacity.
2. Support sustainable development that balances housing needs with preserving local character and community identity.
3. The importance of cross-boundary cooperation with neighbouring authorities to ensure that housing and infrastructure developments are aligned strategically and contribute to regional sustainability.

Going forward, the Council reaffirms its commitment to working with local communities and regional partners to ensure that the consultation outcomes support sustainable, community-focused growth while addressing housing needs in Nuneaton and Bedworth.

**Councillor K. Wilson moved an adjournment to consider the amendment. An adjournment of 5 minutes was agreed.**

**A recorded vote on the amendment was taken.**

FOR: Councillors E. Amaechi, J. Bonner, S. Dhillon, W. Hancox, S. Hey, P. Hickling, B. Hughes, T. Jenkins, N. King, W. Markham, C. Phillips, K. Price, R. Roze, B. Saru, J. Sheppard, C. Smith, T. Venson and C. Watkins

AGAINST: Councillors M. Bird, D. Brown, J. Clarke, J. Collett, T. Cooper, L. Cvetkovic, M. Etienne, J. Gutteridge, A. Khangura, M. Kondakor, S. Markham, B. Pandher, R. Smith, M. Walsh, K. Wilson and M. Wright.

The amendment was carried and became the substantive motion.  
A vote was taken on the substantive motion.

**RESOLVED** that this Council acknowledges that the National Planning Policy Framework consultation response from the Council was submitted on 24<sup>th</sup> September 2024, addressing key local concerns, including flexibility around housing targets, environmental constraints, and infrastructure limitations. In particular, the submission emphasised the following key points:

1. There is a need for flexibility in housing assessments, allowing for local constraints such as Green Belt protections, land availability, and infrastructure capacity.
2. Support sustainable development that balances housing needs with preserving local character and community identity.
3. The importance of cross-boundary cooperation with neighbouring authorities to ensure that housing and infrastructure developments are aligned strategically and contribute to regional sustainability.

Going forward, the Council reaffirms its commitment to working with local communities and regional partners to ensure that the consultation outcomes support sustainable, community-focused growth while addressing housing needs in Nuneaton and Bedworth.

e) Winter Fuel Payment

**Councillor K. Wilson put forward a motion for approval that:**

The Winter Fuel Payment has been a lifeline for many older people across the UK and that restricting its availability solely to those on Pension Credit risks leaving many pensioners in financial hardship.

While some pensioners currently in receipt of the Winter Fuel Payment may not require it, many thousands across Nuneaton and Bedworth sit just above the cut off for pension credit and will now lose their allowance.

The decision to means-test Winter Fuel Payments, especially with such short notice and without adequate compensatory measures, is deeply unfair and will disproportionately affect the health and well-being of our poorest residents.

The governments approach fails to consider the administrative barriers and stigma that prevent eligible pensioners from claiming Pension Credit, leaving many without the support they desperately need.

Therefore, this Council resolves to:

- i) Bring forward a Council-led local awareness campaign to alert those eligible for pension credit which in some respects will help access to the Winter Fuel Payment for those most in need;
- ii) Request that the Leader of the Council write to the Chancellor of the Exchequer, urging a review of the decision to means-test the Winter Fuel Payment and asking the government to ensure that vulnerable pensioners, particularly those who do not claim Pension Credit, are protected from fuel poverty;
- iii) Request that the Leader of the Council write to the three new Labour Members of Parliament for Nuneaton expressing our opposition to the changes to the Winter Fuel Payment and asking them to support local residents by voting against the changes in Parliament;
- iv) Commit the Council to signing the 'Save the Winter Fuel Payment for Struggling Pensioners' petition being run by Age UK and write to all members offering them the opportunity to sign the petition themselves; and
- v) Encourage local efforts to promote Pension Credit uptake through council services and partnerships with local charities and community organisations to ensure that all eligible pensioners in Nuneaton and Bedworth are supported in claiming their entitlement.

Councillor L. Cvetkovic seconded the motion.

**Councillor C. Phillips put forward an amendment which was seconded by Councillor B. Hughes as follows:**

This Council resolves to:

1. Continue to financially support Citizens Advice and Warwickshire CAVA, supporting and encouraging them to alert those eligible for Pension Credit.
2. Requests that the Leader of the Council writes to the Chancellor of the Exchequer, requesting a gradual reduction of entitlement of Pension Credit, (as opposed to the current 'cliff edge' situation). Writes to Councillor Izzy Seccombe to champion Winter Fuel Allowance for the vulnerable elderly and disabled.
3. Continues to communicate with the three Members of Parliament who represent our borough, paying particular attention to our vulnerable and disabled residents.
4. Make members aware of the Age UK petition with regard to Winter Fuel Payments.



5. Continue with the good work of liaising with all of the Council tenants aged 65 and over, using the Tenant Liaison Officers, Engagement days and everything else they do every day.

**Councillor K. Wilson moved an adjournment to consider the amendment. An adjournment of 5 minutes was agreed.**

**A recorded vote on the amendment was taken.**

FOR: Councillors E. Amaechi, M. Bird, J. Bonner, D. Brown, J. Clarke, J. Collett, T. Cooper, L. Cvetkovic, S. Dhillon, M. Etienne, J. Gutteridge, W. Hancox, S. Hey, P. Hickling, B. Hughes, T. Jenkins, A. Khangura, N. King, M. Kondakor, S. Markham, W. Markham, B. Pandher, C. Phillips, K. Price, R. Roze, B. Saru, J. Sheppard, C. Smith, R. Smith T. Venson, M. Walsh, C. Watkins, K. Wilson and M. Wright.

The amendment was carried and became the substantive motion.  
A vote was taken on the substantive motion.

**RESOLVED** that this Council:

1. Continues to financially support Citizens Advice and Warwickshire CAVA, supporting and encouraging them to alert those eligible for Pension Credit.
2. Requests that the Leader of the Council writes to the Chancellor of the Exchequer, requesting a gradual reduction of entitlement of Pension Credit, (as opposed to the current 'cliff edge' situation). Writes to Councillor Izzy Seccombe to champion Winter Fuel Allowance for the vulnerable elderly and disabled.
3. Continues to communicate with the three Members of Parliament who represent our borough, paying particular attention to our vulnerable and disabled residents.
4. Make members aware of the Age UK petition with regard to Winter Fuel Payments.
5. Continue with the good work of liaising with all of the Council tenants aged 65 and over, using the Tenant Liaison Officers, Engagement days and everything else they do every day.

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Mayor

**Council - Schedule of Declarations of Interests – 2024/2025**

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
	General dispensations granted to all members under s.33 of the Localism Act 2011			Granted to all members of the Council in the areas of: <ul style="list-style-type: none"> <li>- Housing matters</li> <li>- Statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992</li> <li>- An allowance, payment given to members</li> <li>- An indemnity given to members</li> <li>- Any ceremonial honour given to members</li> <li>- Setting council tax or a precept under the Local Government Finance Act 1992</li> <li>- Planning and Licensing matters</li> <li>- Allotments</li> <li>- Local Enterprise Partnership</li> </ul>
	E. Amaechi	<ul style="list-style-type: none"> <li>- Employed NHS Wales Shared Services Partnership (NWSSP)</li> <li>- Ricky Global Consultants Ltd</li> <li>- Purple Dove Events Ltd</li> <li>- Director – Techealth Ltd</li> </ul>	The Labour Party (sponsorship) - Foundation Governor - Our Lady and St. Joseph Academy, Nuneaton.  - Member of: - British Computer Society. - Igbo Community Coventry. - Mbaise Community, Coventry.  Representative on the following Outside Bodies: - Committee of Management of Hartshill and Nuneaton Recreation Ground - EQuIP: Equality and Inclusion Partnership - West Midlands Combined Audit, Risk and Assurance Committee - Pride in Camp Hill (PinCH)	
	M. Bird		<ul style="list-style-type: none"> <li>- Life Member of National Association of British Market Authorities.</li> <li>- Member of the Stockingford Allotment association and Pavillion Club.</li> </ul>	
	J. Bonner	Employed by Etone College (Matrix Academy Trust) - Teacher	The Labour Party (sponsorship) Member of: - The Labour Party - National Education Union	
	D. Brown	Employed by H.M Land Registry	Regional Coordinator, Ragdoll Rescue Charity.	

	<b>Name of Councillor</b>	<b>Disclosable Pecuniary Interest</b>	<b>Other Personal Interest</b>	<b>Dispensation</b>
	A. Bull	Employed by FedEx	The Labour Party (sponsorship) -CWU Trade Union Member  Representative of the following Outside Bodies: <ul style="list-style-type: none"> <li>Age UK (Warwickshire Branch)</li> </ul>	
	J. Clarke	-Employed by Marcus Jones - Warwickshire County Councillor	Nuneaton Conservative Association; Deputy Chairman  Officer of the Abbey Preceptory Masonic Buildings - Nuneaton	
	J. Collett	Employed by: - Consigliere Strategy Ltd - Director, Research and Insights for Fullbrook Strategies Ltd.	- Nuneaton Conservative Association (sponsorship) Member of: - Nuneaton Rugby Club - Nuneaton Town Football Club - Nuneaton Cricket Club	
	T. Cooper	None		
	S. Croft	Employed at Holland & Barrett Retail Ltd		
	L. Cvetkovic	Head of Geography (Teacher), Sidney Stringer Academy, Coventry	The Bulkington Volunteers (Founder); Bulkington Sports and Social Club (Trustee)  Member on the following Outside Bodies: <ul style="list-style-type: none"> <li>Building Control Partnership Steering Group</li> </ul>	
	S. Dhillon	Employed by UHCW NHS Trust	Member (Rep) at Unison – UHCW Trust  Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>Warwickshire Adult Social Care and Health Overview and Scrutiny Committee</li> <li>Camp Hill Urban Village: Pride in Camp Hill Board</li> <li>Committee of Management of Hartshill and Nuneaton Recreation Ground</li> <li>George Eliot Hospital NHS Trust – Public/User Board</li> <li>West Midlands Combined Authority Wellbeing Board</li> </ul>	
	M. Etienne	Employed by Network Rail	- Member of The Conservative Party and Nuneaton Conservative Association - RMT Member	

	<b>Name of Councillor</b>	<b>Disclosable Pecuniary Interest</b>	<b>Other Personal Interest</b>	<b>Dispensation</b>
	J. Gutteridge	None		
	B. Hancox		<p>The Labour Party (sponsorship) Member of:</p> <ul style="list-style-type: none"> <li>- The Labour Party</li> <li>- Unite the Union</li> <li>- British Gurkha Veterans Association (Adviser)</li> </ul> <p>Representative on the following Outside Bodies:</p> <ul style="list-style-type: none"> <li>• Nuneaton Festival of Arts</li> <li>• Bedworth Neighbourhood Watch Committee</li> <li>• Nicolas Chamberlaine's School Foundation</li> </ul>	
	J. Hartshorn	Employed by Asda Nuneaton	Member of Nuneaton Conservatives	
	S. Hey	<p>Director –</p> <ul style="list-style-type: none"> <li>- Heywire Ltd</li> <li>- Brilliant Bookings Ltd</li> </ul>	<p>Member of the Labour Party, National Trust, CAMRA (Campaign for Real Ale), Royal Photographic Society.</p> <p>Representative on the following Outside Bodies:</p> <ul style="list-style-type: none"> <li>• West Midlands Employers Board (NBBC representative)</li> <li>• Local Government Superannuation Scheme Consultative Board</li> <li>• Grayson Place (NBBC) Limited</li> <li>• West Midlands Employers</li> <li>• Nuneaton and Bedworth Older People's Forum</li> </ul>	
	P. Hickling	<ul style="list-style-type: none"> <li>- Employed by Wyggeston and Queen Elizabeth I College (Teacher)</li> <li>- Pearson Education (Snr Examiner)</li> </ul>	<p>The Labour Party (sponsorship)</p> <ul style="list-style-type: none"> <li>- Member of The Labour Party (CLP and Secretary of Nuneaton West)</li> <li>- Member of National Education Union</li> <li>- Committee Member of Nuneaton Historical Association</li> </ul> <p>Representative on the following Outside Bodies:</p> <ul style="list-style-type: none"> <li>- Friendship Project for Children</li> </ul>	
	B. Hughes	Full Time Carer	<p>Member of the Labour Party. Member of the National Trust. Member of the Caravan and Motorhome Club Member of CAMRA</p>	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>• George Elliot Hospital NHS Foundation Trust Governors</li> </ul>	
	T. Jenkins	Managing Partner – Gribblybugs LLP	The Labour Party (sponsorship) - Committee Member of Warwickshire Amphibian & Reptile Team - Member of Warwickshire Wildlife Trust - Member of Equity – Trade Union Members of National Trust and English Heritage Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>• Nuneaton and Bedworth Sports Forum,</li> <li>• Safer Warwickshire Partnership Board,</li> <li>• Warwickshire Health and Wellbeing Board,</li> <li>• Warwickshire Police and Crime Panel,</li> <li>• Biodiversity Champion</li> <li>• Committee of Management of Hartshill and Nuneaton Recreation Ground</li> <li>• Exhall Education Foundation</li> <li>• Foleshill Charity Trustee – Proffitt's Charity</li> </ul>	
	A. Khangura	Self-Employed		
	N. King	Employed by Love Hair and Beauty	Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>• Nuneaton Town Deal Board</li> </ul>	
	M. Kondakor		- Member of the Green Party - Member of Nuneaton Harriers AC - Chair – Bedworth Symphony Orchestra	
	S. Markham	County Councillor – WCC (Portfolio Holder for Children's Services)	Governor at Ash Green School Member of the following Outside Bodies: <ul style="list-style-type: none"> <li>• Hammersley, Smith and Orton Charities</li> <li>• Trustee of Abbey Theatre</li> <li>• Bedworth Board</li> </ul>	
	W. Markham		Governor at Ash Green School for SEND	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			Member of Unite Union	
	B. Pandher		<ul style="list-style-type: none"> <li>- Member of Warwickshire County Council.</li> <li>- Member of the Conservative Party</li> <li>- President &amp; Trustee of Nanaksar Gurdwara Gursikh Temple Coventry;</li> <li>- Coordinator of Council of Sikh Temples in Coventry;</li> <li>- Secretary of Coventry Indian Community;</li> <li>- Trustee of Sikh Monument Trust</li> <li>- Vice Chair Exhall Multicultural Group</li> </ul>	
	C. Phillips	Member of Warwickshire County Council	<ul style="list-style-type: none"> <li>- Chair of Governors – Stockingford Nursery School</li> <li>- Member of Labour Party</li> <li>- Part-time Carer</li> </ul>	
	K. Price	Warwickshire County Council	The Labour Party Unite the Union BASW Social Work England Registration	
	R. Roze	Director – InfiniTEN Ltd	Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>• A5 Member Partnership</li> <li>• Nuneaton and Bedworth Community Enterprises Ltd</li> <li>• PATROL (Parking and Traffic Regulations Outside of London) Joint Committee Services.</li> <li>• Building Control Partnership Steering Group</li> <li>• Bedworth Town Deal Board</li> </ul>	
	B. Saru	<ul style="list-style-type: none"> <li>- Director – Saru Embroidery Ltd</li> <li>- Co-founder and Owner – Fish Tale Ale Beer</li> </ul>	<ul style="list-style-type: none"> <li>- Labour Party (sponsorship)</li> <li>- Chair of the British Gurkha Veterans Association</li> </ul> Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>- Armed Forces Covenant</li> </ul>	
	J. Sheppard		Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>• Sherbourne Asset Co Shareholder Committee</li> <li>• Warwickshire Direct</li> </ul>	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			Partnership <ul style="list-style-type: none"> <li>• Warwickshire Waste Partnership</li> <li>• Nuneaton Neighbour Watch Committee</li> </ul>	
			Director of Wembrook Community Centre.	Dispensation to speak and vote on any matters of Borough Plan that relate to the Directorship of Wembrook Community Centre
			Member of Labour Party	
	T. Sheppard	Self Employed	Member of Unite the Union Member of Labour Party	
	C. Smith	Software Engineer – Prophet PLC	- Member of Labour Party and Unite - Safeguarding – Manor Park RFC  Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>• Astley Charity</li> </ul>	
	R. Smith		- Conservative Party Member - Chair of Trustees - Volunteer Friends, Bulkington; - Trustee of Bulkington Sports and Social Club.	
	T. Venson	Employed by Freightliner Heavy Haul	ASIEF Trade Union The Labour Party  Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>• Building Control Partnership Steering Group</li> <li>• Warwickshire Joint Overview and Scrutiny Committee</li> </ul>	
	M. Walsh	Employed by MacInnes Tooling Ltd. – UK Sales Manager	Trustee of the Nuneaton Scouts Association.  Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>• Hammersley Smith and Orton Charity</li> </ul>	
	C.M. Watkins	Employee of Nutri Pack	Representative on the following outside bodies: <ul style="list-style-type: none"> <li>• Nuneaton and Bedworth Community Enterprises Ltd. (NABCEL)</li> <li>• Coventry, Warwickshire and Hinckley and Bosworth Joint Committee</li> <li>• Local Government Association</li> <li>• Nuneaton and Bedworth Home Improvement Agency</li> </ul>	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			<ul style="list-style-type: none"> <li>• Nuneaton and Bedworth Safer and Stronger Communities Partnership</li> <li>• Nuneaton and Bedworth Community Enterprises Ltd</li> <li>• Warwickshire Housing Support Partnership</li> <li>• West Midlands Combined Authority Board (WMCA)</li> <li>• West Midland Combined Housing and Land delivery Board</li> </ul>	
	K.D. Wilson	Delivery Manager, Nuneaton and Warwick County Courts & West Midlands and Warwickshire Bailiffs, HMCTS, Warwickshire Justice Centre, Nuneaton	<p>- Deputy Chairman – Nuneaton Conservative Association</p> <p>- Nuneaton Conservative association (sponsorship)</p> <p>- Board Member of the Conservative Councillors' Association.</p> <p>- Corporate Tenancies: properties are leased by NBBC to Nuneaton and Bedworth Community Enterprises Ltd, of which I am a Council appointed Director.</p> <p>Representative on the following Outside Bodies:</p> <p>-LGA People &amp; Places Board (Member)</p> <p>-Director of Nuneaton and Bedworth Community Enterprises Ltd (NABCEL)</p> <p>-Director of Grayson Place (NBBC) Ltd</p>	
	M. Wright			



**Council - Schedule of Declarations of Interests – 2024/2025**

	<b>Name of Councillor</b>	<b>Disclosable Pecuniary Interest</b>	<b>Other Personal Interest</b>	<b>Dispensation</b>
	General dispensations granted to all members under s.33 of the Localism Act 2011			Granted to all members of the Council in the areas of: <ul style="list-style-type: none"> <li>- Housing matters</li> <li>- Statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992</li> <li>- An allowance, payment given to members</li> <li>- An indemnity given to members</li> <li>- Any ceremonial honour given to members</li> <li>- Setting council tax or a precept under the Local Government Finance Act 1992</li> <li>- Planning and Licensing matters</li> <li>- Allotments</li> <li>- Local Enterprise Partnership</li> </ul>
	E. Amaechi	<ul style="list-style-type: none"> <li>- Employed NHS Wales Shared Services Partnership (NWSSP)</li> <li>- Ricky Global Consultants Ltd</li> <li>- Purple Dove Events Ltd</li> <li>- Director – Techealth Ltd</li> </ul>	The Labour Party (sponsorship) - Foundation Governor - Our Lady and St. Joseph Academy, Nuneaton.  - Member of: - British Computer Society. - Igbo Community Coventry. - Mbaise Community, Coventry.  Representative on the following Outside Bodies: - Committee of Management of Hartshill and Nuneaton Recreation Ground - EQuIP: Equality and Inclusion Partnership - West Midlands Combined Audit, Risk and Assurance Committee - Pride in Camp Hill (PinCH)	
	M. Bird		<ul style="list-style-type: none"> <li>- Life Member of National Association of British Market Authorities.</li> <li>- Member of the Stockingford Allotment association and Pavillion Club.</li> </ul>	
	J. Bonner	Employed by Etone College (Matrix Academy Trust) - Teacher	The Labour Party (sponsorship) Member of: - The Labour Party - National Education Union	
	D. Brown	Employed by H.M Land Registry	<ul style="list-style-type: none"> <li>-Regional Coordinator, Ragdoll Rescue Charity.</li> <li>-Trustee of the Exhall Education Foundation Charity</li> </ul>	

	<b>Name of Councillor</b>	<b>Disclosable Pecuniary Interest</b>	<b>Other Personal Interest</b>	<b>Dispensation</b>
	A. Bull	Employed by FedEx	The Labour Party (sponsorship) -CWU Trade Union Member  Representative of the following Outside Bodies: <ul style="list-style-type: none"> <li>Age UK (Warwickshire Branch)</li> </ul>	
	J. Clarke	-Employed by Marcus Jones - Warwickshire County Councillor	Nuneaton Conservative Association; Deputy Chairman  Officer of the Abbey Preceptory Masonic Buildings - Nuneaton	
	J. Collett	Employed by: - Consigliere Strategy Ltd - Director, Research and Insights for Fullbrook Strategies Ltd.	- Nuneaton Conservative Association (sponsorship) Member of: - Nuneaton Rugby Club - Nuneaton Town Football Club - Nuneaton Cricket Club	
	T. Cooper	None		
	S. Croft	Employed at Holland & Barrett Retail Ltd		
	L. Cvetkovic	Head of Geography (Teacher), Sidney Stringer Academy, Coventry	Trustee of Bulkington Volunteers (Founder); Bulkington Sports and Social Club (Trustee)  Member on the following Outside Bodies: <ul style="list-style-type: none"> <li>Building Control Partnership Steering Group</li> </ul>	
	S. Dhillon	Employed by UHCW NHS Trust	Member (Rep) at Unison – UHCW Trust  Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>Warwickshire Adult Social Care and Health Overview and Scrutiny Committee</li> <li>Camp Hill Urban Village: Pride in Camp Hill Board</li> <li>Committee of Management of Hartshill and Nuneaton Recreation Ground</li> <li>George Eliot Hospital NHS Trust – Public/User Board</li> <li>West Midlands Combined Authority Wellbeing Board</li> </ul>	
	M. Etienne	Employed by Network Rail	- Member of The Conservative Party and Nuneaton Conservative Association - RMT Member	

	<b>Name of Councillor</b>	<b>Disclosable Pecuniary Interest</b>	<b>Other Personal Interest</b>	<b>Dispensation</b>
	J. Gutteridge			
	B. Hancox		<p>The Labour Party (sponsorship) Member of:</p> <ul style="list-style-type: none"> <li>- The Labour Party</li> <li>- Unite the Union</li> <li>- British Gurkha Veterans Association (Adviser)</li> </ul> <p>Representative on the following Outside Bodies:</p> <ul style="list-style-type: none"> <li>• Nuneaton Festival of Arts</li> <li>• Bedworth Neighbourhood Watch Committee</li> <li>• Nicolas Chamberlaine's School Foundation</li> </ul>	
	J. Hartshorn	Employed by Asda Nuneaton	Member of Nuneaton Conservatives	
	S. Hey	Director – - Heywire Ltd - Brilliant Bookings Ltd	<p>Member of the Labour Party, National Trust, CAMRA (Campaign for Real Ale), Royal Photographic Society.</p> <p>Representative on the following Outside Bodies:</p> <ul style="list-style-type: none"> <li>• West Midlands Employers Board (NBBC representative)</li> <li>• Local Government Superannuation Scheme Consultative Board</li> <li>• Grayson Place (NBBC) Limited</li> <li>• West Midlands Employers</li> <li>• Nuneaton and Bedworth Older People's Forum</li> </ul>	
	P. Hickling	- Employed by Wyggeston and Queen Elizabeth I College (Teacher) - Pearson Education (Snr Examiner)	<p>The Labour Party (sponsorship) - Member of The Labour Party (CLP and Secretary of Nuneaton West) - Member of National Education Union - Committee Member of Nuneaton Historical Association</p> <p>Representative on the following Outside Bodies: - Friendship Project for Children</p>	
	B. Hughes	Full Time Carer	Member of the Labour Party. Member of the National Trust. Member of the Caravan and Motorhome Club Member of CAMRA	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>• George Elliot Hospital NHS Foundation Trust Governors</li> </ul>	
	T. Jenkins	Managing Partner – Gribblybugs LLP	The Labour Party (sponsorship) - Committee Member of Warwickshire Amphibian & Reptile Team - Member of Warwickshire Wildlife Trust - Member of Equity – Trade Union Members of National Trust and English Heritage Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>• Nuneaton and Bedworth Sports Forum,</li> <li>• Safer Warwickshire Partnership Board,</li> <li>• Warwickshire Health and Wellbeing Board,</li> <li>• Warwickshire Police and Crime Panel,</li> <li>• Biodiversity Champion</li> <li>• Committee of Management of Hartshill and Nuneaton Recreation Ground</li> <li>• Exhall Education Foundation</li> <li>• Foleshill Charity Trustee – Proffitt's Charity</li> </ul>	
	A. Khangura	Self-Employed		
	N. King	Employed by Love Hair and Beauty	Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>• Nuneaton Town Deal Board</li> </ul>	
	M. Kondakor		- Member of the Green Party - Member of Nuneaton Harriers AC - Chair – Bedworth Symphony Orchestra	
	S. Markham	County Councillor – WCC (Portfolio Holder for Children's Services)	Member of the following Outside Bodies: <ul style="list-style-type: none"> <li>• Hammersley, Smith and Orton Charities</li> <li>• Trustee of Abbey Theatre</li> <li>• Bedworth Board</li> <li>• Free Speech Union</li> <li>• Exhall Multicultural Group</li> </ul>	
	W. Markham		Governor at Ash Green School for SEND	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			Member of the following bodies: - Unite Union - Free Speech Union - Exhall Multicultural Group	
	B. Pandher		- Member of Warwickshire County Council. - Member of the Conservative Party  - President & Trustee of Nanaksar Gurdwara Gursikh Temple Coventry; - Coordinator of Council of Sikh Temples in Coventry; - Secretary of Coventry Indian Community; - Trustee of Sikh Monument Trust - Vice Chair Exhall Multicultural Group	
	C. Phillips	Member of Warwickshire County Council	- Chair of Governors – Stockingford Nursery School - Member of Labour Party - Part-time Carer	
	K. Price	Warwickshire County Council	The Labour Party Unite the Union BASW Social Work England Registration	
	R. Roze	Director – InfiniTEN Ltd	Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>• A5 Member Partnership</li> <li>• Nuneaton and Bedworth Community Enterprises Ltd</li> <li>• PATROL (Parking and Traffic Regulations Outside of London) Joint Committee Services.</li> <li>• Building Control Partnership Steering Group</li> <li>• Bedworth Town Deal Board</li> </ul>	
	B. Saru	- Director – Saru Embroidery Ltd - Co-founder and Owner – Fish Tale Ale Beer	- Labour Party (sponsorship) - Chair of the British Gurkha Veterans Association  Representative on the following Outside Bodies: - Armed Forces Covenant	
	J. Sheppard		Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>• Sherbourne Asset Co Shareholder</li> </ul>	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			Committee <ul style="list-style-type: none"> <li>• Warwickshire Direct Partnership</li> <li>• Warwickshire Waste Partnership</li> <li>• Nuneaton Neighbour Watch Committee</li> </ul>	
			Director of Wembrook Community Centre.	Dispensation to speak and vote on any matters of Borough Plan that relate to the Directorship of Wembrook Community Centre
			Member of Labour Party	
	T. Sheppard	Self Employed	Member of Unite the Union Member of Labour Party	
	C. Smith	Software Engineer – Prophet PLC	- Member of Labour Party and Unite - Safeguarding – Manor Park RFC  Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>• Astley Charity</li> </ul>	
	R. Smith		- Conservative Party Member - Chair of Trustees - Volunteer Friends, Bulkington; - Trustee of Bulkington Sports and Social Club. - Trustee of Bulkington Volunteers	
	T. Venson	Employed by Freightliner Heavy Haul	ASIEF Trade Union The Labour Party  Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>• Building Control Partnership Steering Group</li> <li>• Warwickshire Joint Overview and Scrutiny Committee</li> </ul>	
	M. Walsh	Employed by MacInnes Tooling Ltd. – UK Sales Manager	Trustee of the Nuneaton Scouts Association.  Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>• Hammersley Smith and Orton Charity</li> </ul>	
	C.M. Watkins	Employee of Nutri Pack	Representative on the following outside bodies: <ul style="list-style-type: none"> <li>• Nuneaton and Bedworth Community Enterprises Ltd. (NABCEL)</li> <li>• Coventry, Warwickshire and Hinckley and Bosworth Joint Committee</li> </ul>	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			<ul style="list-style-type: none"> <li>• Local Government Association</li> <li>• Nuneaton and Bedworth Home Improvement Agency</li> <li>• Nuneaton and Bedworth Safer and Stronger Communities Partnership</li> <li>• Nuneaton and Bedworth Community Enterprises Ltd</li> <li>• Warwickshire Housing Support Partnership</li> <li>• West Midlands Combined Authority Board (WMCA)</li> <li>• West Midland Combined Housing and Land delivery Board</li> </ul>	
	K.D. Wilson	Delivery Manager, Nuneaton and Warwick County Courts & West Midlands and Warwickshire Bailiffs, HMCTS, Warwickshire Justice Centre, Nuneaton	<p>- Deputy Chairman – Nuneaton Conservative Association</p> <p>- Nuneaton Conservative association (sponsorship)</p> <p>- Board Member of the Conservative Councillors' Association.</p> <p>- Corporate Tenancies: properties are leased by NBBC to Nuneaton and Bedworth Community Enterprises Ltd, of which I am a Council appointed Director.</p> <p>Representative on the following Outside Bodies:</p> <p>-LGA People &amp; Places Board (Member)</p> <p>-Director of Nuneaton and Bedworth Community Enterprises Ltd (NABCEL)</p> <p>-Director of Grayson Place (NBBC) Ltd</p>	
	M. Wright			

**4A.9 PUBLIC PARTICIPATION**

**4.9.1 General**

At each Ordinary Meeting or Extra Ordinary Meeting of the Council, 20 minutes (which can be extended at the discretion of the Mayor) shall be set aside for questions or statements from the public gallery by any resident of the Borough in relation to matters in respect of which the Council has powers or duties, or which affect the Borough. In the case of an Extra Ordinary Meeting the question or statement must relate to the business of that meeting.

**4.9.2 Notice of Questions and Statements**

No such question shall be asked, or statement made, unless it shall have been delivered in writing to the Head of Paid Service no later than 12 noon, two working days, before the meeting of the Council.

**4.9.3 Scope of Questions and Statements**

The Head of Paid Service may reject a question or statement if it:

- a) is not about a matter for which the Council has a responsibility or which doesn't affect the Borough;
- b) is defamatory, frivolous or offensive;
- c) is substantially the same as a question or statement which has been put at a meeting of the Council in the past six months;
- d) requires or involves the disclosure of confidential or exempt information; or
- e) It is not a question nor a statement, as provided for in these Procedure Rules.

**4.9.4** The Mayor will invite the relevant Cabinet Member or Committee Chair to give a reply. Such reply shall not exceed five minutes. In the case of a question, on the discretion of the Mayor, a supplementary question may be asked if arising directly from the reply, provided that the original allocation of five minutes is not exceeded. The Mayor may reject a supplementary question on any of the grounds detailed in paragraph 4.9.3 above



#### **4.9.5 Time Limit and Number of Questions**

No question or statement shall exceed three minutes. In the event of there being more than one question or statement, the Head of Paid Service will ensure that questions and statements are dealt with in the order received. At the expiry of the 20 minute period, or such period as may be agreed by the Mayor, or after the reply to the final question or statement, whichever shall first occur, the Council will proceed to the next business.

#### **4.9.6 Record of Questions and Statements**

The question or statement and the reply given shall be minuted.

#### **4.9.7 Reference of Question to the Cabinet or a Committee**

Unless the Mayor decides otherwise, no discussion will take place on any question, but any Member may move that a matter raised by a question be referred to the Cabinet or the appropriate Committee. Once seconded, such a motion will be voted on without discussion.

4.9.8 Any question or statement which cannot be dealt with during Public Participation because of lack of time will be dealt with in writing, and recorded in accordance with paragraph 4.9.6.

**4A.10 QUESTIONS BY COUNCILLORS**

4.10.1 A Member of the Council may ask the Leader of the Council or the Chair of a Committee any question without notice upon an item of the report of the Cabinet or a Committee (respectively) when that item is being received or under consideration by the Council.

**4.10.2 Questions on Notice at Full Council**

At each meeting a Member of the Council may ask no more than one question (but see 4.10.3(b) below) on any matter in relation to which the Council has powers or duties, or which affects the Borough. A Member may choose to ask their permitted question of either:

- a Member of the Cabinet; or
- the Chair of any Committee, Panel or Sub-Committee

4.10.3 No such question under paragraph 4.10.2 shall be asked unless:

- (a) the question has been delivered in writing to the Head of Paid Service and Leader by 12 noon, two working days before the day of the meeting of the Council; or
- (b) where the question relates to urgent matters, they have the consent of the Mayor or the Leader of the Council or the Portfolio Holder to whom the question is to be put or in the case of a Committee, Panel or Sub-Committee, the Chair, and the content of the question is given to the Head of Paid Service at least three hours before the time that the meeting is due to start.

4.10.4 The Member who put the question may ask one supplementary question of the Member to whom the first question was asked if it arises directly out of the original question or the reply, and shall be put and answered without discussion.

**4.10.5 Response**

An answer may take the form of:

- (a) a direct oral answer;
- (b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- (c) where the reply cannot conveniently be given orally, a written answer circulated later to the questioner.

#### **4.10.6 Request to Speak on the Matter**

- (a) Arising from the question, and the response or supplementary response given, any other member of the Council may request to move a motion in connection with the response under consideration and, if seconded, speak on the item. The Rules of Debate as set out in Council Procedure Rule 13 shall apply (as modified below) and the responder to the original question shall have the right of reply at the end of the debate.
- (b) Any debate on a question shall be limited to no more than 15 minutes (excluding the right of reply) and each member shall be limited to speaking for no more than three minutes each.
- (c) Notwithstanding the provisions of (b) above, the maximum time for Members' questions shall not normally exceed 45 minutes, and the Mayor shall have discretion to limit the debate on questions as he or she shall see fit.

#### **4.10.7 Reference of Question to the Cabinet or a Committee**

Any Member may move that a matter raised by a question be referred to the Cabinet or the appropriate Committee. Once seconded, such a motion will be voted on without discussion.

4.10.8 Any question which cannot be dealt with because of lack of time will be dealt with in writing in accordance with paragraph 4.10.5 (c).

#### **4.10.9 Questions on Notice at Committees, Panels or Sub-Committees**

A Member of a Committee, Panel or Sub-Committee may, upon giving notice, ask the Chair of it one question on any matter in relation to which the Council has powers or duties, or which affect the Borough and which falls within the Terms of Reference of that Committee, Panel or Sub-Committee

## **Cabinet Report to Council - December 2024**

### **1. Introduction**

This report deals with the Cabinet meetings held on 9<sup>th</sup> October 2024 and 6<sup>th</sup> November 2024.

### **2. 9<sup>th</sup> October 2024 - Cabinet Meeting**

#### **a) Museum Operational Hours (Key Decision)**

##### **- Leisure, Communities and Health – Councillor T. Jenkins**

Cabinet approved the changes to the operational hours to the Museum, with a view that, opening on set days will provide consistency for residents and visitors as well as employees. In addition, it will enable the museum to better market itself across the year building routines amongst local people who want to access the various aspects of the museums provision from its high quality temporary exhibition to its activities and events.

#### **b) Nuneaton Markets Operations (Key Decision)**

##### **- Business and Regeneration – Councillor N. King**

Cabinet approved the move to a self - erect model from January 2025. The change in consumer habits has impacted dramatically on markets across the UK with trader numbers down 40%. The Council recognises the continued importance of ours markets and how they can help regenerated our local economies, however the way we operated our markets must change to not only reduce cost for the Council and traders but to ensure they remain relevant for the future of our town centres.

#### **c) Council Tax Premium Charges (Key Decision)**

##### **- Resources and Customer Service – Councillor S. Hey**

Cabinet approved the introduction of an additional levy on the Council Tax charge from April 2025 for long term empty dwellings and second homes April 2026.

Additional income will be generated through the Collection Fund but the overarching aim is to reduce the number of long term empty properties which should in turn support the high levels of homelessness seen across the Borough.

### **3. 6<sup>th</sup> November 2024 Cabinet Meeting**

#### **a) Housing Strategy (Key Decision)**

##### **– Housing – Councillor C. Watkins**

Cabinet approved the Housing Strategy 2024 – 34 that sets out the housing needs and housing related needs of the Borough, along with the Councils commitment to responding to those needs, working with our partners to deliver on our ambitions for the Borough.

The document can be used as a single point of information for developers looking to build homes in the borough, statutory and third sector agencies needing to understand the various socio-economic issues present in the area in order to better plan for their service demands.

**c) General Fund, Housing Revenue Account (HRA) and Capital Forecast Budget Monitoring Q2 2024/25 (Key Decision)**

**- Resources and Customer Services – Councillor S. Hey and Housing – Councillor C. Watkins (HRA only)**

The General Fund Budget monitoring was approved at Cabinet for Q2. There are still many challenges but through improved treasury management early sighted pressures have been able to be offset through managing cash levels and experiencing higher returns on investments. The Council needs to identify long-term savings in order to be less reliant on these activities to find a balanced position in-year.

Recruitment is still being closely monitored and kept under review with a £500k savings provision being in the 2024/25 budget. Currently this is under close scrutiny and will continue to be monitored across the financial year.

The transformation programme is starting to gather pace and will be key to increasing efficiency and effectiveness across the Council which will in turn generate savings and income and is essential to ensure the Council remains financially viable.

The HRA budget monitoring Q2 report was considered and approved by Cabinet. There are identified spend pressures as a result of the cost of inflation and dealing with repairs issues are affecting the day-to-day operation of the HRA.

A review of the HRA Business Plan is underway and will lay out the future plan for income generation and cost mitigation. With the changes to housing legislation and expectations on housing providers, the profile of expenditure is likely to alter.

The Capital Forecast Q2 report was considered and approved by Cabinet and covers many projects for both the General Fund and Housing Revenue Account. Currently the capital programme is fully funded with the biggest risks to the Council being inflation, price increases for building supplies and any delays which could occur resulting in funding being withdrawn.

**d) Other items considered**

**a) Green Bin Update (Key Decision)**

- Environment and Public Services – Councillor J. Sheppard

**b) Bedworth Physical Activity Hub (BPAH) (Key Decision)**

- Leisure, Communities and Health – Councillor T. Jenkins

**c) Safeguarding Policy (Key Decision)**

- Resources and Customer Service – Councillor S. Hey

- d) Air Quality Management – Revocation of Leicester Road Gyratory (**Key Decision**)
  - Planning and Enforcement – Councillor R. Roze
- e) Creative Explorers Update Leisure Communities and Health – Councillor T. Jenkins

### **West Midlands Combined Authority (WMCA)**

There are no specific reports to highlight to Council. The WMCA minutes are available on the WMCA website.

## **5. Conclusion**

This report is presented on behalf of Cabinet, and, as always, my colleagues and I are only too happy to take any questions in relation to this report.

Councillor C. Watkins  
Leader of the Council on behalf of Cabinet

## AGENDA ITEM NO.10

### NUNEATON AND BEDWORTH BOROUGH COUNCIL

**Report to: Full Council**

**From: Independent Remuneration Panel**

**Subject: Review Of Members' Allowances**

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#### 1. Purpose of Report

- 1.1. As outlined in the Constitution, on a four yearly basis the Independent Remuneration Panel (the Panel) will be convened to review and determine the Members' Allowances and Special Responsibilities' Allowances.
- 1.2. The Panel has convened during the 2024/2025 Municipal Year and has issued its report for consideration. Officers received the final report following the Panel review 14<sup>th</sup> November 2024.
- 1.3. Full Council retains the responsibility for making, amending, revoking or replacing a scheme for Members allowances and fixing the rate of allowances thereunder. For that reason, this report from the Independent Remuneration Panel is issued straight to Full Council for consideration.
- 1.4. For the avoidance of any doubt, the current Member Allowances for the 2024/2025 Municipal Year were approved at Annual Council 15<sup>th</sup> May 2024 (Agenda item 14 Appendix D) which excludes any pay award during the Municipal Year.

#### 2. Recommendations

- 2.1. Delegated Authority is granted to the Assistant Director – Democracy and Governance to publish the Independent Remuneration Panel report as required by The Local Authorities (Members' Allowances) (England) Regulations 2003 (regulation 22), regardless of the decision made by Full Council.
- 2.2. Approve the recommendations made by the Independent Remuneration Panel to be implemented from the date of the Council's Annual Meeting on 14<sup>th</sup> May 2025 (or date of Annual Council in May 2025 in the event the date is changed):
  - 2.2.1. The basic allowance is set at £5,870.
  - 2.2.2. The Special Responsibility allowances are as follows:

- (a) Leader of the Council: £14,675
- (b) Deputy Leader Council: £8,805
- (c) Executive Cabinet Members: £7,338
- (d) Chair Planning: £5,136
- (e) Chairs Overview & Scrutiny: £3,669
- (f) Chair Licensing: £1,468
- (g) Chair Audit & Standards: £4,403
- (h) Main Opposition Group Leader: £3,669
- (i) Leader Minor Opposition Group (if reach 4 Members): Not Applicable

- 2.2.3. Where there are two Main Opposition Groups of equal size that the recommended SRA (£3,668) for the Leader of the Main Opposition Group divided by two and paid equally to each Main Opposition Group Leader. In this situation this would equate to an SRA of £1,834.
- 2.2.4. The Nuneaton & Bedworth BC Members' Allowances scheme maintains the one-SRA only rule and this provision is inserted in the Allowances Scheme so that it clarifies this position.
- 2.2.5. There is no change regarding Members being unable to claim Subsistence Allowances for attending in-borough duties.
- 2.2.6. The current terms and conditions and rates at which Members can claim out of Borough Subsistence Allowances are maintained.
- 2.2.7. The Members right to claim Travel Allowances for attending in-borough duties is maintained.
- 2.2.8. The current rates for the claiming of out of Borough Travel Allowances is maintained but to future proof the travel allowances the IRP also recommends that the scheme is clarified and amended to expressly state that where a Member claims the mileage allowance by travel in a hybrid/electric vehicle that the HMRC rates are also applicable.
- 2.2.9. The DCA is maintained with the two different categories of care at the maximum specified rates but also that the Allowances Scheme is amended so that any DCA claims will only be reimbursed upon the production of receipts. This latter provision should also be inserted into the Allowances Scheme.
- 2.2.10. The Co-optees' Allowance is reset at £350 for 2025/26, subject to any indexation that may be applicable for that year.
- 2.2.11. The Telephone Allowance is maintained but reset at £20 per month or £240 per year from start of the 2025/26 municipal year, subject to any applicable indexation in that year.



2.2.12. The Nuneaton and Bedworth Borough Council Members Allowances are indexed as follows:

- (a) Basic Allowance, SRAs, Co-optees' Allowances and the Telephone Allowance: Indexed to the annual percentage salary increase for local government staff set at SCP 43 to be applied for the same year that applies to staff.
- (b) Subsistence Allowances: Indexed to the same rates that apply to staff.
- (c) Travel Allowance – Mileage Rates: Indexed to HMRC approved mileage rates for motor, hybrid and electric vehicles, motor cycles and bicycles.
- (d) Dependants' Carers' Allowance – Maximum Rates:
  - i. Childcare element: indexed to the 'national living wage' hourly rate.
  - ii. Elderly or Other Dependant Relatives element: indexed to median hourly rate charged by Warwickshire County Council Social Services Department Adult Social Care for home help.

2.3. That the Member Allowances mentioned under recommendation 2.2 be included and built into the 2025/2026 budget.

2.4. That the indices apply for the maximum length permitted by the 2003 Regulations namely four years and to run from start of 2025/26 municipal year until the end of the 2028/29 municipal year unless otherwise amended or revoked by Full Council.

### 3. Body of Report

3.1. The Panel was convened under The Local Authorities (Members' Allowances) (England) Regulations 2003 (SI 1021) (the 2003 Regulations) as included for in the Council Constitution. These regulations, arising out of the relevant provisions in the Local Government Act 2000, require all local authorities to maintain an independent remuneration panel (IRP) to review and provide advice to their respective councils on Members' allowances.

3.2. English Council's retain the power to determine their allowances. However, they are required to convene their respective Independent Remuneration Panel to seek its advice before making any changes or amendments to their Members' Allowances scheme. Councils must 'pay regard' to their Independent Remuneration Panel recommendations before setting a new or amended Members' Allowances scheme.

3.3. The Independent Remuneration Panel have convened and their report and recommendations can be found in Appendix A.

- 3.4. For clarity, compared to the 2024/2025 Member Allowances, should Full Council agree to approve the recommendations, there would be an additional cost of £46,097.
- 3.5. The Local Authorities (Members' Allowances) (England) Regulations 2003 make specific provision for the publication of the report made by an Independent Remuneration at Regulation 22. It requires the Authority to as soon as reasonably practicable to ensure copies of the report are available for inspection by members of the public at the principal office of the authority, at all reasonable hours; and
- (a) publish in one or more newspapers circulating in its area, a notice which—
    - (ii) states that it has received recommendations from an independent remuneration panel in respect of its scheme;
    - (iii) describes the main features of that panel's recommendations and specifies the recommended amounts of each allowance mentioned in the report in respect of that authority;
    - (iv) states that copies of the panel's report are available at the principal office of the authority for inspection by members of the public at such times as may be specified by the authority in the notice; and
    - (v) specifies the address of the principal office of the authority at which such copies are made available.
- 3.6. Full Council have the option to agree with all recommendations and/or move a motion to amend such recommendations. Please however note, it is not permissible to amend recommendation 2.1 as this is a legal requirement regardless of Full Council's decision, as per Regulation 22 of The Local Authorities (Members' Allowances) (England) Regulations 2003.

#### 4. Appendices

- 4.1. Please see Appendix A which contains the full report of Member Allowances for Nuneaton and Bedworth Borough Council produced by the Independent Remunerational Panel.

**A Review**

**Of**

**Members' Allowances**

**For**

**Nuneaton & Bedworth  
Borough Council**

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**A Report**

**By the**

**Independent  
Remuneration Panel**

**Dr Declan Hall (Chair)**

**Jeff Hunt**

**Alison Thompson**

**October 2024**

## Nuneaton & Bedworth Borough Council IRP recommendations: Executive Summary

### The IRP recommends the following

Nuneaton & Bedworth Borough Council IRP Executive Summary	BA & SRAs 2025/26 (recommended)					
	REMUNERATED POSTS	Basic Allowance	Methodology	Nos. Paid	SRA per Post	Total per Member
All Members	£5,870	650 hours - 40% PSD) = 390 hours X £15.05 p/hour	38	-		£223,060
Leader of Council	£5,870	2.5 X BA	1	£14,675	£20,545	£14,675
Deputy Leader Council	£5,870	60% X Leader's SRA	1	£8,805	£14,675	£8,805
Executive Cabinet Members	£5,870	50% X Leader's SRA	4	£7,338	£13,208	£29,350
Chair Planning	£5,870	35% X Leader's SRA	1	£5,136	£11,006	£5,136
Chairs Overview & Scrutiny	£5,870	25% X Leader's SRA	4	£3,669	£9,539	£14,675
Chair Licensing	£5,870	10% X Leader's SRA	1	£1,468	£7,338	£1,468
Chair Audit & Standards	£5,870	30% X Leader's SRA	1	£4,403	£10,273	£4,403
Main Opposition Group Leader	£5,870	25% X Leader's SRA	1	£3,669	£9,539	£3,669
Leader Minor Opposition Group (if reach 4 Members)	£5,870	£200 per Group Member	NA	NA	NA	NA
<b>SUB TOTALS</b>						
<b>BA SUB TOTAL</b>	£5,870		<b>38</b>			<b>£223,060</b>
<b>SRAs SUB TOTAL</b>			<b>14</b>			<b>£82,180</b>
<b>TOTAL PAYABLE (BA + SRAs)</b>						<b>£305,240</b>

### The IRP also recommends that

#### **Where there two Main Opposition Groups of equal size**

Where there are two Main Opposition Groups of equal size that the recommended SRA (£3,668) for the Leader of the Main Opposition Group divided by two and paid equally to each Main Opposition Group Leader. In this situation this would equate to an SRA of £1,834.

#### **Maintaining the 'One SRA only' Rule**

The Nuneaton & Bedworth BC Members' Allowances scheme maintains the one-SRA only rule and this provision is inserted in the Allowances Scheme so that it clarifies this position.

### **Subsistence Allowances for within Borough duties – No Change**

There is no change regarding Members being unable to claim Subsistence Allowances for attending in-borough duties.

### **Subsistence Allowances for attending approved duties without the Borough**

The current terms and conditions and rates at which Members can claim out of Borough Subsistence Allowances are maintained.

### **Travel Allowances for within Borough duties – No Change**

The Members right to claim Travel Allowances for attending in-borough duties is maintained.

### **Travel Allowances for outwith Borough duties and travel rates generally**

The current rates for the claiming of out of Borough Travel Allowances is maintained but to future proof the travel allowances the IRP also recommends that the scheme is clarified and amended to expressly state that where a Member claims the mileage allowance by travel in a hybrid/electric vehicle that the HMRC rates are also applicable.

### **The Dependants' Carers' Allowance**

The DCA is maintained with the two different categories of care at the maximum specified rates but also that the Allowances Scheme is amended so that any DCA claims will only be reimbursed upon the production of receipts. This latter provision should also be inserted into the Allowances Scheme.

### **Co-optees' Allowances**

The Co-optees' Allowance is reset at £350 for 2025/26, subject to any indexation that may be applicable for that year.

### **Resetting the Telephone Allowance**

The Telephone Allowance is maintained but reset at £20 per month or £240 per year from start of the 2025/26 municipal year, subject to any applicable indexation in that year.

### **Confirming Indexation**

The Nuneaton and Bedworth Borough Council Members Allowances are indexed as follows:

- **Basic Allowance, SRAs, Co-optees' Allowances and the Telephone Allowance:**
  - Indexed to the annual percentage salary increase for local government staff set at SCP 43 to be applied for the same year that applies to staff

- **Subsistence Allowances:**
  - Indexed to the same rates that apply to staff
  
- **Travel Allowance – Mileage Rates:**
  - Indexed to HMRC approved mileage rates for motor, hybrid and electric vehicles, motor cycles and bicycles
  
- **Dependants’ Carers’ Allowance – Maximum Rates:**
  - Childcare element:
    - indexed to the ‘national living wage’ hourly rate
  - Elderly or Other Dependant Relatives element:
    - indexed to median hourly rate charged by Warwickshire County Council Social Services Department Adult Social Care for home help

The IRP also recommends that the indices apply for the maximum length permitted by the 2003 Regulations namely four years and to run from start of 2025/26 municipal year until the end of the 2028/29 municipal year.

### **Implementation of Recommendations**

The recommendations contained in this report should be implemented from the date of the Council’s Annual Meeting on 14<sup>th</sup> May 2025.

**A Review of Members' Allowances**  
**For**  
**Nuneaton & Bedworth Borough Council**  
**By the**  
**Independent Remuneration Panel**  
**October 2024**

**The Regulatory Context**

1. This report is a synopsis of the deliberations and recommendations made by the statutory Independent Remuneration Panel (the Panel or IRP) appointed to provide advice on the Members' Allowances scheme for the Nuneaton & Bedworth Borough Council.
2. The Panel was convened under *The Local Authorities (Members' Allowances) (England) Regulations 2003 (SI 1021)* (the 2003 Regulations). These regulations, arising out of the relevant provisions in the *Local Government Act 2000*, require all local authorities to maintain an independent remuneration panel (IRP) to review and provide advice to their respective councils on Members' allowances.
3. English councils retain the power to determine their allowances. However, they are required to convene their respective IRPs and seek its advice before they make any changes or amendments to their Members' Allowances scheme. Councils must 'pay regard' to their IRPs recommendations before setting a new or amended Members' Allowances scheme.
4. In particular, the IRP has been reconvened under the 2003 Regulations [10. (5)], which states:

Where an authority has regard to an index for the purpose of annual adjustment of allowances it must not rely on that index for longer than a period of four years before seeking a further recommendation from the independent remuneration panel established in respect of that authority on the application of an index to its scheme.

5. This mechanism (known as the four year rule) means that all Councils are required to reconvene their IRP at least once every four years thus ensuring a degree of public accountability *vis-à-vis* their Members' Allowances schemes. It is under this requirement that the IRP has undertaken this review of Members' Allowances for Nuneaton & Bedworth Borough Council.

### Terms of Reference

6. The Terms of Reference are set out in the Council's Constitution as follows:
  - i. Comply with the 2003 Members' Allowances Regulations (or any subsequent re-enactment of those Regulations)
  - ii. Review the Council's Scheme of Allowances every four years to ensure the Scheme remains fit for purpose
  - iii. Consider any specific proposals suggested by Members or Officers at such reviews, or as may be necessary from time to time
7. As such, the IRP has adopted a more extended Terms of Reference as set out in the 2006 Statutory Guidance<sup>1</sup>, namely to make recommendations to the Council on:-
  - I. The amount of basic allowance that should be payable to its elected members and the expenses that it is deemed to include
  - II. The responsibilities or duties which should lead to the payment of a special responsibility allowance and as to the amount of such an allowance
  - III. The duties for which a travelling and subsistence allowance can be paid and as to the amount of this allowance
  - IV. The amount of any Co-optees' Allowances payable
  - V. Whether the authority's allowances scheme should include an allowance in respect of the expenses of arranging for the care of children and dependants and if it does make such a recommendation, the amount of this allowance and the means by which it is determined
  - VI. Whether annual adjustments of allowance levels may be made by reference to an index, and, if so, for how long such a measure should run

### The IRP

8. Nuneaton and Bedworth Borough Council reconvened its Independent

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<sup>1</sup> See 2006 Statutory Guidance, paragraph 61.



Remuneration Panel and the following IRP Members were appointed to carry out its independent review; namely:

<u>Declan Hall PhD (Chair)</u>	A former academic at the Institute of Local Government, The University of Birmingham, now an independent consultant specialising in Members' allowances and support.
<u>Jeff Hunt</u> <sup>2</sup>	A trustee at the Citizen's Advice Bureau and a former Borough Councillor, and a Nuneaton & Bedworth Borough Council resident
<u>Alison Thompson</u> <sup>3</sup>	Area Manager for Warwickshire Community and Voluntary Action for the North and has worked in this and similar roles offering community group and voluntary support and VCSE advocacy for 21 years and a Nuneaton & Bedworth Borough Council resident

9. The IRP was supported by Kelly Baxter, Democratic Services Team Leader at Nuneaton & Bedworth Borough Council and whose role was to take the organisational lead in facilitating the work of the IRP.

## Process and Methodology

10. The IRP met at Nuneaton Town Hall on 2<sup>nd</sup> – 3<sup>rd</sup> October 2024. The IRP meetings were in closed session to enable the IRP to meet with Members and receive factual briefings from Officers and conduct its deliberations in confidence.
11. A representative range of Members were invited to meet with the IRP and all other Members were given the opportunity to meet with the IRP if they so wished. In addition, all Members were sent a questionnaire that addressed the IRP's terms of reference, thus ensuring all Members had the opportunity to have an input into the review. The short questionnaire was also used as an aide memoire for the Member interviews thus ensuring all Members were asked the same set of questions. The IRP interviewed four elected Members and received three written submissions.
12. The IRP also met with a number of Officers for factual briefings on political structures and constitutional changes since the last review and to obtain an overview on the challenges facing the Council. The IRP also took cognizance of the range and levels of allowances paid in comparable local authorities, namely all five District Councils in Warwickshire, plus the two geographically adjacent District Councils of Hinckley and Bosworth and Tamworth, and Nuneaton & Bedworth Borough Council's eight Nearest Neighbours as defined

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<sup>2</sup> Jeff made a declaration of interest – see appendix 1

<sup>3</sup> Alison also made a declaration of interest – see appendix 1

by the Chartered Institute of Public Finance and Accountancy (CIPFA).<sup>4</sup>

13. The full range of written information received and considered by the IRP is listed in the appendices as follows:
- **Appendix 1:** Declarations of Interest
  - **Appendix 2:** List of information and evidence that was included in the Information Pack for IRP Members
  - **Appendix 3:** Members who met with the IRP and Officers who provided a factual briefing to the IRP
  - **Appendix 4:** Summary of benchmarking against all the five Warwickshire District Councils plus two geographically adjacent District Councils and eight CIPFA Near Neighbour Councils

### **Key Observations – Allowances do require revision**

14. It became clear during the course of the review that the current allowances were no longer fit for purpose. They have remained static since 2021 and in the case of most of the SRAs they have actually been cut and are less now than there were in 2020/21. This observation is also supported by the benchmarking. Also, arising out of the representation received was the view that Nuneaton and Bedworth Borough Council members' allowances scheme should be more in line with the average paid across similar District/Borough Councils, a view which the IRP has taken cognisance.

### **Allowances as an enabler**

15. The function of allowances is to enable most people to be an elected Member rather than attract people to being an elected Member. There was a general agreement in the representation received that this principle should underline the allowances paid in Nuneaton & Bedworth Borough Council. Generally in the representation received the view was that the Basic Allowance in particular was so low as to be a barrier to serving on Council. Even in the representation received that suggested the allowances were indeed generally an enabler they usually qualified it by adding they were speaking from a personal perspective and could see how it did not enable younger working people to be an elected Member without incurring a cost, usually in having to take unpaid time off work.
16. The IRP notes that the elected Members are not representative of the residents of Nuneaton and Bedworth Borough Council, in particular regarding younger working people and women. A similar point was raised in the representation received. However, Nuneaton and Bedworth Borough Council is not unique in that respect; it is a fact across all of UK local government, which in turns suggests other factors may be in play when it comes to

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<sup>4</sup> This provided a benchmarking group of 14 rather than 15 councils as 1 adjacent Council, Tamworth, was also included in the 8 CIPFA Nearest Neighbours benchmarking sub group.

widening access. Moreover, to increase representation from traditionally underrepresented groups would require such a boost in allowances that they would have to reflect commercial market rates and thus become an attraction rather than enabler – a principle that had limited support. Indeed, the legislative underpinning of the current framework of allowances in England is that they should be an enabler rather than an attraction.

17. Nonetheless, while there was a general agreement that financial recompense should not be a driver in being an elected Member the majority view in the representation received that the current level of the Basic Allowance and SRAs undervalued the work of Members and that the current allowances scheme was unsustainable. If the current situation was maintained it risks returning to the era when being a Councillor was restricted to those who could afford it or were willing to live in straitened circumstances for the sake of public service

### **Recognising the economic context – ensuring value for money**

18. Even though the general view in the representation received that the allowances needed revisiting there was also the concomitant (but lesser) view that the IRP had to have an eye to the economic context when arriving at recommendations. It was pointed out that it continues to be an economically tough climate for both the Council and its residents. Yet, the IRP while acknowledging that the Borough residents are facing cost of living pressures, it also noted that elected Members are not immune from those same pressures.
19. It is recognised that it is never a good time to increase allowances but it is clear from the representation received and the evidence reviewed that increases in allowances at this juncture are unavoidable if the Nuneaton and Bedworth Borough Council allowances scheme is to be updated to recognise the increased demands placed on Members in the past 4 years or so.
20. Regardless, the IRP cannot ignore the current economic context or the realities faced by Members. There is little point in the IRP making recommendations that bear no relationship to economic constraints within which the Council has to operate; otherwise, the review would simply make aspirational recommendations for a future date rather than supporting Members in the present. As such, the IRP has sought to make recommendations that are evidence based, robust, stand up to benchmarking and can be seen as representing value for money. Regarding this latter point the IRP also points out that its recommendations concerning the SRAs are all (except in one case) below the mean figures from the benchmarking group (see below). In addition, the IRP is also recommending a counterbalancing reduction in allowances in one particular area (again see below).

### **Recommendations - the Basic Allowance**

#### **Noting the level of the Basic Allowance if it had been indexed since 2021/22**

21. As a starting point the IRP noted in its previous review (July 2021) that it recommended that the Basic Allowance (and SRAs) should be indexed to the same percentage uplift applied to Staff salaries each year as agreed by the National Joint Council for local government staff. The Council accepted this recommendation but decided since then in practice not to apply an index to the Basic Allowance (or SRAs).
22. Consequently, the IRP decided to work out what the Basic Allowance would be if indexation had been applied to the Basic Allowance as originally recommended and accepted by the Council. The table below shows what the applicable index would have been and what the current Basic Allowance would be if indexation had been applied

<b>N&amp;B BA if NJC indexed applied since 2021/22</b>			
<b>Year</b>	<b>Basic Allowance at start year</b>	<b>NJC Index (at SCP 43)</b>	<b>BA Index applied for applicable year</b>
2021/22	5,134	1.0175	5,224
2022/23	5,224	1.0404	5,435
2023/24	5,435	1.0388	5,646
2024/25	5,646	1.025	5,787

23. The IRP notes that if indexation had consistently been applied to the Basic Allowance since 2021/22 it would now be at least £5,787. While the IRP is not seeking to reverse a decision of the Council regarding the application of indexation it does highlight the fact that the Basic Allowance has lost relative value since the last review.
24. The IRP arrived at the recommended Basic Allowance by a consideration of three reference points. This is the process by which three reference points are 'triangulated' to give an indication of where the Basic Allowance should be. The three reference points were
- The recalibrated Basic Allowance – arrived at by following the methodology as set out in the 2006 Statutory Guidance
  - Benchmarking the Basic Allowance against the comparator group of councils
  - The representation received

### **Recalibrating the Basic Allowance in line with the 2006 Statutory Guidance**

25. For the first point in the triangulation process the IRP 'recalibrated' the Basic Allowance in line with the methodology set out in the 2006 Statutory Guidance. The IRP is required to pay regard to the 2006 Statutory Guidance when arriving at recommended levels of allowances. In considering the Basic Allowance the Guidance (paragraph 67) states:

Having established what local councillors do, and the hours which are devoted to these tasks the local authorities will need to take a view on the rate at which, and the number of hours for which, councillors ought to be remunerated.

26. The Statutory Guidance (paragraphs 68-69) expands on the above statement by breaking it down to three variables – time required to undertake the role of the backbencher, public service or building in the voluntary principle and the worth of remunerated time.

### **Time to fulfil duties for which the Basic Allowance is paid**

27. The Basic Allowance is primarily a time-based payment (see 2006 Statutory Guidance paragraph 10). It is paid to compensate for workload, plus an element for minor expenses. Obviously, Members work in different ways and have varying commitments and the time spent on council duties varies. Yet, the Basic Allowance is a flat rate allowance that must be paid equally to all Members. As such, the time assessment is typically the average time required to carry out all those duties for which the Basic Allowance is paid. These duties included preparing for and attending meetings of the Council and its Committees, Sub-Committees, working groups and panels (formal and informal), addressing constituents' concerns, representing and engaging with local communities, external appointments and other associated work including telephone calls, emails and where applicable meetings with Officers.
28. In data supplied to the Chair of the IRP from the Local Government Association Councillors Census 2022, it shows that Councillors in district councils who held "no positions" of responsibility put in on average 15.2 hours per week "on council business"<sup>5</sup>. However, the IRP has not been guided by this figure; the average will include those respondents who put in more than is required to be an effective backbench Member as some will have more time to supply than is necessarily required. It did establish however, a top end for the time estimate to be a back bench Member; it should be no more than 15.2 hours per week.
29. In the representation received by Members the estimated time required to be an effective backbencher ranged from 8 to over 20 hours per week. Due to the reported averages reported by the LGA Councillors Census (2022) the IRP has already discounted anything over 15.2 hours per week while also recognising that even that figure may be inflated by those who have the capacity to put in more than is required. On the other hand, the IRP has not been guided by the lower reported figure (around 8 hours per week). In particular it was mentioned that the ubiquitous nature of social media meant that Members were contactable 24/7 by constituents and other members of the public which has made enhanced demands upon their time in recent years. Moreover, it was also mentioned that in recent years Members have been subject to more personal abuse and threats (partly as a result of the prevalence of social media and partly as a result of the general trend towards

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<sup>5</sup> Information based on National Census of Local Authority Councillors 2022 (LGA), breakdown of weekly hours by councillors by number of positions held and type of council, in email from S. Richards, LGA 17 May 2023.

all elected politicians), which for personal safety reasons often meant Members having to double up in regards to carrying out many constituency related activities.

30. Thus for the purposes of recalibrating the Basic Allowance in line with the 2006 Statutory Guidance, the IRP adopted a figure of 12.5 hours per week, or 650 hours per year, as the expected time input from Members for their Basic Allowance.
31. The IRP recognises that some Members who hold no positions may well put in more than the average of 12.5 hours per week. However, the IRP has opted for 12.5 hours as it is approximately the midpoint between the lowest report expectation of 8 hours per week and the Councillor Census figure of 15.2 hours per week and that to adopt a higher figure would be recognising those Members who have the capacity to put in more time than 12.5 hours per week rather than what is strictly required.

### **The Public Service Discount (PSD) or recognising the voluntary element**

32. The Public Service Discount (PSD) recognises the principle that not all of what an elected Member does should be remunerated – there is an element of public service. Typically, this voluntary principle is realised by discounting an element of the expected time inputs associated with the Basic Allowance. It is often conceptualised as the proportion of time frontline Members spend dealing with constituents, surgeries, general enquiries from citizens and working with local community groups.
33. The normal range for this public service discount is between 30%-40% in counties, unitary and metropolitan councils whereas for district councils the normal range for this public service discount is between 35%-45%. The public service discount tends to be higher at district councils as there is a closer relationship between elected Members and their constituents at the district level, thus more time is spent dealing with constituent and local issues due to the nature of the services they are responsible for.
34. For the purposes of recalibrating the Basic Allowance the IRP has chosen a public service discount of 40% on the basis that Members put a high value on their work representing their local constituents and wards and their involvement with local communities. This is the same level of PSD that the IRP has adopted in the past. Thus, of the expected time input of 650 hours per year, 40% of that time, or 260 hours per year are deemed public service and not paid, leaving 390 remunerated hours per year.

### **The rate for remuneration**

35. The Local Government Association (LGA) used to issue a daily session advisory rate to IRPs to use as a rate of remuneration in arriving at a recommended Basic Allowance. It was based on the national male non-manual earnings, which by 2012 when the LGA discontinued issuing this advice had reached over £165 per day. The LGA stopped issuing this advice mainly for two reasons:

- It had reached a level that many IRPs found was not helpful
- The Office of National Statistics started to publish average earnings on a local authority basis

36. ASHE (Annual Survey of Hours and Earnings) 2023 Table 7.5 a shows that the median daily earnings (including overtime) for all full time employees in the area of Nuneaton & Bedworth Borough Council was £15.05 per hour.<sup>6</sup> For the purposes of recalibrating the Basic Allowance the IRP has adopted this hourly rate of £15.05 as it relates to the median earnings of those that Members represent, i.e., their constituents. A locally based figure is the most commonly utilised rate of remuneration by IRPs as it is robust and defensible vis-à-vis the public and cannot be criticised for being excessive.

### Arriving at the recalibrated Basic Allowance

37. If the IRP applied the variables to arrive at a recalibrated Basic Allowance by the methodology as set out in the 2006 Statutory Guidance to take into account the most recent data available it gives the following values:

- Time required to fulfil duties: 650 hours per year
- Public Service Discount: 40% (260 hours per year)
- Rate for Remuneration: £15.05 per hour

38. By following the methodology as set out in the 2006 Statutory Guidance with the variables utilised it produces the following recalibrated Basic Allowance:

- 650 annual hours input minus 40% PSD (260 hours) = 390 remunerated hours multiplied by £15.05 per hour  
= £5,870

### Benchmarking the Basic Allowance

39. As a further checking mechanism the IRP considered how the Nuneaton and Bedworth Borough Council Basic Allowance benchmarked against the Basic Allowance paid in the comparator group of Councils. Benchmarking shows that the current Basic Allowance paid in Nuneaton & Bedworth Borough is noticeably below that paid in the comparator group:

- Mean Basic Allowance in benchmarking group: £5,790
- Nuneaton & Bedworth BC current Basic Allowance: £5,134
- The recalibrated Basic Allowance: £5,870

40. The IRP notes that the recalibrated Basic Allowance is just above the mean Basic Allowance paid in the benchmarking group but the difference is so marginal so not to be significant. Moreover, it is further noted that the mean

<sup>6</sup> The ONS advises that the median rather than mean figure is a better measure of average earnings as the mean is skewed by the relatively few high earners.

Basic Allowance of £5,790 relates to 2023/24. The vast majority of the Councils in the benchmarking group will be applying an indexation to their Basic Allowance for 2024/25, which would (assuming at least a minimum indexation of 2.5 per cent – and some will apply a higher indexation figure) then at the start of the 2025/26 municipal year (the same year which any recommended Basic Allowance by this IRP relates to Nuneaton and Bedworth BC) will be at least £6,000. In this context the recalibrated Basic Allowance of £5,870 cannot be seen as being comparatively excessive.

### The representation received

41. As the third and final reference point the IRP considered the representation received both written and oral. The overwhelming view was that it is currently too low. The view was expressed that it was at such a level that in effect penalised those Members or prospective Members who were in employment and was a financial disincentive to being an elected Member. Moreover, a major change since there was a fundamental review was the impact of social media, which now means Members are accessible 24/7.
42. In the representation the range given on what the Basic Allowance should be was simply “increased” up to £12,500, although the latter figure was qualified by the respondent accepting a figure of £6,500 would be more politically acceptable.

### The recommended Basic Allowance

43. Clearly the three reference points utilised by the IRP all point the fact that the Nuneaton and Bedworth Borough Council Basic Allowance is too low and requires revision.
44. Consequently, the IRP is recommending that the recalibrated Basic Allowance (£5,870) should be adopted for the following reasons:
  - It reflects the weight of the representation received
  - It is based on the recalibrated Basic Allowance (£5,870) arrived at by following the methodology laid out in the 2006 Statutory Guidance
  - It is in line the mean Basic Allowance paid in the benchmarking group of Councils, and once indexation for 2024/25 has been applied in the benchmarking group of Councils the recalibrated Basic Allowance will be marginally below the benchmarked mean Basic Allowance
  - As part of a *quid pro quo* for the recommended increase in the Basic Allowance the IRP is also recommending a decrease in the Telephone Allowance (see below)
45. As such, the IRP considers that a recommended Basic Allowance of £5,870 is both robust, justifiable and takes into account the current financial context.
46. **The IRP recommends that the Basic Allowance to be reset at £5,870 for 2025/26, subject to any indexation that may be applicable for that year.**



## Special Responsibility Allowances – Leader of the Council

47. In consideration of the Leader's SRA (currently £11,300) the IRP explored the extent to which the Leader's role has changed since the last review. It was noted that not only has the Leader's SRA remained static since 2021/22 it is actually lower than it was in 2020/21 when it was £12,835.
48. The IRP was informed that economic regeneration is a major issue in the Borough at the present and will continue to be so going forward. This creates additional demands on the Leader (and to a lesser extent other Executive Members). Devolution has also had some impacts on the Leader's role, mainly regarding attending meetings with other Warwickshire District Council Leaders and the Leader of Warwickshire County Council for the upcoming Devolution Level 2 deal. While this will mostly impact on the County, the Leader attends these meetings to ensure the interests of the Borough are put forward and given consideration. Also there have been additional meetings in delivering the levelling up agenda.
49. Duties of this nature were absent since the Leader's SRA was last fundamentally reviewed in addition to the normal round of duties such as one to one meetings with the Chief Executive, pre-Cabinet meetings and meetings with other Officers and Cabinet Members as required. Finally, it is noted that the Leader now has the portfolio responsibility for Housing – one of the larger executive portfolio remits.
50. While it is not a necessary requirement for the Leader of Nuneaton & Bedworth Borough Council to be a full time role it does require a substantial time requirement that rules out full time employment in the normally accepted sense of the term. As such, the current SRA for the Leader represents a financial barrier to anyone who has to take enough time off from their full time employment to fulfil the post.
51. Finally, the IRP noted that while not all those Members consulted felt fit to express a view in the representation received the majority view was the current Leader's SRA did not recognise the demands on the role and was a potential barrier to future Members becoming Leader of the Council.

## Recalibrating the Leader's SRA – the factor approach

52. These days the most common way of arriving at a Leader's SRA is through what is known as the factor approach. This approach is set out in the 2006 Statutory Guidance (paragraph 76) which states

One way of calculating special responsibility allowances may be to take the agreed level of basic allowance and recommend a multiple of this allowance as an appropriate special responsibility allowance for either the elected mayor or the leader.

53. The Leader's current SRA of £11,300 is 2.2 times the current Basic Allowance. Before it was reduced in 2021/22 the Leader's SRA (£12,835) had been arrived at through this factor approach, with an applicable multiple of 2.5 times the Basic Allowance. The normal range of a multiple of the Basic Allowance to arrive at a Leader's SRA is 2.8-3.2. Benchmarking shows that the Leaders' mean SRA (£18,687) is 3.2 times the mean Basic Allowance (£5,790). The IRP has not been guided by the benchmarked mean factor of 3.2 times the mean Basic Allowance as the mean Leader's SRA is skewed by the comparatively high SRA (£49,377) paid to the elected Mayor of Mansfield. Typically elected Mayors have a much higher remuneration than Leaders. As such, the median Leader's SRA (£15,635) is more appropriate in this context and when compared to the median Basic Allowance (£5,785) it works out to be 2.7 times the median Basic Allowance.
54. As such, for recalibration purposes the IRP received no evidence that the original factor of 2.5 times the recommended Basic Allowance (£5,870) would still not be appropriate. Thus, by multiplying the recommended Basic Allowance (£5,870) by 2.5 it equates to a recalibrated Leader's SRA of £14,675.

### Benchmarking the Leader's SRA

55. As a further checking mechanism the IRP considered how the SRA (current and recalibrated) for the Leader of Nuneaton and Bedworth Borough Council benchmarked against the Leaders SRA paid in the comparator group of Councils. Benchmarking shows that the Leader's current and recalibrated SRA paid in Nuneaton and Bedworth Borough is in both cases below with that paid in the comparator group:

• Mean Leaders SRA in benchmarking group:	£18,687
• Nuneaton & Bedworth BC Leader's current SRA:	£11,300
• IRP recalibrated Leader's SRA:	£14,675

56. Benchmarking against the current Leader's SRA (£11,300) shows that it is not only significantly below that paid to peers. In fact it is the lowest in the benchmarking group and consequently also the lowest amongst the Warwickshire District Councils.
57. The IRP concluded that the current SRA for the Leader of Nuneaton & Bedworth Borough Council significantly undervalues the role. As such, the IRP decided that the recalibrated SRA (£14,675) arrived at by following the factor approach is more appropriate considering it is a restoration of the original factor (2.5 times the Basic Allowance), goes some way to recognising the time commitment required and the changing nature of the role since the last fundamental review.
58. **The IRP recommends that the Leader's SRA is reset at £14,675 for 2025/26, subject to any indexation that may be applicable for that year.**

## The methodology to arrive at other SRAs – the pro rata approach

59. In arriving at the other recommended SRAs the IRP was cognisant of the advice set out in the 2006 Statutory Guidance (paragraph 76) which states:

Having determined which duties should be acknowledged as significant additional responsibilities, the local authority will need to consider the levels of special responsibility allowance which are attached to each post. A good starting point in determining special responsibility allowances may be to agree the allowance which should be attached to the most time consuming post on the Council (this maybe the elected mayor or the leader) and pro rata downwards for the other roles which it has agreed ought to receive an extra allowance.

60. This is known as the ‘pro rata’ approach. By definition the Leader when compared to other post holders has 100 per cent of the workload and responsibility. Thus other SRAs are arrived by assessing their roles as a pro rata of 100 per cent (of the Leader’s role). It is transparent, simple to understand and allows for greater flexibility in setting SRAs when compared to setting them as a multiple of the Basic Allowance, which is the other most common approach in setting other SRAs. Moreover, it is the most common methodology adopted by English IRPs. It is also the approach that has been adopted by previous Nuneaton and Bedworth Borough Council IRPs in recommending other SRAs. Although it is noted that due to the reduction of certain SRAs in the past the original ratios utilised are now somewhat altered.
61. The IRP has decided to maintain the pro rata approach in setting the recommended other SRAs.

## The Deputy Leader’s SRA

62. Currently the Deputy Leader’s SRA is £7,000 and currently represents 62 per cent of the Leader’s current SRA, although originally it as arrived at by setting it at 65 per cent of the Leader’s SRA. The Deputy Leader is an active role that requires generally supporting the Leader and standing in when necessary. The Deputy Leader will also attend relevant meetings alongside the Leader such as senior Officer Leadership team on a regular basis. The Deputy Leader also has an executive portfolio – Environment and Public Services. They will also when required attend meetings on the Leader’s behalf.
63. Benchmarking shows the following:
- |  |         |
|--|---------|
| • Mean Deputy Leader’s SRA benchmarking group      | £10,775 |
| • Nuneaton & Bedworth BC Deputy Leader current SRA | £7,000  |
64. Benchmarking also shows that the mean Deputy Leaders SRA is paid at 58 per cent of the mean Leaders SRA (£18,678). Thus the current ratio (62% of the Leader’s current SRA) is marginally above peers methodologically.

65. The IRP concluded that the current differential between the role of the Leader and Deputy Leader was broadly appropriate but that the Deputy Leader's SRA should be reset and be brought more in line with peers in terms of the ratio utilised. As such, in line with the pro rata approach the IRP has decided that the Deputy Leader's SRA is reset at 60 per cent of the recommended SRA (£14,675) for the Leader, which equates to £8,805. The IRP considered whether there as a case to reset the SRA for the Deputy Lead at the original ratio of 65 per cent but from the evidence received it concluded that the role of Deputy Leader had not changed to the extent that the Leader's role had changed since the last fundamental review.
66. **It is recommended that the Deputy Leader's SRA is reset at 60 per cent of the Leader's recommended SRA (£14,675), which equates to £8,805 for 2025/26, subject to any indexation that may be applicable for that year.**

#### **The Other Cabinet Members SRA (x 4)**

67. Currently the other five other Executive Cabinet Members each receive an SRA of £6,000 which currently represents 53 per cent of the Leader's current SRA, although originally it as arrived at by setting it at 55 per cent of the Leader's SRA. But it is noted that ratio (55 per cent) was utilised when there were only three other Cabinet Members. There was very some minor representation received that questioned the rationale of having four other Cabinet Members, with the recent addition of an extra post. It is not the role of the IRP to comment on how the Council determines its governance arrangements. It is noted however that the legislation permits up to 10 Executive Members (including Leader and Deputy Leader) and Nuneaton and Bedworth Borough Council only has six Executive Members in total, which would be less than typical in the benchmarking group.
68. Insofar that there was representation received regarding the SRA for the other Executive Members the general view was that the current SRA was too low. It did not recognise their workload and in particular the responsibility they held. Benchmarking shows the following:
- Mean Cabinet SRA in benchmarking group: £8,681
  - Nuneaton & Bedworth BC Cabinet Members current SRA: £6,000
69. In fact, benchmarking shows that the Cabinet Members at Nuneaton & Bedworth Borough Council receive the lowest SRA across Warwickshire and the second lowest SRA across the whole benchmarking group. The benchmarking also shows that the mean SRA for other Cabinet Executive Members is 46 per cent of the mean SRA paid to Leaders in the peer councils.
70. The IRP has not been guided by benchmarking group ratio (46 per cent) largely on the grounds that although there is an extra Cabinet Member since the last review in Nuneaton and Bedworth there tends to be slightly more of these posts in the Councils included in the benchmarking group. On the other hand, because of the additional Cabinet Member since the last review the IRP

has reset the SRA for other Cabinet Members at 50 per cent of the Leader's recommended SRA (£14,675) for the Leader, which equates to £7,338.

71. **It is recommended that the four other Cabinet Executive Members' SRA is reset at 50 per cent of the Leader's recommended SRA (£14,675), which equates to £7,338 for 2025/26, subject to any indexation that may be applicable for that year.**

### **The SRA for the Chair of the Planning Committee**

72. Currently the Chair of the Planning Committee is paid an SRA of £4,771 which currently represents 42 per cent of the Leader's current SRA, although it was originally set at 35 per cent of the Leader's SRA. The reason for this discrepancy, i.e., methodologically a much higher ratio than originally utilised, is that the Chair of the Planning Committee was one of the few SRAs that was not decreased since 2020/21.
73. The Chair of the Planning Committee is the highest paid Committee Chair across the Council. This differentiation had support in the representation received as the Planning Committee meets more often than any other committee with 12 scheduled meetings per year, plus associated site visits. On a simply workload basis chairing the Planning Committee is clearly a larger role. Moreover, it is a statutory committee that exercises regulatory functions and the Chair has to be able to chair what are often highly visible meetings dealing with contentious issues regarding planning applications and is subject to lobbying more than any other Chairman.
74. Benchmarking shows the following:
- Mean Planning Chair SRA benchmarking group: £5,874
  - Nuneaton & Bedworth BC Planning Chair current SRA: £4,771
75. Benchmarking also shows that the mean SRA paid to these Chairs is 31 per cent of the mean SRA paid to Leaders in the benchmarking group. Thus methodologically the current SRA for the Chair of Planning is high.
76. Consequently, the IRP concluded that the ratio utilised in setting the SRA for the Planning Chair was in need of resetting. In determining the appropriate ratio the IRP has been guided by the original ratio of 35 per cent of the Leader's recommended SRA (£14,675) as the appropriate ratio, which equates to £5,136.
77. **The IRP recommends that the SRA for the Chair of the Planning Committee is reset at 35 per cent of the recommended SRA (£14,764) for the Leader, which is £5,136 for 2025/26, subject to any indexation that may be applicable for that year.**

### **Chairs of the Overview and Scrutiny Panels (x 4)**

78. Currently, the four Chairs of the Overview and Scrutiny Panels are paid an SRA of £2,650 that represents 23 per cent of the Leader's current SRA, although this SRA would have originally been set at 30 per cent of the Leader's SRA. Benchmarking shows the following:
- Mean Overview and Scrutiny Chairs SRA benchmarking group: £4,700
  - Nuneaton & Bedworth Overview & Scrutiny Chairs current SRA: £2,650
79. It is noted that the SRA paid to the Chairs of the Overview and Scrutiny Panels is the lowest across the benchmarking group. This comparatively low SRA for the Chairs of the Overview and Scrutiny Panels is not repeated on a methodological basis. The benchmarking group shows that the mean SRA paid to equivalent Chairs is 25 per cent of the mean SRA paid to Leaders.
80. The IRP originally set the SRA for the Chairs of the Overview and Scrutiny Panels at 30 per cent of the Leader's SRA when there were three such Panels and there are now four in place. While the Overview and Scrutiny Panels can set up Scrutiny Working Groups they are limited in practice and the Chairs of the Overview and Scrutiny Panels are not necessarily expected to chair such Working Groups. On the other hand, they are statutory committees undertaking a statutory function, including the statutory function of Call-in of Executive functions and review and scrutiny of any actions taken in connection with the discharge of any of the functions of the Council. Furthermore it has the additional function of policy development review.
81. Consequently, the IRP concluded that this SRA should be reset in line with the mean ratio in the benchmarking group which is 25 per cent of the Leader's recommended SRA (£14,675), which equates to £3,669. The IRP was originally minded to reset this SRA somewhat higher but for the establishment of the additional Overview and Scrutiny Panel since last reviewed.
82. **The IRP recommends that the SRA for the Chairs of the Overview and Scrutiny Panels is reset at 25 per cent of the recommended SRA (£14,675) for the Leader, which is £3,669 for 2025/26, subject to any indexation that may be applicable for that year.**

### **Chair of the Audit and Standards Committee**

83. Currently, the Chair of the Audit and Standards Committee receives an SRA of £2,692 that was originally set at 20 per cent of the Leader's SRA but is now 24 per cent of the Leader's SRA as this SRA was not reduced since the last review. The Audit and Standards Committee while not a statutory committee fulfils two statutory functions and it is regarded as good practice to have a separate Committee fulfil the Audit function, 12 out of 14 of the comparator group of councils have an equivalent committee.
84. Benchmarking shows the following:
- Mean Audit Chair SRA benchmarking group: £3,625
  - Nuneaton & Bedworth BC Audit & Standards Chair current SRA: £2,692

85. Methodologically, benchmarking also shows that the mean SRA paid to equivalent posts is 19 per cent of the mean SRA paid to Leaders.
86. However, what the benchmarking does not capture is the fact that in five of the other benchmarked councils they have a separate Standards Committee where they pay their Chair an SRA, with a mean figure of £3,510. The Standards remit part of the Committee is not particularly large these days (post 2011 Localism Act). Nonetheless, the Standards and Audit Committee has five scheduled meetings per year; the second most of all the Council's Committees and Panels, partly to account for the Standards remit, which typically takes up no more than one meeting per year, mostly to revise if necessary and agree the Members Code of Conduct.
87. Moreover, there is the further remit regarding hearing complaints against Members, which if they are deemed to have merit, will be dealt with by a Sub-Committee of Audit and Standards where the Chair can (but not always) chair any hearings, although in practice there are no more than one Standards hearings per year.
88. Also, it is noted that the Audit and Standards Committee has a third remit – governance. It is responsible for ratifying changes to the Constitution for Council approval. A lot of this work is actually carried out a Constitution Review Working Group that feeds into the Audit and Standards. While the Chair of Audit and Standards is not necessarily required to chair the Constitution Review Working Group it is current practice. As a result, the IRP has not been so concerned about keeping this SRA noticeably below the mean SRA paid to Audit Chairs in the benchmarking group.
89. Finally, the IRP received representation that the work the Audit remit of this Committee has increased since the Chair's SRA was last reviewed. In particular, as financial pressures have increased the importance of ensuring the Audit remit has increased, with larger concomitant risk. It means that the Chair has to work regularly with relevant internal audit Officers as well as the external auditors.
90. Consequently, the IRP concluded that the current ratio of 24 per cent of the Leader's SRA was no longer appropriate and the IRP has reset the recommended SRA for the Chair of the Audit and Standards Committee at 30 per cent of the recommended SRA (£14,675) for the Leader, which equates to £4,403.
91. **The IRP recommends that the SRA for the Chair of the Audit and Standards Committee is reset at 30 per cent of the recommended SRA (£14,675) for the Leader, which is £4,403 for 2025/26, subject to any indexation that may be applicable for that year.**

### **Chair of the Licensing Committee**

92. Currently, the Chair of the Licensing Committee is paid an SRA of £1,000, which equates to 9 per cent of the Leader's SRA. This SRA has been reduced the most since 2020/21 when it was 20 per cent of the Leader's SRA. Benchmarking shows the following:
- Mean Licensing Chair SRA benchmarking group: £3,565
  - Nuneaton & Bedworth BC Licensing Chair current SRA: £1,000
93. Methodologically, benchmarking shows that the mean SRA paid to Licensing Chairs is 20 per cent of the mean SRA paid to Leaders.
94. Again, benchmarking shows that the SRA for the Chair of Licensing in Nuneaton & Bedworth Borough Council is methodologically and in monetary terms low. Moreover, it is the lowest amongst all peer councils.
95. The full Licensing Committee is scheduled to meet four times per year but typically two of these meetings are cancelled each year due to lack of business. However, one of the main functions of the Licensing Committee is to hold Licensing Sub-Committees, which deal with Licensing Appeals, mostly under the Licensing Act 2003 and Gambling Act 2005 plus taxi licensing appeals. Typically there are about two Licensing Sub-Committees per year. Although the Licensing Committee Chair can chair these Licensing Sub-Committees there is no expectation that they shall do so. What the benchmarking does not capture is that in many of the benchmarking group of councils there are often more Licensing Sub-Committees and their Licensing Committee Chair is expected to chair them.
96. While not a lot of representation was received regarding the SRA for the Chair of Licensing, the IRP concluded that there was not a strong case to drastically revise it. The IRP noted that in its previous review it recommended that this SRA should be paid at 10 per cent of the Leader's SRA. It received no evidence that that ratio was not still appropriate. The IRP decided that the appropriate ratio should be reset at 10 per cent of the recommended SRA (£14,675) for the Leader, which equates to £1,468.
97. **The IRP recommends that the SRA for the Chair of the Licensing Committee is reset at 10 per cent of the recommended SRA (£14,675) for the Leader, which is £1,468 for 2025/26, subject to any indexation that may be applicable for that year.**

### **Leader of the Main Opposition Group**

98. Currently the Leader of the Main (Conservative) Opposition Group receives an SRA of £2,692, which currently equates to 24 per cent of the Leader's SRA. Originally, this ratio was 20 per cent of the Leader's SRA but the ratio is now higher as it is one of the few SRAs not reduced since 2020/21. It also has historically been paid on a par with the SRA paid to the Chair of the Audit and Standards Committee.



99. Regarding the SRAs paid to the Leaders of the Main Opposition Groups benchmarking shows the following
- Mean Opposition Group Leader SRA benchmarking group: £4,650
  - Nuneaton & Bedworth Main Opposition Group Leader current SRA: £2,692
100. Benchmarking also shows that the mean SRA paid to Leaders of the Main Opposition Groups in the comparator group of councils is 25 per cent of the mean SRA paid to Leaders.
101. It is noted that the Leader of the Main Opposition has primary responsibility to provide a constructive challenge to the ruling administration and as such must develop and maintain an overview of what is going on across the whole Council. The importance of ensuring that the Opposition is properly supported is underlined by the fact that the 2003 Regulations require that where SRAs are paid that at least one must be paid to a Member of the Opposition, which almost universally means the Leader of the Main Opposition Group.
102. As such, the IRP concluded that the current ratio of 24 per cent of the Leader's SRA should be marginally readjusted and reset on a par with the mean ratio (25 per cent) in the benchmarking group. Thus, 25 per cent of the recommended SRA (£14,675) for the Leader equates to £3,669.
103. **The IRP recommends that the SRA for the Leader of the Main Opposition Group is reset at 25 per cent of the recommended SRA (£14,675) for the Leader, which is £3,669 for 2025/26, subject to any indexation that may be applicable for that year.**

#### **Leaders of Minor Opposition Groups – if reach qualifying threshold of having four Members (x 0)**

104. Previously, the IRP recommended that where a Minor Opposition Group had at least four Members then that Minor Opposition Group Leader should be paid an SRA of £200 per group Member. It is noted that provision is not currently contained in the current Members' Allowance Scheme despite the Council accepting this recommendation. This SRA is not currently payable as the only Minor Opposition Group on Council, the Greens with two Members, does not reach the qualifying threshold of having four Members
105. However, under the provisions of the Local Government Act 1989 it only takes two Members to form a political group on the Council. As such, the IRP considered whether it was appropriate for a Leader of an Opposition Group of two Members merited a SRA. It is noted that IRPs often take the view that for Leaders of Other Minor Opposition Groups to receive an SRA that a group of two Members does not reach a critical mass and will impose a qualifying criterion that an Other Opposition Group needs to reach before the Leader is paid an SRA, often set at 10 per cent of Council membership. For instance, in Warwick District Council a Leader of a Minor Opposition Group only receives a once that Group has four Members.

106. The IRP received no evidence or representation to alter the current position and has decided to maintain the qualifying criteria of reaching four Group Members before an SRA is paid to a Leader of a Minor Opposition Group.
107. Benchmarking is of limited value in this context as Leaders of Minor Opposition Groups are not always paid an SRA and where they are the level of SRA payable is largely dependent on the size of respective Minor Opposition Groups. Nonetheless, the IRP received no evidence or representation that the current level of £200 per Group Member is no longer appropriate.
108. **The IRP recommends that a Leader of the Minor Opposition Group where they reach the qualifying threshold of having four Group Members are paid an SRA of £200 per Group Member for 2025/26, subject to any indexation that may be applicable for that year.**
109. **The IRP further recommends that the provision for the SRA to be paid to a Leader of a Minor Opposition where the qualifying threshold of having at least four Group Members is inserted in the Members' Allowances Scheme.**

#### **Where there two Main Opposition Groups of equal size**

110. While the issue was not raised with the IRP considered the unlikely situation where there were two Main Opposition Groups of equal size. It is noted that the current Members' Allowances Scheme already accounts for this scenario. In particular, the allowances scheme states that where there are two Main Opposition Groups of equal size then the stated SRA for the Leader of the Main Opposition Group should be divided equally between the two Group Leaders of Main Opposition Groups of equal size
111. The IRP received no evidence or representation to change this situation. Consequently, the **IRP also recommends that where there are two Main Opposition Groups of equal size that the recommended SRA (£3,668) for the Leader of the Main Opposition Group divided by two and paid equally to each Main Opposition Group Leader. In this situation this would equate to an SRA of £1,834.**

#### **Maintaining the 'One SRA only' Rule**

112. Although it is not explicitly set out in the current Members' Allowances scheme the practice in Nuneaton & Bedworth Borough Council is to pay a Member one SRA only regardless of the number of remunerated posts they may hold. The 2003 Members' Allowances Regulations do not limit the number of SRAs a Member may receive.
113. Nevertheless, it is common for authorities to have a 'One SRA only' rule set out in their allowances scheme. The prime reason for this rule is that it can create a lack of transparency in the allowances scheme. If a Member receives

more than one SRA, the public are unable to ascertain their true level of remuneration by a reading of the Members' Allowances scheme. It can also lead to (and in some councils has led to) a situation whereby the highest remunerated Member is not necessarily the Leader, an anomalous situation which does not meet the 'feel fit and fair' test.

114. In general, in the representation received there was support to continue the one-SRA only rule. As such the IRP concluded that it should be maintained and set out in the Members' Allowances scheme. **The IRP recommends the Nuneaton & Bedworth BC Members' Allowances scheme maintains the one-SRA only rule and this provision is inserted in the Allowances Scheme so that it clarifies this position.**

### **Subsistence Allowances for within Borough duties – No Change**

115. Currently Members are only able to claim Subsistence Allowances for when they attend approved duties outwith the Borough. This practice is common nowadays. Where Members are still able to claim Subsistence Allowances for in-borough duties is a throwback to when they were a statutorily claimable allowance in the context whereby the Basic Allowance and SRAs were relatively low. This is no longer the case. There was no representation received to restore the right of Members to claim Subsistence Allowances for attending within Borough duties.
116. **The IRP recommends that Members being unable to claim Subsistence Allowances for attending in-borough duties is maintained.**

### **Subsistence Allowances for attending approved duties without the Borough**

117. Members continue to be able to claim Subsistence Allowances for attending an approved duty outside the Borough. The terms and conditions and rates at which Members can claim out of Borough Subsistence Allowances are the same that apply to Officers. It is universal that Members are able to claim out of Borough Subsistence Allowances for attending approved duties as the costs are beyond marginal. The IRP received no evidence or representation that the current terms and conditions and rates at which Members can claim out of Borough Subsistence allowances required revision.
118. **The IRP recommends that the current terms and conditions and rates at which Members can claim out of Borough Subsistence Allowances are maintained.**

### **Travel Allowances for within Borough duties – No Change**

119. The current Allowances Scheme does permit Members to claim Travel Allowances for attending in-Borough duties. In the more geographical compact councils it is normal practice these days now that the Basic Allowance and

SRAs are not insignificant sums that within-authority Travel Allowances are deemed to be covered by the Basic Allowance and SRAs.

120. The IRP discussed whether there was a case to discontinue the within-Borough Travel Allowances. However, there was some representation received arguing that there are occasions when a Member has to undertake not insubstantial travel to attend to their duties and there could be occasions when a Member would have to fork out for bus fares. While within-Borough Travel Allowances are rarely claimed the IRP concluded that it was best to maintain the current situation lest a potential barrier was imposed for being an elected Member.
121. **The IRP recommends that Members right to claim Travel Allowances for attending in-borough duties is maintained.**

### **Travel Allowances for outwith Borough duties and travel rates generally**

122. Currently, for when a Member attends an approved duty outwith the Borough they can claim Travel Allowances for public transport not exceeding “the amount of the ordinary fare or available cheap fare.” For out of Borough travel by motor vehicle then HMRC mileage rates apply.
123. This situation is normal for most local authorities and the IRP received no evidence or representation to change it. However, there is no clarity regarding where a Member claims mileage allowances for when they travel via hybrid or electric vehicle. The IRP notes that the Office of Low Emission Vehicles clarifies that when claiming business mileage by travel in a hybrid/electric vehicle that the normal HMRC rates apply with no tax or national insurance implications.
124. **The IRP recommends that the current rates for the claiming of out of Borough Travel Allowances is maintained but to future proof the travel allowances the IRP also recommends that the scheme is clarified and amended to expressly state that where a Member claims the mileage allowance by travel in a hybrid/electric vehicle that the HMRC rates are also applicable.**

### **The Dependants’ Carers’ Allowance**

125. The DCA is an allowance given statutory recognition in the 2003 Regulations and as such is now almost universally adopted by English councils. It is an allowance that a Member with caring responsibilities can claim to assist with the care of their dependents while on statutorily defined approved duties.
126. The Council does provide for a DCA. While the Dependants’ Carers’ Allowance (DCA) is rarely claimed at Nuneaton and Bedworth Borough Council there was universal support in the representation received to maintain this allowance as it helps to reduce a barrier to serving on Council for those with caring responsibilities. There may be an issue around awareness of the

DCA and its availability and there may well be a case for the Council to promote this allowance where it knows an elected Member has caring responsibilities.

127. Currently, while the allowances scheme provides for a DCA for different types of care and at maximum specified rates it does not insist that any claims need to be supported by receipts. It is simply good practice for any claims to be receipted and the IRP concluded that the Allowances Scheme should be clarified to state this requirement.
128. **The IRP recommends that the DCA is maintained with the two different categories of care at the maximum specified rates but also that the Allowances Scheme is amended so that any DCA claims will only be reimbursed upon the production of receipts. This latter provision should also be inserted into the Allowances Scheme.**

### Co-optees' Allowances

129. Currently the scheme contains provision for the payment of a Co-optees' Allowance to the co-opted Member appointed to each of the four Overview and Scrutiny Panels, as set out in the Constitution. This is an allowance payable to co-opted (non-elected) Members of Committees under the Local Government Act 2000. They have no voting rights. It is currently paid at £237 per year.
130. The IRP was informed that currently the Council has only been able to appoint a Co-optee to one of the Overview and Scrutiny Panels, leaving three vacancies. While it is not known the extent to which the current level of Co-optees Allowance (£237) is a barrier to recruitment the IRP noted that the level has remained static for at least the past six years and it does appear to be on the low side. While Co-optees' Allowances are difficult to benchmark as many District Councils do not have a Constitutional requirement to appoint them it did note that in district councils the Co-optees' Allowance typically ranges from £300-£500. This is backed up by a few specific examples from the benchmarking group:
- |  |      |
|--|------|
| • Ashfield Co-optees' Allowance          | £351 |
| • Erewash Co-optees' Allowance           | £500 |
| • Gedling Co-optees' Allowance           | £551 |
| • Rugby Co-optees' Allowance             | £547 |
| • Stratford-on-Avon Co-optees' Allowance | £416 |
| • Warwick Co-optees' Allowance           | £338 |
131. Consequently, in light of Nuneaton and Bedworth Borough Council Co-optees' Allowance being static for at least the last six years, on-going issues of recruiting the full slate of Co-optees and the comparative practice the IRP concluded that an increase was merited. The IRP has simply decided to increase the Co-optees' Allowance to £350 – which puts it at the low end of the comparative spectrum

132. **The IRP recommends that the Co-optees' Allowance is reset at £350 for 2025/26, subject to any indexation that may be applicable for that year.**

### Resetting the Telephone Allowance

133. Currently Members are automatically paid an annual Telephone Allowance of £384, which is the equivalent of £32 per month. In effect, this is a legacy allowance. In the past, when not everyone had a landline telephone, when a Member was elected the Council paid for a BT landline to be connected to a Member's home, the line rental and all Council related calls. This provision became out-dated, not to mention expensive, as home landline telephones became almost universal. With the advent of Mobile phones, the IRP discontinued the direct provision and subsidisation of Members landline telephones and replaced it with the Telephone Allowance.
134. The IRP considered whether the current Telephone Allowance was justified. There was some representation that argued the Telephone Allowance should be rebadged as an Internet Allowance as Members now need to have internet access for social media and accessing Council files and reports. However, the IRP discounted this argument. While an allowance to enable Members to access the internet was common across Councils in the past it is less so these days as the vast majority of the population now have internet access. The Office of National Statistics states that in January 2020 96 per cent of UK households had internet access, with that figure being 80 per cent in households with one adult over 65 years of age.<sup>7</sup> To rebadge this allowance as an Internet Allowance would now be largely archaic; with the very high percentage of UK households now having broadband any broadband use arising from being an elected Member is at the most marginal.
135. However, the IRP did note that largely for personal safety reasons that Members may be reluctant to give out their personal mobile phone numbers. Consequently, the Telephone Allowance can be used to buy a second SIM card and/or a second mobile phone to ensure that constituents could still contact them via phone. Indeed, there is nothing to stop a Member using part of their Telephone Allowance to subsidise their own personal home internet package. As such the IRP supported the continuation of the Telephone Allowance but not just at a rate of £32 per month. Times have moved on and a decent mobile phone and data package can be purchased for £20 per month.
136. **The IRP recommends that the Telephone Allowance is maintained but reset at £20 per month or £240 per year from start of the 2025/26 municipal year, subject to any applicable indexation in that year.**

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<https://www.ons.gov.uk/peoplepopulationandcommunity/householdcharacteristics/homeinternetandsocialmediausage/bulletins/internetaccesshouseholdsandindividuals/2020#:~:text=1.-.Main%20points,2006%20when%20comparable%20records%20began.>

## Confirming Indexation

137. The 2003 Regulations permit allowances to be automatically updated each year by an appropriate index, for a maximum of four years before the Council is required to seek further advice from its IRP. In Nuneaton & Bedworth Borough Council the main allowances have historically been indexed to what is known as the 'NJC' index. This is the annual percentage increase in local government staff salaries as agreed each year by the National Joint Council (NJC) for local government staff. For instance if staff salaries increase by 1% in any particular year then the Basic Allowance and SRAs would also be increased by the same amount
138. Under the 4-year rule the authority to index allowances lapsed in at the end of the 2023/24 municipal year. For indexation to resume the Council requires a further view from the IRP if it wishes to readopt the indexation of allowances. This four year rule is also the mechanism by which most councils ensure that their allowances scheme is subject to periodic scrutiny and the basis of this particular review.
139. In the representation received the principle of indexation had almost universal support. Moreover, the IRP notes that indexation of allowances is common practice. The IRP received no evidence to not recommend that the allowances continue to be indexed. To do otherwise would only lead to allowances decreasing in relative value over time leading to the IRP having to recommend periodic substantial increases simply to maintain their relative value.
140. The IRP points out that if there is no provision in the allowances scheme to index allowances then the Council is not able to apply an annual cost of living increase without coming back to the IRP for advice. However, where a Council has adopted indices they are under no obligation to apply them each year, which has been the case for Nuneaton and Bedworth Council for the past four years. Councils retain the right choose whether or not to apply an index to their allowances even though the provision has been adopted.
141. By using the NJC index it ensures Members and Officers are treated equally in the indexation of their salaries and allowances. If another index was utilised, such as CPI due to fluctuations it would create an inequity between the annual cost of living increase between staff and Members. The NJC index is by far and away the most common index utilised by councils to annually uprate their Basic Allowance and SRAs. The IRP supports the principle of indexation on the current basis.
142. However, for 2022/23 and 2023/24 the NJC agreed a flat rate increase across the board resulting in differential percentage increase in staff salaries depending on what Spinal Column Point (SCP) staff were on, resulting in increases of about 10 per cent for staff at the lowest SCP (2) and increases of about 4 per cent for the highest SCP (43). It appears that the same approach is going to be adopted for 2024/25. Thus by just basing indexation on the percentage increase in staff salaries there is now confusion over what percentage to apply due to variable range applied to staff salaries. To overcome this issue and provide clarity where a flat rate increase across all

salary grades the IRP previously linked the main index to SCP 49, which would always be the lowest percentage increase in this context. As such, it cannot always be seen as reasonable and not excessive.

143. However, SCP 49 has been discontinued; the highest SCP is now SCP 43. The IRP has decided to link the main indices where a flat rate increase across the board for staff salaries occurs in any particular year to SCP 43, which will always be the lowest percentage salary increase for local government staff.
144. **The IRP recommends that the Nuneaton and Bedworth Borough Council Members Allowances are indexed as follows:**
- **Basic Allowance, SRAs, Co-optees' Allowances and the Telephone Allowance:**
    - Indexed to the annual percentage salary increase for local government staff set at SCP 43 to be applied for the same year that applies to staff
  - **Subsistence Allowances:**
    - Indexed to the same rates that apply to staff
  - **Travel Allowance – Mileage Rates:**
    - Indexed to HMRC approved mileage rates for motor, hybrid and electric vehicles, motor cycles and bicycles
  - **Dependants' Carers' Allowance – Maximum Rates:**
    - Childcare element:
      - indexed to the 'national living wage' hourly rate
    - Elderly or Other Dependant Relatives element:
      - indexed to median hourly rate charged by Warwickshire County Council Social Services Department Adult Social Care for home help
145. **The IRP also recommends that the indices apply for the maximum length permitted by the 2003 Regulations namely four years and to run from start of 2025/26 municipal year until the end of the 2028/29 municipal year.**

### **Implementation of Recommendations**

146. **The IRP recommends that all the recommendations contained in this report should be implemented from the date of the Council's Annual Meeting on 14<sup>th</sup> May 2025.**



## **Appendix One: Declarations of Interest**

1. Jeff Hunt declared an interest – as a Citizen’s Advice Bureau (CAB) Trustee: CAB receives funding from Nuneaton and Bedworth Borough Council
2. Alison Thompson declared an interest – Warwickshire Community and Voluntary Action receives funding from Nuneaton and Bedworth Borough Council

**Appendix Two:  
Information considered for Nuneaton & Bedworth Borough Council – Member’s  
Allowances Review October 2024**

1. IRP Terms of Reference as agreed by the Council
2. Nuneaton & Bedworth Borough Council Members’ Members Allowances Scheme 2024/25
3. Nuneaton & Bedworth Borough Council Statutory Publication of Members’ Allowances & Expenses received 2023/24
4. Independent Remuneration Panel, Review of Allowances for Nuneaton & Bedworth Borough Council, Report July 2021
5. Council Minutes relating to the IRP July 2021 Report, 14<sup>th</sup> July 2021
6. Nuneaton & Bedworth average hourly earnings – including overtime – ASHE Table 7.5a work geography, 2023, Office of National Statistics
7. Nuneaton & Bedworth Borough Council, Terms of Reference for Committees, Panels, etc., including membership of Executive, Committees and who chairs them
8. Political makeup of Council and Council Structure Diagram
9. Schedule of Council Meetings 2024/25
  - Including number of Licensing Sub-Committee meetings over the past 4 years and who chaired them
  - Plus number of Standards Hearings over the past 4 years and who chaired them
10. Copy of Questionnaire sent to all Councillors for IRP Review 2024, to use as basis for Member interviews
11. Copies of written submissions received
12. Report to Annual Council 15<sup>th</sup> May 2024, from Assistant Director – Democracy & Governance and Solicitor to the Council (Monitoring Officer), “Changes to the arrangements to Executive Arrangements; Overview & Scrutiny Panels and Committees”
13. New Council Constitution: Guidance on Regulation for Local Authority Allowances, Department of Communities and Local Government, May 2006 (extract)
14. Local Government Association, summary of hours worked (Mean Per Week/Type of Council by position held) by Councillors, Census of Councillors 2022

15. NJC for Local Government Services, showing pay offer of £1,290 increase for 2024/25, equal to 2.5% at SCP 43
16. Statutory Instrument 2003 No. 1021, *The Local Authorities (Members' Allowances) (England) Regulations* 1st May 2003
17. Benchmarking data (BM1-3) summary of Allowance Schemes from five comparator District Councils in Warwickshire plus two adjacent District Councils of Tamworth and Hinckley & Bosworth and eight CIPFA Nearest Neighbours
18. Copy of presentation by Declan Hall (Chair of Panel): Reviewing Allowances: The Nuneaton & Bedworth Borough Council remuneration model, regulatory requirements, issues and approaches
19. Office for Low Emissions Vehicles, Ultra Low Emission Vehicles Tax Benefits , 14<sup>th</sup> May 2018

## **Appendix Three: Members and Officers who met with the IRP**

### **Members**

Cllr S. Hey	Cabinet Member for Resources & Customer Services (Labour)
Cllr M. Kondakor	Leader Green Group
Cllr C. Watkins	Leader of the Council, Cabinet Member for Housing and Leader of the Labour Group
Cllr K. Wilson	Leader of Main (Conservative) Opposition Group

### **Officers who provided a factual briefing to the IRP**

Tom Shardlow	Chief Executive
Matthew Wallbank	Assistant Director – Democracy & Governance
Kelly Baxter	Democratic Services Team Leader

In addition, the IRP received three written submissions from elected Members

### Appendix Four: Benchmarking

BM1 Nun & Bed BM Group – 5 Warwicks + 2 Adjacent + 8 CIPFA NNs District Councils: BA + Exec + Scrutiny SRAs (2023/24 - unless indicated)									
Comparator Council	BA	Leader/Mayor	Leader Total	Deputy Leader/Mayor	Other Cabinet	Chairs Main O&S	V/Chairs Main O&S	Chairs Scrutiny	V/Chairs Scrutiny
Ashfield	£7,884	£23,301	£31,185	£17,476	£13,981	£9,321	£3,495	£6,990	£1,981
Mansfield	£6,386	£49,377	£55,763	£16,692	£13,828			£6,921	
Cannock Chase	£5,706	£19,403	£25,109	£9,903	£8,578	£3,792			
Erewash (22/23)	£4,321	£14,320	£18,641	£8,592	£6,334	£3,727	£1,262		
Gloucester	£6,716	£23,506	£30,222	£15,111	£11,753	£5,373			
Newcastle-under-Lyme (22/23)	£3,365	£13,590	£16,955	£9,510	£5,660			£2,830	
Gedling	£4,861	£16,594	£21,455	£13,275	£8,297	£4,149			
Tamworth	£5,864	£14,676	£20,540	£11,005	£9,539			£6,604	
Hinckley & Bosworth (20/21)	£5,280	£16,830	£22,110	£8,250	£7,260	£4,620		£3,300	
North Warwickshire	£5,414	£11,951	£17,365	committee system					
Rugby	£7,420	£14,053	£21,473	£6,184	£6,184			£3,710	
Stratford-on-Avon	£6,367	£14,325	£20,692	£7,879	£7,163	£5,730			
Warwick	£6,341	£18,389	£24,730	£9,195	£8,275			£4,597	
<b>Nuneaton &amp; Bedworth</b>	<b>£5,134</b>	<b>£11,300</b>	<b>£16,434</b>	<b>£7,000</b>	<b>£6,000</b>			<b>£2,650</b>	
<b>Mean</b>	£5,790	£18,687	£24,477	£10,775	£8,681	£5,245		£4,700	
<b>Median</b>	£5,785	£15,635	£21,464	£9,510	£8,275	£4,620		£4,154	
<b>Highest</b>	£7,884	£49,377	£55,763	£17,476	£13,981	£9,321		£6,990	
<b>Lowest</b>	£3,365	£11,300	£16,434	£6,184	£5,660	£3,727		£2,650	
<b>N&amp;B RATIOS</b>		2.2 x BA		62%	53%			23%	
<b>SRAs Mean Ratios of Leader</b>		3.2 X BA		58%	46%	28%		25%	

### Appendix Four: Benchmarking (continued)

BM2 Nun & Bed BM Group – 5 Warwicks, 2 Adjacent & 8 NNs DCs: Regulatory SRAs (2023/24 - unless indicated)								
Comparator Council	Chairs Planning	Planning V/Chair	Chair Licensing	Licensing V/Chair	Licensing Panel Chair	Chair Standards Inc. Personnel	Chair Audit (& Governance)	V/Chair Audit
Ashfield	£9,321	£3,495	£4,660			£4,660	£4,660	
Mansfield	£9,588		£7,505			£4,937		
Cannock Chase	£4,619		£1,982				£1,982	
Erewash (22/23)	£3,792	£1,262	£3,792	£1,262		£3,792	£3,792	£1,262
Gloucester	£5,373	£1,343	£3,358				£3,358	
Newcastle-under-Lyme (22/23)	£4,230		£3,430				£2,830	
Gedling	£5,808		£5,808			£1,659	£4,149	
Tamworth	£6,604		£1,467				£3,667	
Hinckley & Bosworth (20/21)	£5,500		£2,500			£2,500	£4,620	
North Warwickshire	£5,421	£1,899	£1,899					
Rugby	£4,330		£4,330				£3,574	£1,524
Stratford-on-Avon	£6,447	£1,289	£3,582		£1,791		£3,582	
Warwick	£6,437		£4,597				£4,597	
<b>Nuneaton &amp; Bedworth</b>	<b>£4,771</b>		<b>£1,000</b>				<b>£2,692</b>	
Mean	£5,874	£1,858	£3,565			£3,510	£3,625	
Median	£5,461	£1,343	£3,506			£3,792	£3,625	
Highest	£9,588	£3,495	£7,505			£4,937	£4,660	
Lowest	£3,792	£1,262	£1,000			£1,659	£1,982	
N&B Ratios	42%		9%				24%	
Mean Ratio Leader/SRA	31%	32%	19%			19%	19%	

### Appendix Four: Benchmarking (continued)

BM3 Nun & Bed BM Group: 5 Warwicks, 2 Adjacent & 8 NNs DCs - Group & Misc SRAs (2023/24 - unless indicated)					
Comparator Councils	Main Opposition Group Leader	Deputy Leaders Main Opposition	Shadow Executive Members	Minor Opposition Group Leader	Other SRAs & Comments
Ashfield	£5,825			£365 p/Mbr	Chair + V/Chair Local Plan Development Committee £6,990/£1,981
Mansfield	£2,588		£1,282	£1,280	Flat rate banded internal travel allowance £165/£230/£448
Cannock Chase	£7,260				Communications Allowance £400 p/year
Erewash (22/23)	£5,780	£824	£549		Chairs Driving Licensing Panel + GP Committee £3,792, V/Chairs Driving Licensing Panel + GP + Standards Committees £1,262, Chair + V/Chair of Council £3,992/£1,329
Gloucester	£6,716	£1,679		£6,716	Mayor £4,030, Dep Mayor £1,343, Dep Leader Minor Opposition Group £1,679
Newcastle-under-Lyme	£1,130			£1,130	Mayor + Deputy Mayor £13,921/£3,480
Gedling	£5,705			£692	Deputy Exec Member £2,074, Opposition Group Whip £1,557, Majority Group Whip £4,497
Tamworth	£6,604	£3,667		£1,467	If Main Opposition Group < 7 Members Deputy Leader SRA £2,201
Hinckley & Bosworth (20/21)	£4,620			£4,620	Appeals Panel Chair £2,500, Mayor + Dep Mayor £8,000/£3,00, 50% of 2nd SRA paid bar Leader & Dep Leader
North Warwickshire	£4,055	£1,899		£1,899	Chairs + V/Chairs Community + Resources Boards £5,421/£1,899, Chairs Safer Communities + Special Subs £1,899
Rugby	£3,093			£1,109	Chair of Shareholders Committee £3,575, Mayor £4,133
Stratford-on-Avon	£4,597			£2,149	Chair Council £3,582, Planning Committee Members £645
Warwick	£4,429			£1,839	Chairs Warwick Town Forum £920, Employment Committee £1,839 + Programme Advisory Board £368, Planning Mbrs £644
<i>Nuneaton &amp; Bedworth</i>	<b>£2,692</b>			<b>£200 p/Mbr</b>	<b>Tel Allowance £383, Minor Opposition Group Leader SRA only if Group has at least 4 Members</b>
<b>Mean</b>	<b>£4,650</b>	<b>£2,017</b>		<b>£2,290</b>	
<b>Median</b>	<b>£4,609</b>	<b>£1,789</b>		<b>£1,653</b>	
<b>Highest</b>	<b>£7,260</b>	<b>£3,667</b>		<b>£6,716</b>	
<b>Lowest</b>	<b>£1,130</b>	<b>£824</b>		<b>£692</b>	
N&B Ratios	24%				
Mean Ratio Leader/SRA	25%	<b>43%</b>		12%	

NUNEATON AND BEDWORTH BOROUGH COUNCIL

**Report to: Council – 11 December 2024**

**From: Tom Shardlow, Chief Executive and Head of Paid Service**

**Subject: APPOINTMENT OF MONITORING OFFICER**

**Portfolio: All Portfolios**

**Building a Better Borough Priority: All**

**Building a Better Borough Aim : All**

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1. Purpose of Report

To request approval to designate the role of Monitoring Officer to the post of Assistant Director – Democracy and Governance and to appoint the current post holder Matthew Wallbank to the role of Monitoring Officer with effect from 13<sup>th</sup> January 2025.

2. Recommendations

2.1 To designate the role of the Monitoring Officer to the post of the Assistant Director – Democracy & Governance and to appoint the current post holder Matthew Wallbank as Monitoring Officer with effect from 13<sup>th</sup> January 2025.

3. Background

3.1 Under Section 5 of the Local Government and Housing Act 1989 the Council has a duty to designate one of its officers as Monitoring Officer to ensure the lawfulness and fairness of Council decision making. The Monitoring Officer has a specific duty to ensure that the Council, its officers and its Elected Members maintain the highest standards of conduct.

3.2 In order to ensure separation of roles, the Monitoring Officer cannot also fulfil the duties of either of the Council's other Statutory Officers – the Head of Paid Service and the Chief Finance Officer [Section 151] (CFO).

3.3 The list of functions below [reproduced from Article 11.3 of the Council's Constitution] reflect the statutory duties and powers of Monitoring Officers. These duties must be carried out personally by the Monitoring Officer, although he/she can nominate a deputy to cover for periods of absence or illness, and the Monitoring Officer must do so [Note it is the responsibility of the Monitoring Officer, not the Council, to nominate a deputy]. The Council shall ensure that the Monitoring Officer has free and unfettered access, as necessary, to meetings, documentation, Members and employees to enable him/her to carry out these statutory duties.



a) Maintaining the Constitution

The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is widely available for consultation by Members, employees and the public.

b) Ensuring Lawfulness and Fairness of Decision-Making

After consulting with the Head of Paid Service and Chief Finance Officer, the Monitoring Officer will report to the Full Council (or to the Cabinet in relation to an Executive function) if he or she considers that any proposal, decision or omission would give rise to unlawfulness, or if any decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.

c) Supporting the Audit and Standards Committee

The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Audit and Standards Committee.

d) Receiving Complaints about Councillor Conduct

The Monitoring Officer will receive and act on a complaint in accordance with the Council's approved procedures for dealing with a complaint against an Elected Member.

e) Conducting Investigations

The Monitoring Officer will conduct investigations and make reports or recommendations in respect of them to the Audit and Standards Committee. 2 - 38 Constitution Version 1 May 2022 (updated July 2022)

f) Advising whether Executive Decisions are within the Budget and Policy Framework

The Monitoring Officer will advise whether decisions of the Cabinet are in accordance with the Budget and Policy framework.

g) Providing Advice

The Monitoring Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and Budget and Policy framework issues to all Members.

## 4 Report

### 4.1 In May 2023 Council, the Council's Head of Legal Services (Waheeda Sheikh) was appointed as the Council's Monitoring Officer. For the avoidance of any doubt, the

Head of Legal Services was retitled to Solicitor to the Council following a review of the Legal Team in April 2024.

- 4.2 Due to resignation, the Council's current Monitoring Officer will leave the Council's employment on 12<sup>th</sup> January 2025. Therefore, the Council needs to appoint a new Monitoring Officer with effect from 13<sup>th</sup> January 2025.
- 4.3 The Golden Triangle model of Local Government assurance and decision making (Head of Paid Service, S151 Officer and Monitoring Officer) is well established as the gold standard, within Local Government. The resignation of the incumbent Monitoring Officer has afforded the opportunity to reflect on the effectiveness of Council's 'Golden Triangle' and it is the view of the Head of Paid Service, that the triangle is best served by the Monitoring Officer duties being designated to a post of greater seniority within the organisation. The Democracy and Governance, Assistant Director post, meets this aspiration.
- 4.4 In respect of this it is recommended that Matthew Wallbank, the Borough Council's current Assistant Director – Democracy & Governance is appointed to the role of Monitoring Officer with effect from 13<sup>th</sup> January 2025, and the Monitoring Officer post be permanently designated to this post .

Tom Shardlow

**NUNEATON AND BEDWORTH BOROUGH COUNCIL**

**Report to:** Licensing Committee – 25<sup>th</sup> September 2024

**From:** Assistant Director – Environment and Enforcement

**Subject:** Gambling Act 2005 – Statement of Licensing Policy 2025-2028

**Portfolio:** Planning and Regulation - Councillor Rob Roze

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1. Purpose of Report

To consider a revised Gambling Statement of Licensing Policy following consultation.

2. Recommendation

The revised Statement of Licensing Policy be approved by this Committee and that a recommendation be forwarded to Full Council for adoption of this Policy in accordance with the legislative provisions.

3. Background

- 3.1 A previous report and draft policy was brought before this Committee on the 26<sup>th</sup> June 2024 requesting that the draft policy be circulated for consultation purposes.

The review of the Gambling Statement of Licensing Policy (Appendix 1) has been undertaken in accordance with the requirements of the Gambling Act 2005. This review has been completed in conjunction with all the other Warwickshire Authorities and Coventry City Council with the intention of seeking consistent policies thereby assisting the trade, the public and responsible authorities.

- 3.2 The draft statement was published on the Council's website and consultation letters / e-mails sent to trade representatives and responsible authorities, as required.

- 3.3 The consultation period ended on 28<sup>th</sup> August 2024. This Authority has received no adverse comments, regarding the Policy and the only comment received was from a member of the public via email which read as follows: *The provision of service should be controlled per capita of an area. There are too many gambling betting premises in Nuneaton town centre. Typically I see people on low income unemployed hanging around outside them or walking into them off the streets. In particular I'm concerned about gambling being seen as something attractive for children to aspire to, there should be safeguards.*

3.4 The Statement of Licensing Policy needs to be forwarded to Full Council for ratification / adoption to come into effect on 31<sup>st</sup> January 2025.

Alistair Blunkett  
Assistant Director - Environment and Enforcement



**Gambling Act 2005**

**Statement of  
Licensing Policy  
2025-2028**

**Covering the period  
31<sup>st</sup> January 2025 to 30th January 2028**

**Adopted by the Council on**

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### **Supporting documentation**

Nuneaton and Bedworth Borough Council, in conjunction with other Warwickshire Authorities and Coventry City Council, and in consultation with the responsible authorities, has devised a generic policy to promote and aid consistency in licensing matters.

### **Important Note**

In producing this Statement of Gambling Policy the Licensing Authority is aware that the Government may amend the Gambling Act 2005, subordinate legislation and statutory guidance.

Any such amendments made in the future will only be incorporated into subsequent Policy Statements and not this policy document and readers of this document are advised to check on the Gambling Commission/Gov.uk websites to ensure they have the latest information.

**GAMBLING ACT 2005**  
**GAMBLING POLICY**  
**STATEMENT OF PRINCIPLES**

**1. Introduction**

1.1 Nuneaton and Bedworth Borough Council, as the Licensing Authority (referred to in this Statement as the Authority), makes this Statement of Principles in pursuance of its powers and duties under Section 349 of the Gambling Act 2005 (referred to in this Statement as “the Act”) and sets out the Authority’s approach in dealing with its responsibilities under the Act.

1.2 The Council is situated in the north of Warwickshire, which contains five district councils. The Borough has a population of 130,406 (2021 estimate) making it the third largest in the county in terms of population but it is the smallest in terms of area. The Borough is largely urban in character with three main centres of habitation (Nuneaton, Bedworth and Bulkington). There are narrow areas of countryside between the areas of habitation.

1.3 List of Consultees

The Authority has consulted the following on the content of this Statement of Principles:

- Responsible Authorities
- Holders of existing licences, permits and registrations
- Representatives of businesses
- Representatives of persons carrying on gambling businesses in the area.
- Local bodies representing consumers.
- Local bodies representing vulnerable persons
- Departments within the Council with an interest in the licensing of gambling

1.4 In preparing this statement, the Authority has had regard to the provisions of the Act, the Guidance issued by the Gambling Commission, Regulations made by the Secretary of State and responses to its consultations.

**2. Gambling Act 2005**

2.1 The Act specifies licensing objectives which are central to the regulatory regime, these are:-

- preventing gambling from being a source of crime and disorder, being associated with crime or disorder, or being used to support crime
- ensuring that gambling is conducted in a fair and open way’ and
- protecting children and other vulnerable persons from being harmed or exploited by gambling.

2.2 In carrying out the licensing function under the Act the Authority will aim to permit the use of premises for gambling as long as it is considered to be :-

- in accordance with any relevant codes of practice issued by the Gambling Commission
- in accordance with any relevant Guidance issued by the Gambling Commission;

- in accordance with this Statement of Principles, and
- reasonably consistent with the licensing objectives.

2.3 The Act provides for 3 categories of licence:

- operating licences
- personal licences, and
- premises licences

2.4 The Authority will be responsible for issuing premises licences. The Gambling Commission will be responsible for issuing operating and personal licences.

2.5 This statement will come into force on 31st January 2025 and will have effect until 30th January 2028, being kept under review and revised or amended as required following consultation.

### 3. **Authorised Activities**

3.1 'Gambling' is defined in the Act as either gaming, betting, or taking part in a lottery, further defined as follows:

- gaming means playing a game of chance for a prize
- betting means making or accepting a bet on the outcome of a race, competition, or any other event, the likelihood of anything occurring or not occurring; or whether anything is true or not
- a lottery is where persons are required to pay in order to take part in an arrangement, during the course of which one or more prizes are allocated by a process which relies wholly on chance

3.2 The main functions of the Licensing Authority are to:

- license premises for gambling activities
- grant permits for gambling and gaming machines in clubs
- regulate gaming and gaming machines in alcohol licensed premises
- grant permits to family entertainment centres for the use of certain lower stake gaming machines
- grant permits for prize gaming
- consider notices given for the temporary use of premises for gaming
- receive occasional use notices for betting at tracks, and
- register small societies lotteries

3.3 Spread betting (see definitions in Appendix 1) is regulated by the Financial Services Authority. Remote Gambling (see definitions in Appendix 1) is dealt with by the Gambling Commission. The National Lottery is regulated by Gambling Commission.

### 4. **General Statement of Principles**

4.1 The Authority recognises the wide variety of premises which will require a licence or a permit. These include casinos, betting shops, bingo halls, pubs, clubs, amusement arcades and racing tracks.

4.2 In carrying out its licensing functions the Authority will have regard to Guidance issued by the Gambling Commission.



- 4.3 The Authority will not seek to use the Act to resolve matters more readily dealt with under other legislation. This Statement of Principles will avoid duplication with other regulatory regimes wherever possible. In considering applications, and taking enforcement action, under the Gambling Act 2005 the Authority will have regard to the provisions of the Human Rights Act 1998.
- 4.4 To ensure the licensing objectives are met the Authority will establish a close working relationship with the police, the Gambling Commission and other responsible authorities.
- 4.5 Premises licences granted must be reasonably consistent with the licensing objectives. Regarding these objectives, this Authority has considered the Gambling Commission's Guidance to local authorities. However, the overriding principle is that each application and the circumstances prevailing at each premises will be considered on their own individual merits.
- 4.6 In its Guidance to Local Authorities the Gambling Commission suggest that Licensing Authorities should adopt a "Local Area Profile". A Local Area Profile is created by gathering information about a locality and any particular areas of concern within that locality. Where evidence is submitted to the Licensing Authority which identifies any areas of concern it is intended to produce a Local Area Profile separate to this Statement. Once adopted, the Local Area Profile would assist the Authority and Operators in identifying specific local risks within the District.
- 5. Preventing gambling from being a source of crime and disorder, being associated with crime and disorder or being used to support crime.**
- 5.1 The Gambling Commission will play a leading role in preventing gambling from being a source of crime and will maintain rigorous licensing procedures that aim to prevent criminals from providing facilities for gambling or being associated with providing such facilities.
- 5.2 When applying to this Authority for a premises licence the applicant will have to hold an operating licence from the Commission before a licence can be considered and issued and therefore the Council will not be concerned with the suitability of the applicant. Where concerns about a person's suitability arise, the Authority will bring those concerns to the attention of the Commission. The Authority will have to be satisfied that the premises will not adversely affect this licensing objective and is compliant with the Commission's Guidance, codes of practice and this gambling licensing policy.
- 5.3 The Authority will expect the applicant to have a good understanding of the local area in which they either operate or intend to operate. The applicant will have to provide evidence that they meet the criteria set out in this policy and demonstrate that in operating the premises they will have regard to this objective. Operators need to be aware of how the operation of their premises may impact on this objective. The Authority will expect applicants to provide details as to their crime prevention measures and any risk assessments that they have carried out.
- 5.4 To prevent gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime, the Authority will apply the following criterion and take into account the following considerations, where relevant, in determining applications and reviews.

**Criterion:**

Whether the premises make or will make a contribution to the levels of crime and disorder and whether the applicant has demonstrated that he has, or intends to, implement sufficient controls to prevent the premises being a source of, and/or associated with, crime or disorder, or being used to support crime if the application is granted.

**Considerations:**

- Where an area is known for high levels of crime the Authority will consider carefully whether gambling premises are suitable to be located there, and whether additional conditions may be necessary, such as the provision of CCTV, minimum levels of staffing and licensed door supervisors.
- Whether there is a history of crime or disorder associated with the premises, or its use by those involved in crime to associate or dispose of the proceeds of crime.
- Whether the layout, lighting and fitting out of the premises have been designed so as to minimise conflict and opportunities for crime and disorder.
- Whether sufficient management measures are proposed or are in place to prevent the premises being a source of, or associated with, crime or disorder, or used to support crime either as a place of association or to avoid being apprehended.
- The Authority will also consider the location of the premises in the context of this licensing objective. If an application is received in relation to premises that are in an area noted for particular problems with organised crime or a premises that has previously been a focus for antisocial behaviour, the Authority will expect applicants to demonstrate that they have sufficient measures in place to prevent or deter people involved from using their premises and will also consider conditions being put on the licence to promote this licensing objective.
- Whilst issues of nuisance are not included specifically in the gambling objectives and cannot be addressed via the Gambling Act, the Council may consider, when making decisions on the applications for premises licences, that extreme instances of public nuisance and/or persistent public nuisance may constitute disorder and/or crime for the purposes of this objective.

**6. Ensure Gambling is conducted in a fair and open way**

- 6.1 Generally the Commission would not expect Licensing Authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be a matter for either the management of the gambling business, and therefore subject to the operating licence, or will be in relation to the suitability and actions of an individual and therefore subject to the personal licence.
- 6.2 In relation to the licensing of tracks the Licensing Authority's role will be different from other premises in that track operators will not necessarily have an operating licence.

In those circumstances the premises licence may need to contain conditions to ensure that the environment in which betting takes place is suitable.

**Criterion:**

Whether the premises will operate measures that will ensure that the gambling activity is conducted in a fair and open way.

**Considerations:**

- Whether the layout, lighting and fitting out of the premises have been designed so as to ensure gambling is conducted in a fair and open way.
- Whether sufficient management measures are proposed or are in place to ensure that gambling is conducted in a fair and open way.
- Whether the management and operation of the premises is open and transparent.
- Whether the operators of the premises have been or will be fully cooperative with enforcement agencies.
- Whether the Commission's codes of practice have been complied with.

**7. Protecting children and other vulnerable persons from being harmed or exploited by gambling**

7.1 The Gambling Commission's Guidance states that one of the aims of this objective is to prevent children from taking part in gambling (as well as restricting advertising so that gambling products are not aimed at, or are particularly attractive to, children).

7.2 Both the Act and Gambling Commission Guidance do not define the term 'vulnerable'. For regulatory purposes the Commission states that it assumes 'vulnerable' persons includes:

- people who gamble more than they want to
- people who are gambling beyond their means, and
- people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.

This is the definition the Authority will use in its consideration of applications.

7.3 The Authority will pay particular attention to any codes of practice which the Gambling Commission issues in relation to specific premises such as casinos. It will consider this licensing objective on a case-by-case basis, and where necessary add conditions to promote this objective.

7.4 To protect children and other vulnerable persons from being harmed or exploited by gambling, the Authority will apply the following criterion and take into account the following considerations, where relevant, in determining applications and reviews.

**Criterion:**

Whether there are appropriate measures in place to protect children and other vulnerable persons from being harmed or exploited by gambling.

**Considerations:**

- Whether the operator has a specific training programme for staff to ensure that they are able to identify children and vulnerable people and take appropriate action to have regard to this objective to exclude them from the premises or parts of the premises.
- If the premises is an adult-only environment, whether the operator has taken effective measures to implement an appropriate proof of age scheme to ensure that no one under the age of 18 is admitted to the premises or restricted areas.
- Whether there is provision for self-barring schemes and provision of information leaflets/helpline numbers for organisations such as GamCare
- Whether the layout, lighting and fitting out of the premises have been designed so as to not attract children and other vulnerable persons who might be harmed or exploited by gambling.
- Whether sufficient management measures are proposed or are in place to protect children and other vulnerable persons from being harmed or exploited by gambling.
- Whether any promotional material associated with the premises could encourage the use of the premises by children or young people.
- The Authority will also consider the location of the premises in the context of this licensing objective. If an application for a gambling premises is received for a location within a sensitive area or in close proximity to what are considered to be sensitive areas the Authority will expect applicants to demonstrate that they have sufficient and suitable control measures in place to promote this licensing objective.

**8. Premises Licences**

8.1 Section 150 of the Act permits the issue of premises licences authorising the provision of facilities at the following:-:

- casino premises
- bingo premises
- betting premises, including tracks and premises used by betting intermediaries
- adult gaming centres
- family entertainment centres

8.2 Premises can be 'any place' but the Act prevents more than one premises licence applying to any one place. A single building could be subject to more than one

premises licence provided they are for different parts of the building and those parts can be genuinely regarded as being different 'premises'.

- 8.3 A particular requirement might be for entrances and exits from parts of a building covered by one or more licences to be separate and identifiable so that the separation of the premises is not compromised and that people are not allowed to 'drift' accidentally into a gambling area.
- 8.4 Where the Authority has concerns about the use of premises for gambling it will seek to address this through licence conditions wherever possible.
- 8.5 Other than an application for a betting premises licence in respect of a track, the Authority is not able to issue a premises licence unless the applicant holds the relevant operating licence from the Gambling Commission.
- 8.6 When considering applications for premises licences the Authority will not take into consideration either the expected 'demand' for facilities or the likelihood of planning permission being granted.
- 8.7 The Authority will maintain a register of premises licences issued and will ensure that the register is open for public inspection at all reasonable times.

## **9. Location**

- 9.1 This Authority is aware that demand issues cannot be considered with regard to the location of premises either at Authority-wide or more local scale. However, the Authority will pay particular attention to the suitability of a location for gambling activity in terms of the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder.
- 9.2 Applicants will have to clearly show that they have considered the potential impact of their proposed business on the licensing objectives and provide information on how they plan to reduce or remove any likely adverse impact on them. The supporting information may contain the following information:
  - how the premises will restrict access to children, young people or other vulnerable persons,
  - whether a proof of age scheme is being used,
  - will the appropriate number of security staff be employed at appropriate times,
  - will opening times be set so that the premises are not open during school start and finish times,
  - what procedures and staff training are in place to identify vulnerable persons such as problem gamblers, those who are inebriated through drink or drugs, etc.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

- 9.3 The Authority will consider proposals for new gambling premises that are near sensitive areas such as hostels or other accommodation or centres catering for vulnerable people, including those with mental disabilities or learning difficulties, and those with problem gambling or with alcohol or drug abuse problems, in the light of the gambling objectives.

9.4 It should be noted that each application will be decided on its own merits, but the onus will be upon the applicant to show how the potential concerns can be overcome. This may be achieved by local risk assessments.

## **10. Primary Activity**

10.1 The primary activity of each premises licence type is specified on the premises licence when it is issued. The Authority will take decisions in accordance with the Commission's Guidance and codes of practice on primary gambling activity and will have regard to the advice which it issues from time to time. Applicants are expected to operate premises in line with the Commission's Guidance and conditions on their operator's licence. The Authority will monitor the operation of premises and may report any potential breach of operating licence conditions to the Commission. Applications for new premises licences, or to vary an existing licence, will be expected to be clear that the premises are intended to be used for the primary gambling activity proposed.

10.2 It should be noted that the Act does not permit a premise to be licensed for more than one gambling activity.

## **11. Responsible Authorities**

11.1 These are generally public bodies that must be notified of all applications and who are entitled to make representations to the Authority if they are relevant to the licensing objectives.

11.2 Section 157 of the Gambling Act 2005 identifies the bodies that are to be treated as responsible authorities. In relation to the Authority's area, these are:

- The Licensing Authority itself
- The Gambling Commission.
- The chief officer of police/chief constable for the area in which the premises is wholly or partially situated
- The fire and rescue authority for the same area
- The local planning authority.
- An authority with functions in relation to pollution of the environment or harm to human health
- A body designated in writing by the Licensing Authority as competent to advise about the protection of children from harm (see paragraphs 11.3 and 11.4 set out below)
- HM Revenue & Customs, and
- Any other person prescribed in regulations by the Secretary of State.

Section 211(4) of the Act provides that in relation to a vessel, but no other premises, responsible authorities also include navigation authorities within the meaning of section 221(1) of the Water Resources Act 1991 that have statutory functions in relation to the waters where the vessel is usually moored or berthed or any waters where it is proposed to be navigated at a time when it is to be used for licensable activities.

11.3 The Authority is required to set out the principles to be applied in exercising its powers to designate, in writing, a body which is competent to advise about the protection of children from harm. The principles applied in designating such a body are:

- the body must be responsible for covering the whole of the Authority's area, and

- the body should be answerable to democratically elected persons rather than any particular vested interest groups etc.

11.4 The body designated for protection of children from harm is the Strategic Commissioning People Group. Details of this and all other responsible authorities are available on [www.nuneatonandbedworth.gov.uk](http://www.nuneatonandbedworth.gov.uk) and in printed form available from the Authority.

## 12. Interested Parties

12.1 Interested parties can make representations about licence applications, or apply for a review of an existing licence, based on the principles detailed in section 2 of this policy statement.

An interested party is someone who:

- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities,
- b) has business interests that might be affected by the authorised activities, or
- c) represents persons in either of the two groups above

12.2 The principles the Authority will apply to determine whether a person is an interested party are:

- Interested parties could include trade associations and trade unions, and residents' and tenants' associations. This Authority will not however generally view these bodies as interested parties unless they have a member who can be classed as an interested person under the terms of the Gambling Act 2005 e.g. lives sufficiently close to the premises or has business interests likely to be affected by the activities being applied for.
- Interested parties can be persons who are democratically elected such as Councillors and MPs. No specific evidence of being asked to represent an interested person will be required as long as the Councillor/MP represents the ward likely to be affected. Other than these persons, this Authority will require written evidence that a person 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.
- Each case will be decided upon its merits. This Authority will not apply a rigid rule to its decision making. It will consider the examples of considerations provided in the Gambling Commission's Guidance for local authorities.

12.3 If individuals wish to approach Councillors to ask them to represent their views then care should be taken that the Councillors are not part of the Licensing Committee dealing with the licence application or in any other way have a personal interest that would preclude them from participating in a licensing hearing. If there are any doubts then please contact Licensing Services for advice.

12.4 It should be noted that, unlike the Licensing Act 2003, the Gambling Act 2005 does not include as a specific licensing objective the prevention of public nuisance. There is however other relevant legislation which deals with public nuisance.

### **13. Representations**

- 13.1 The Authority is obliged to consider representations from ‘responsible authorities’ and ‘interested parties’ and must determine whether representations are admissible. A representation is inadmissible if not made by a responsible authority or an interested party.
- 13.2 The only representations likely to be relevant are those that relate to the licensing objectives, or that raise issues under this statement or the Commission’s Guidance or codes of practice. The Authority must determine the relevance of the representation.
- 13.3 Any concerns that responsible authorities have in relation to their own functions cannot be considered if they are not relevant to the application for a premises licence and the licensing objectives.
- 13.4 The Authority may, in certain circumstances, consider a representation to be either frivolous or vexatious. This will generally be a matter of fact given the circumstances of each individual case but before coming to a decision the Authority may consider the following:
- who is making the representation and whether there is a history of making representations that are not relevant
  - whether it raises a ‘relevant’ issue or not, or
  - whether it raises issues specifically to do with the premises which are the subject of the application.

### **14. Conditions of Licence**

- 14.1 Premise licenses are subject to mandatory and default conditions and that these conditions are usually sufficient to ensure operation that is reasonably consistent with the licensing objectives.
- 14.2 Conditions imposed by the Authority may be general in nature by applying to all licences, or those of a particular type, or they may be specific to a particular licence.
- 14.3 The Authority will not generally impose additional conditions that limit the use of premises for gambling unless it is deemed to be necessary as a result of the requirement to act in accordance with the Gambling Commission’s Guidance, any codes of practice issued by the Commission, this Statement of Principles or in a way that is reasonably consistent with the licensing objectives.
- 14.4 Any conditions imposed by the Authority will be proportionate to the circumstances they are intended to address. In particular, the Authority will ensure that any conditions are:
- relevant to the need to make the premises suitable as a gambling facility
  - directly related to the premises and the type of licence applied for
  - fairly and reasonably related to the scale and type of premises
  - reasonable in all other respects, and
  - decided on a case-by-case basis.
- 14.5 The Authority will not consider imposing conditions:
- which make it impossible to comply with an operating licence condition imposed by the Gambling Commission
  - relating to gaming machine categories, numbers or method of operation



- which specify that membership of a club or other body is required, and
- in relation to stakes, fees, winnings or prizes.

## 15. **Casinos**

- 15.1 The Authority has already considered its position under Section 166 of the Gambling Act 2005 regarding the application for a casino and has not passed a 'no casino' resolution.

## 16. **Gaming Machines in Gaming Premises**

- 16.1 The Authority is aware of its power to restrict the number of gaming machines, their nature and the circumstances in which they are made available by attaching a licence condition to a betting premises licence.
- 16.2 In the event that the Authority considers whether to impose such a condition on any particular licence it may, among other things, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines.

## 17. **Bingo**

- 17.1 Licensing authorities will need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. This will be a relevant consideration where the operator of an existing premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licence, for that or those excluded areas.
- 17.2 Section 172(7) of the Act provides that the holder of bingo premises licences may make available for use a number of category B gaming machines for use on the premises.
- 17.3 This authority also notes the Commission's guidance in the unusual circumstances in which the splitting of pre-existing premises into two adjacent premises might be permitted. It is not permissible for all of the gaming machines to which each of the licences brings an entitlement to be grouped together within one of the licensed premises.
- 17.4 The playing of bingo specifically in alcohol-licensed premises, clubs and miners' welfare institutes is permissible under the exempt gaming allowances. Where the level of bingo played in these premises, under the exempt gaming allowances, reaches a certain threshold, it will no longer be authorised by these allowances, and a bingo operating licence will be required by the Commission.
- 17.5 The holder of a bingo operating licence will be able to provide any type of bingo game including cash and prize bingo.
- 17.6 Commercial bingo halls will require a bingo premises licence from the Council
- 17.7 Children and young people are allowed into bingo premises. However, they are not permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed. Licensing authorities will ensure that:

- all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance
- only adults are admitted to the area where the machines are located
- access to the area where the machines are located is supervised
- the area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder, and
- at the entrance to, and inside, any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

## **18. Tracks**

- 18.1 Only one premises licence can be issued for any particular premises at any time unless the premises is a 'track'. A track is a site where races or other sporting events take place.
- 18.2 Track operators are not required to hold an operator's licence granted by the Gambling Commission. Therefore, premises licences for tracks, issued by the Authority are likely to contain requirements for premises licence holders about their responsibilities in relation to the proper conduct of betting. Indeed, track operators will have an important role to play, for example in ensuring that betting areas are properly administered and supervised.
- 18.3 Although there will, primarily, be a betting premises licence for the track there may be a number of subsidiary licences authorising other gambling activities to take place. Unlike betting offices, a betting premises licence in respect of a track does not give an automatic entitlement to use gaming machines.
- 18.4 When considering whether to exercise its power to restrict the number of betting machines at a track the Authority will consider the circumstances of each individual application and among other things will consider the potential space for the number of machines requested, the ability of track staff to supervise the machines, especially if they are scattered around the site, and the ability of the track operator to prevent children and young persons and vulnerable people betting on the machines.

## **19. Temporary Use Notices**

- 19.1 Temporary Use Notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a Temporary Use Notice, according to the Gambling Commission, would include hotels, conference centres and sporting venues.
- 19.2 The Licensing Authority can only accept a Temporary Use Notice from a person or company holding a relevant operating licence.
- 19.3 Regulations prescribed by the Secretary of State provide that Temporary Use Notices can only be used to permit the provision of facilities for equal chance gaming where the gaming is intended to produce a single winner, for example games such as backgammon, cribbage, bingo and poker.
- 19.4 There are several statutory limits as regards Temporary Use Notices. The meaning of premises is defined in Part 8 of the Act and is discussed further in Part 14 of the Gambling Commission Guidance. As with 'premises', the definition of 'a set of premises' will be a question of fact in the particular circumstances of each notice that is given. In the Act 'premises' is defined as including 'any place'. In considering

whether a place falls within the definition of 'a set of premises', licensing authorities will need to look at, amongst other things, the ownership/occupation and control of the premises.

- 19.5 The Authority expects to object to Temporary Use Notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises, as recommended in the Gambling Commission Guidance.

## **20. Occasional Use Notices**

- 20.1 The Authority has very little discretion as regards these notices aside from ensuring that the statutory limit of eight days in a calendar year is not exceeded. The Authority will need to consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.

## **21. Gaming Machines**

- 21.1 A machine is not a gaming machine if the winning of a prize is determined purely by the player's skill. However, any element of chance imparted by the action of the machine would cause it to be a gaming machine.
- 21.2 The Authority is aware of its power to restrict the number of gaming machines in certain circumstances. If the Authority considers whether to impose such a restriction on any particular permit it may, among other things, take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons or by vulnerable persons.
- 21.3 The Authority will be unable to issue premises licences to authorise gaming machines in certain types of premises. These generally will be premises to which children and vulnerable people will have unrestricted access and would include take-away premises, taxi offices, supermarkets etc.

## **22. Unlicensed Family Entertainment Centre (FEC) Gaming Machine Permits**

- 22.1 Where a premise does not hold a Premises Licence but wishes to provide gaming machines, it may apply to the Authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use.
- 22.2 The Gambling Act 2005 states that a Licensing Authority may "prepare a statement of principles that they propose to consider in determining the suitability of an applicant for a permit" and in preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under Section 25. The Gambling Commission's Guidance also states that in their three-year licensing policy statement, Licensing Authorities may include a statement of principles that they propose to apply when exercising their functions in considering applications for permits and licensing authorities will want to give weight to child protection issues.
- 22.3 Guidance also states that an application for a permit may be granted only if the Licensing Authority is satisfied that the premises will be used as an unlicensed FEC, and if the chief officer of police has been consulted on the application, licensing authorities may wish to consider asking applications to demonstrate:
- A full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs

- That the applicant has no relevant convictions (those that are set out in the Act), and
- That staff are trained to have a full understanding of the maximum stakes and prizes.

22.4 It should be noted that a Licensing Authority cannot attach conditions to this type of permit.

22.5 With regard to renewals of these permits, a Licensing Authority may refuse an application for renewal of a permit only on the grounds that an authorised local authority officer has been refused access to the premises without reasonable excuse, or that renewal would not be reasonably consistent with pursuit of the licensing objectives.

### **23. (Alcohol) Licensed Premises Gaming Machine Permits**

23.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have two gaming machines of categories C and/or D. The premises merely need to notify the Licensing Authority. The Licensing Authority can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives
- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act 2005 (i.e., that written notice has been provided to the Licensing Authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with)
- the premises are mainly used for gaming, or
- an offence under the Gambling Act 2005 has been committed on the premises

23.2 If a premise wishes to have more than two machines, then it needs to apply for a permit and the Licensing Authority must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and “*such matters as they think relevant.*”

This Authority considers that “such matters” will be decided on a case-by-case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that those under 18 years old do not have access to the adult-only gaming machines. Measures which will satisfy the Authority that there will be no access may include the adult machines being in sight of the bar or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also be help. As regards the protection of vulnerable persons applicants may wish to consider the provision of information leaflets / helpline numbers for organisations such as Gam Care.

23.3 It is recognised that some alcohol-licensed premises may apply for a premises licence for the use of gaming machines in their non-alcohol licensed areas. Any such application would need to be applied for, and dealt with, as an Adult Gaming Centre premises licence.

23.4 It should be noted that the Licensing Authority can decide to grant the permit application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

23.5 It should also be noted that the holder of a permit must comply with Gaming

Machines in Alcohol Licensed Premises Code of Practice issued by the Gambling Commission about the location and operation of the machine(s).

## **24. Prize Gaming Permits**

- 24.1 The Gambling Act 2005 states that a Licensing Authority may prepare a statement of principles that they propose to apply in exercising their functions under this Schedule which may specify matters that the Licensing Authority propose to consider in determining the suitability of the applicant for a permit.
- 24.2 In making its decision on an application for this permit the Licensing Authority does not need to but may have regard to the licensing objectives but must have regard to any Gambling Commission guidance.
- 24.3 It should be noted that there are conditions in the Gambling Act 2005 by which the permit holder must comply, but the Licensing Authority cannot attach conditions. The conditions in the Act are:
- the limits on participation fees, as set out in regulations, must be complied with
  - all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played
  - the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize), and
  - participation in the gaming must not entitle the player to take part in any other gambling.

## **25. Club Gaming and Club Machine Permits**

- 25.1 Members' Clubs and Miners' Welfare Institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Club Gaming Machines Permit. The Club Gaming Permit will enable the premises to provide gaming machines (three machines of categories B, C or D), equal chance gaming and games of chance as set out in regulations. A Club Gaming Machine Permit will enable the premises to provide gaming machines (three machines of categories B, C or D).
- 25.2 Members' clubs must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming, unless the gaming is permitted by separate regulations. It is anticipated that this will cover bridge and whist clubs, which will replicate the position under the Gaming Act 1968. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men's clubs, branches of the Royal British Legion and clubs with political affiliations.
- 25.3 Licensing authorities may only refuse an application on the grounds that:
- the applicant does not fulfil the requirements for a members' or Commercial Club or Miners' Welfare Institute and therefore is not entitled to receive the type of permit for which it has applied
  - the applicant's premises are used wholly or mainly by children and/or young persons
  - an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities
  - a permit held by the applicant has been cancelled in the previous ten years, or
  - an objection has been lodged by the Commission or the police

25.4 It should be noted that there is a 'fast-track' procedure available for premises which hold a Club Premises Certificate under the Licensing Act 2003. The Gambling Commission's Guidance for local authorities' states: 'Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the grounds upon which an authority can refuse a permit are reduced.' The grounds on which an application under the process may be refused are:

- that the club is established primarily for gaming, other than gaming prescribed under schedule 12
- that in addition to the prescribed gaming, the applicant provides facilities for other gaming, or
- that a Club Gaming Permit or Club Machine Permit issued to the applicant in the last ten years has been cancelled."

25.5 There are statutory conditions on Club Gaming Permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

## 26. **Lotteries**

26.1 In carrying out its functions in relation to lotteries, the Authority will have regard to the Act, any guidance issued by the Commission from time-to-time and any Regulations issued by the Secretary of State.

26.2 The Act makes it illegal to promote lotteries unless they are licensed or within an exempt category. One such exemption relates to registered small society lotteries and the Authority is responsible for registering small society lotteries which are promoted by non-commercial organisations that are established for:

- Charitable purposes
- For the purpose of enabling participation in, or of supporting, sport, athletics or a cultural activity
- For any other non-commercial purpose other than that of private gain.

## 27. **Exchange of Information**

27.1 The principle that the Authority will apply in respect of the exchange of information between it and the Gambling Commission and those bodies listed in Schedule 6 of the Act is that it will act in accordance with the provisions of the Gambling Act 2005 which includes the provision that the General Data Protection Regulations will not be contravened. The Authority will also have regard to any guidance issued by the Gambling Commission to Local Authorities on this matter when it is published, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

## 28. **Enforcement**

28.1 The Council will liaise with the Gambling Commission and other enforcing authorities on enforcement issues and will look to carry out joint inspections, where applicable and/or appropriate. The targeting of resources towards high-risk premises and activities that require greater attention will provide a more efficient deployment of officer time whilst engaged in enforcing gambling law and inspection of licensed premises. A lighter touch will apply in respect of low-risk premises which are well run.

28.2 The Authority's approach to enforcement will be based on identified risk and will take into account:

- Relevant codes of practice
- Guidance issued by the Gambling Commission
- The licensing objectives
- The principles set out in this statement of gambling policy

28.3 In general, action will only be taken in accordance with the principles of the Regulators' Code, this Authority's Enforcement Policy and the relevant provisions of the Regulatory Enforcement and Sanctions Act 2008. To this end the key principles of consistency, transparency and proportionality will be maintained.

28.4 The Authority will also be guided by the Gambling Commission's Guidance for local authorities and will endeavour to be:

- Proportionate: regulators should only intervene when necessary; remedies should be appropriate to the risk posed, and costs identified and minimised
- Accountable: regulators must be able to justify decisions, and be subject to public scrutiny
- Consistent: rules and standards must be joined up and implemented fairly
- Transparent: regulators should be open, and keep regulations simple and user friendly, and
- Targeted: regulation should be focused on the problem and minimise side effects

28.5 In accordance with the Gambling Commission Guidance to Licensing Authorities the Authority will endeavour to avoid duplication with other regulatory regimes as far as possible.

28.6 The main enforcement and compliance role for this Licensing Authority in terms of the Gambling Act 2005 will be to ensure compliance with the Premises Licences and other permissions which it authorises. The Gambling Commission will be the enforcement body for the Operator and Personal Licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines will not be dealt with by the Licensing Authority but will be notified to the Gambling Commission.

## 29. The Licensing Process

29.1 The powers of the Council as a Licensing Authority under the Act may be carried out by the Licensing Committee, by a Sub-Committee or, instead, by one or more Council officers acting under delegated authority. The Council has adopted the following scheme of delegation: -

Matters to be dealt with	Full Council	Committee /Cabinet	Sub Committee	Officers
Three-year Gambling Policy	X			
Policy not to permit casinos	X			
Fee Setting – when appropriate		X		
Application for premises licence			Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a variation to a			Where representations have been received and not withdrawn	Where no representations received/representations

licence		have been withdrawn
Application for a transfer of a licence	Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a provisional statement	Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application to review premises licence/club premises certificate	X	
Application for club gaming/club machine permits	Where objections have been made and not withdrawn.	Where no objections made/objections have been withdrawn
Cancellation of club gaming/club machine permits	X	
Applications for other permits/registration of small society lotteries		X
Cancellation of licensed premises gaming machine permits		X
Consideration of temporary use notice		X
Decision to give a counter notice to a temporary use notice	X	
Decision on whether a complaint is irrelevant frivolous vexatious etc		X
Decision as Responsible Authority to call for a Review of a Premises Licence		X

- 29.2 Application forms will be in the format prescribed by regulations. The form will need to contain information that describes the gambling activities to be provided, the operational procedures, hours, nature of the location, needs of the local community, etc. Most importantly, the applicant will have to detail the steps that will be taken to promote the three licensing objectives. From 6<sup>th</sup> April 2016 applicants should carry out a risk assessment before they apply for a premises licence or to vary a premises licence.
- 29.3 The Council will expect Licencees to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises and have policies and procedures and control measures to mitigate those risks.
- 29.4 The Council will expect the local risk assessment to consider as a minimum:
- the location of services for children such as schools, playgrounds, leisure/community centres and other areas where children will gather;
  - the demographics of the area in relation to vulnerable groups;
  - whether the premises are in an area subject to high levels of crime and/or disorder.



- 29.5 Local risk assessments should show how vulnerable people, including people with gambling dependencies are protected. Local risk assessments or copies of Local risk assessments must be kept on the premises for inspection by any Proper Officer. In undertaking their risk assessments, they must take into account relevant matters identified in this statement of principles
- 29.6 Applicants are encouraged to fully consult the police and other responsible authorities well in advance of submitting their applications. Application forms and guidance leaflets will be available from Licensing Services including contact names for each of the responsible authorities that will be receiving applications. Most applications will require additional documentation and a fee to be included with the form. Incomplete applications will not be considered and will be returned to the applicant.
- 29.7 The Act requires licensing authorities to maintain a register of premises licences issued. The register must be available at any reasonable time to the public, who can request copies of the entries. The register will be located at:

Licensing Section  
Nuneaton and Bedworth Borough Council  
Town Hall  
Coton Rd  
Nuneaton  
CV11 5AA

**Tel:** 024 7637 6222 **Email:** [licensing@nuneatonandbedworth.gov.uk](mailto:licensing@nuneatonandbedworth.gov.uk)

Website: [www.nuneatonandbedworth.gov.uk](http://www.nuneatonandbedworth.gov.uk)

Effective date of reviewed policy: 31<sup>st</sup> January 2025 Valid until 30<sup>th</sup> January 2028

**Definitions**

**Spread Betting**

A form of betting in which the bettor wins or loses money according to the margin by which the value of a particular outcome varies from the spread of expected values quoted by the bookmaker.

**Remote Gambling**

Remote gambling is defined by the Gambling Act 2005 as gambling in which persons participate by the use of remote communication including:

- the internet
- telephone
- television
- radio
- any other kind of electronic or other technology for facilitating communication

DRAFT



**Cabinet**

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**Report Summary Sheet**

**Date: 6<sup>th</sup> November 2024**

**Subject: Capital Forecast Q2 2024/25**

**Portfolio: Resources & Customer Services (Councillor S Hey)**

**From: Assistant Director – Finance**

**Summary:**

To update on the Council's Q2 forecasted outturn position on capital expenditure for both the General Fund and Housing Revenue Account (HRA)..

**Recommendations:**

To consider the Q2 forecasted capital outturn position for 2024/25 for the General Fund and HRA.

To recommend to Council that an update to the 2025/26 forecasted Budget for Capital be included for S106 funded projects detailed in 4.18 in the report.

To recommend to Council for approval of a change to the Capital and Revenue Budget on Cemeteries for 2024/25 detailed at 4.21 in the report.

**Options:**

To accept the report or request further information on the outturn position.

**Reasons:**

To ensure the Council has an accurate capital budget.

**Consultation undertaken with Members/Officers/Stakeholders**

Councillor Hey, Management Team and relevant officers

**Subject to call-in:**

Yes

**Ward relevance:**

None directly.

**Forward plan:**

Yes

**Building a Better Borough Aim:**

Work

**Building a Better Borough Priority:**

Grow a strong and inclusive economy.

**Relevant statutes or policy:**

Local Government Finance Act

**Equalities Implications:**

None

**Human resources implications:**

None

**Financial implications:**

Detailed in the report.

**Health Inequalities Implications:**

None

**Section 17 Crime & Disorder Implications:**

None

**Risk management implications:**

None.

**Environmental implications:**

None

**Legal implications:**

None

**Contact details:**

Liam Brown, Assistant Director - Finance

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## AGENDA ITEM NO. 12b

### NUNEATON AND BEDWORTH BOROUGH COUNCIL

**Report to:** Cabinet – 6<sup>th</sup> November 2024

**From:** Assistant Director - Finance

**Subject:** Capital Monitoring Q2

**Portfolio:** Resources & Customer Services (Councillor S Hey)

**Building a Better Borough Aim: Work**

**Building a Better Borough Priority: Grow a Strong & Inclusive Economy**

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1. Purpose of Report

- 1.1 To update on the Council's Q2 forecasted outturn position on capital expenditure for both the General Fund and Housing Revenue Account (HRA).

2. Recommendations

- 2.1 To consider the Q2 forecasted capital outturn position for 2024/25 for the General Fund and HRA.
- 2.2 To recommend to Council that an update to the 2025/26 forecasted Budget for Capital be included for S106 funded projects detailed in 4.18.
- 2.3 To recommend to Council for approval of a change to the Capital and Revenue Budget on Cemeteries for 2024/25 detailed at 4.21.

3. Background

- 3.1 Nuneaton and Bedworth Borough Council has a large capital programme to provide community value and improve facilities. The Q2 outturn position for 2024/25 updates on how the programme is progressing.

4. Body of Report

- 4.1 The Council's capital programme covers many projects for both the General Fund and Housing Revenue Account.
- 4.2 General Fund projects are developed in line with strategies reported to Cabinet/Council and are funded through Section 106 developer

contributions, grant funding (from the Government and other external providers), internal and external borrowing plus capital receipts generated through asset sales.

- 4.3 HRA projects are mainly for refurbishment of council houses, disabled adaptations to council housing plus new build. They are funded from HRA reserves, capital receipts from Right to Buy plus grant income.
- 4.4 The capital budget for 2024/25 of £76,092,727 was approved in February 2024. With amendments taking to cabinet in July 2024 for projects not completed in 2023/24.
- 4.5 A summary of the General Fund and HRA forecasted expenditure versus budget is below alongside financing of the programme with further detail included in Appendix 1.

	Approved Budget £	Forecast Actual £	Variance £
Business & Regeneration	20,974,046	20,974,046	0
Resources and Customer Services	125,000	125,000	0
Leisure, Communities and Health	25,480,338	25,480,338	0
Environment and Public Services	0	0	0
Housing	8,453,258	8,453,258	0
Planning and Enforcement	0	0	0
Capital General	100,000	100,000	0
General Fund	55,132,642	54,012,739	0
HRA	22,347,119	19,347,119	(3,000,000)
Total	77,479,761	73,359,858	(3,000,000)

### General Fund

- 4.6 Projects are projected to be on target for the General Fund in 2024/25.

### HRA

- 4.7 The capital budget for the HRA was approved as £22,079,988 in February 2024 and was subsequently changed to £22,347,119 as a result of the 2023/24 outturn reported to cabinet in July 2024.
- 4.8 Management of the HRA capital programme is based on scheduled works and progression of new build and acquisition targets. The budget as a whole is utilised by need of the customer and the most efficient use of resources to ensure value for money and will therefore fluctuate against the initial forecasted expenditure by line in any one year.

- 4.9 There is a review of the HRA Business Plan currently underway, and this will determine the spend pattern and expected profile of works in line with the changes and updates to legislative requirements.
- 4.10 The HRA is showing an underspend of £3m in 2024/25 which is as a result of the New Build Programme being delayed with works to be completed in future years. Alongside the underspend there has been some risks identified which has caused additional costs requiring a review to cut back on some programmes, these issues and mitigating actions are listed below:
- Structural repairs for properties are causing a pressure and need actioning to prevent further damage and increased costs of repair in the future
  - Additional fire safety works were required after fire risk assessments identified issues and electrical installation condition reports have identified more hazards than anticipated resulting in more costs to carry out works
  - The costs to convert the Gables have increased after the initial investigation from stripping out identified more works needed.
  - The use of consultants required for managing contracts at a higher rate has exceeded expectations due to the turnover of internal staff.
  - Due to the above additional costs, programme reviews have been undertaken and a reduction in delivery for programmes such as windows and door replacements, electric storage heating, level access showers, aids and adaptations and planned warm air units are to be delayed. These will be built into the HRA Business Plan for future years to ensure any delayed work is still completed in the future.

### Capital Reserves

- 4.15 Reserves are held by the Council for capital purposes either generated through sales of assets, setting aside sums from underspends and receipts of grants for capital purposes.
- 4.16 The Council's capital reserve position at the end of March 2024 is as follows.

	<b>2023/24</b>
	<b>£</b>
Capital Receipts	622,010
Capital Grants	13,386,582
Earmarked Capital	2,417,687
<b>General Fund Total</b>	<b>16,426,279</b>
Capital Grants	351,065
Capital Receipts	825,714
1-4-1 Receipts	2,896,711
Earmarked Capital	3,773,387
Major Repairs Reserve	2,020,823
<b>HRA Total</b>	<b>9,867,700</b>
<b>NBBC Total</b>	<b><u>26,293,979</u></b>



- 4.17 Capital reserves are allocated against specific projects with no residual unallocated amount available. This poses risks to any movement in the projected capital expenditure as there is nothing available to cover any fluctuations in expenditure.

### **Budget Updates**

#### **2025/26**

- 4.18 The capital budget for 2024/25 was approved at Council on 21<sup>st</sup> February 2024 and included a forecast of expected capital projects for future years. S106 funds have been secured and a plan to spend in 2025/26 has been drawn up. Approval to spend allocated funding is required however prior to procurement processes commencing.

- 4.19 Projects proposed for approval are as follows:

- Sandon/Weddington Cycleway £244,567
- Coronation Walk Footpath/Cycleway £248,488
- Clovelly Way Footpath £31,675
- Lilleburne Play Area (refurbishment) £26,448
- Bermuda Balancing Lake – natural play trail £19,835

- 4.20 The proposed projects are fully funded by S106 and require no General Fund contribution.

#### **2024/25**

- 4.21 A budget for £100,000 was approved for review and surveys of Marston Lane Cemetery and potential extension due to the lack of burial space within the Borough.

- 4.22 The cost to extend this cemetery is far in excess of the budget provision and is under review corporately.

- 4.23 Due to regular flooding at Attleborough and Bucks Hill cemeteries in recent years, it is proposed to transfer the remaining balance from Marston Lane to perform works at these two cemeteries to mitigate flooding issues. Work will be undertaken with flooding experts from Warwickshire County Council. The balance proposed to transfer is £84,000.

- 4.24 The works required to the cemeteries is revenue in nature and so it is proposed to remove from the capital budget and increase the revenue budget. Funding is from general earmarked reserves not specific to projects and earmarked reserves are revenue funding so it is therefore able to be transferred.

5. Conclusion

- 5.1 The capital programme is fully funded in its present form. The biggest risks to the Council are inflation, price increases for building supplies plus any delays which could occur result in funding being withdrawn.
- 5.2 Adjustments to the programme in light of the difficulties around cost and delivery will be reported to Cabinet but projects are continually under review for viability. Interest rates on projects where prudential borrowing is required will be carefully assessed for affordability prior to progressing.

6. Appendices

- 6.1 Appendix 1 – Q2 Forecasted General Fund Capital Outturn 2024/25
- 6.2 Appendix 2 – Q2 Forecasted Housing Revenue Account Capital Outturn 2024/25

7. Background Papers

- 7.1 None.

## GENERAL FUND CAPITAL MONITORING

AS AT SEPTEMBER 2024

Project	Approved Budget	Current Forecast	Forecast Variance	Comments
Grayson Place	16,395,904	16,395,904	0	
Bridge to Living	1,654,819	1,654,819	0	
Parks Revival	1,605,807	1,605,807	0	
George Eliot Visitor Centre	222,500	222,500	0	
Corporation Street/Queens Road Junction	390,000	390,000	0	
E-mobility Hub	302,800	302,800	0	
Car Parking Machine Upgrades	300,000	300,000	0	
Business & Regeneration	20,871,830	20,871,830	0	
ICT Strategy Programme	100,000	100,000	0	
Camp Hill - Early final phase	25,000	25,000	0	
Resources and Customer Services	125,000	125,000	0	
Major Repairs	250,000	250,000	0	
Vehicle & Plant Replacement	683,000	683,000	0	
Environment Bill Food Waste Grant	981,000	981,000	0	
Leisure Strategy	227,609	227,609	0	
Fly Tipping Cameras	5,000	5,000	0	
Bedworth Physical Activity Hub	20,216,451	20,216,451	0	
Pauls Land Pavilion	10,500	10,500	0	
Sandon Park/Jack Whetstone Pavilion	26,859	26,859	0	
Cemetery Extension	100,000	100,000	0	
Play Area Improvements	75,000	75,000	0	

Pingles LC Decarbonisation Scheme	1,957,307	1,957,307	0
Leisure, Communities and Health	24,532,726	24,532,726	0
HEART	5,125,000	5,125,000	0
Empty Homes - Works in Default	40,000	40,000	0
Empty Property Loans	100,000	100,000	0
Homeless Hostel Conversion	125,000	125,000	0
Home Upgrade Grant 2	1,702,000	1,702,000	0
Attleborough - Community Park	100,000	100,000	0
Marlborough - Community Park	150,000	150,000	0
Sorrell Road - Community Park	225,000	225,000	0
Bedworth Market	716,184	716,184	0
Boundary Paddock Toilet Block Improvements	100,000	100,000	0
Housing	8,383,184	8,383,184	0
Capital General	100,000	100,000	0
TOTAL GENERAL FUND	54,012,740	54,012,740	0

## HOUSING REVENUE ACCOUNT CAPITAL MONITORING

As At September 2024

Project	Approved Budget	Current Forecast	Forecast Variance	Comments
Decent Homes	1,200,000	1,350,000	150,000	Extra costs of enabling works
Roof Coverings/Modifications	900,000	900,000	0	
Windows & Doors	800,000	500,000	(300,000)	Programme budget reviewed and reduced
Sheltered Alarm Call System	40,000	10,000	(30,000)	Programme budget reviewed and reduced
Door Entry Scheme	0	93,000	93,000	Unexpected costs for door entry schemes in 2024/25
CCTV Renewal - GP Flats	0	8,000	8,000	Unexpected costs for CCTV renewal in 2024/25
Shop Improvements	15,000	149,000	134,000	A number of repairs have been identified for various properties
New Properties (Construction)	6,032,768	3,032,768	(3,000,000)	Delays with Armson and Cheveral will start in new year
Byford Court - Rebuild	680,432	570,432	(110,000)	Project delivered under budget
Conversion of The Gables	157,391	197,391	40,000	Extra work identified. 162k of spend will be moved to GF PD57
Fire Safety Works	2,400,000	2,780,000	380,000	Extra works identified
Conversion 196-198 Church Road	0	0	0	
Independent Living Unit - Remodelling	150,000	150,000	0	
Decent Homes Works - Homeless Hostel	167,000	20,000	(147,000)	Programme budget reviewed and reduced
Clever Gardens	360,000	360,000	0	
Warm Air Units	200,000	0	(200,000)	Delayed until 25/26
Electric Storage Heating	300,000	50,000	(250,000)	Programme reduced
New Street	1,365,000	1,365,000	0	
Acquisition of Properties	115,473	115,473	0	
25 Cheveral Place - Conversion of Wardens	68,555	70,555	2,000	
Concrete/Structural Repairs	190,000	400,000	210,000	Additional structural repairs have been identified

Level Access Showers	700,000	550,000	(150,000)	Programme budget reviewed and reduced
Aids & Adaptations	1,000,000	900,000	(100,000)	Programme budget reviewed and reduced
Central Heating	720,000	720,000	0	
Garages	15,000	15,000	0	
Slabs to Tarmac	304,500	304,500	0	
Lift Renewal Works	50,000	0	(50,000)	Delayed until 25/26
Door Entry System	0	0	0	
District Heating Upgrade Works	150,000	150,000	0	
PIR Electrical Works (Sheltered Housing & Communal)	396,000	606,000	210,000	Extra work identified whilst carrying out EICR's
Voids	800,000	800,000	0	
Stock Condition Survey	0	95,000	95,000	Final phase of Stock Condition Surveys
Structural/Concrete Repairs	2,400,000	2,400,000	0	
Environmental Works	0	0	0	
Contingency	200,000	165,000	(35,000)	
Capital Salaries	470,000	520,000	50,000	Requirement to use consultants at present due to the volume of contracts that require monitoring as a result of high turnover of our internal surveyors.

Total HRA

22,347,119    19,347,119    (3,000,000)

**NUNEATON AND BEDWORTH BOROUGH COUNCIL**

**Report to: Audit and Standards Committee – 12<sup>th</sup> November 2024**

**From: Finance Manager - Treasury**

**Subject: Treasury Management 2024/25 – Mid-year Review**

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**1. Purpose of Report**

1.1. The Council is required through the CIPFA Code of Practice on Treasury Management (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code) to report to full Council a mid-year review.

1.2. This report sets out the Council's treasury position as of 30th September 2024 and therefore any decisions made after this date are not reflected in this report.

**2. Recommendations**

2.1. That it be recommended to Council that the Treasury Management Report for 2024/25 – Mid-Year Report be noted.

**3. Background**

**3.1. Capital Strategy**

In December 2021, the Chartered Institute of Public Finance and Accountancy, (CIPFA), issued revised Prudential and Treasury Management Codes. These require all local authorities to prepare a Capital Strategy which is to provide the following: -  
a high-level overview of how capital expenditure, capital financing and treasury management activity contribute to the provision of services.  
an overview of how the associated risk is managed.  
the implications for future financial sustainability.

**3.2. Treasury management**

The Council operates a balanced budget, which broadly means cash raised during the year will meet its cash expenditure. Part of the treasury management operations ensure this cash flow is adequately planned, with surplus monies being invested in low-risk counterparties,

providing adequate liquidity initially before considering optimising investment return.

The second main function of the treasury management service is the funding of the Authority's capital plans. These capital plans provide a guide to the borrowing need of the Authority, essentially the longer-term cash flow planning to ensure the Authority can meet its capital spending operations. This management of longer-term cash may involve arranging long or short-term loans, or using longer term cash flow surpluses, and on occasion any debt previously drawn may be restructured to meet Authority risk or cost objectives.

Accordingly, treasury management is defined as:

“The management of the local authority's borrowing, investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.”

### 3.3. Introduction

This report has been written in accordance with the requirements of the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management (revised 2021).

The primary requirements of the Code are as follows:

- 3.4. Creation and maintenance of a Treasury Management Policy Statement which sets out the policies and objectives of the Council's treasury management activities.
- 3.5. Creation and maintenance of Treasury Management Practices which set out the manner in which the Council will seek to achieve those policies and objectives.
- 3.6. Receipt by the full Council of an annual Treasury Management Strategy Statement - including the Annual Investment Strategy and Minimum Revenue Provision Policy - for the year ahead, a Mid-year Review Report (this report) and an Annual Report covering activities during the previous year. Quarterly reports are also required for the periods ending April to June and October to December and are submitted to Cabinet for approval.
- 3.7. Delegation by the Council of responsibilities for implementing and monitoring treasury management policies and practices and for the execution and administration of treasury management decisions.



3.8. Delegation by the Council of the role of scrutiny of treasury management strategy and policies to a specific named body. For this Authority, the delegated body is Audit and Standards Committee:

3.9. This mid-year report has been prepared in compliance with CIPFA's Code of Practice on Treasury Management, and covers the following:

- An economic update for the first half of the 2024/25 financial year.
- A review of the Treasury Management Strategy Statement and Annual Investment Strategy.
- The Authority's capital expenditure, as set out in the Capital Strategy, and prudential indicators.
- A review of the Authority's investment portfolio for 2024/25.
- A review of the Authority's borrowing strategy for 2024/25.
- A review of any debt rescheduling undertaken during 2024/25.
- A review of compliance with Treasury and Prudential Limits for 2024/25.

4. An economic update for the first half of the 2024/25 financial year

4.1. Economics and Interest Rates

4.2. Economics Update

- The third quarter of 2024 (July to September) saw:
  - GDP growth stagnating in July following downwardly revised Q2 figures (0.5% q/q)
  - A further easing in wage growth as the headline 3myy rate (including bonuses) fell from 4.6% in June to 4.0% in July.
  - CPI inflation hitting its target in June before edging above it to 2.2% in July and August.
  - Core CPI inflation increasing from 3.3% in July to 3.6% in August.
  - 10-year gilt yields falling to 4.0% in September.
- The economy's stagnation in June and July points more to a mild slowdown in GDP growth than a sudden drop back into a recession. The drop in September's composite activity Purchasing Managers Index, from 53.8 in August to 52.9, was still consistent with GDP growth of 0.3%-0.4% for the summer months. These figures are within what the Bank of England expected, and also show an increase in Manufacturing activity in the UK.
- The 1.0% m/m jump in retail sales in August was stronger than forecasts expected. The rise was reasonably broad based, though the biggest gains came from clothing stores and supermarkets, which the ONS reported was driven by the warmer-than-usual weather and end of season sales. As a result, some of increase in sales is probably temporary.

- The government's plans to raise public spending by around £16bn a year (0.6% GDP) have caused concerns that a big rise in taxes will be announced in the Budget, which could weaken GDP growth in the medium-term. Additionally, rises in public spending tend to boost GDP by more than increases in taxes reduce it. Capital Economics suggest GDP growth will hit 1.2% in 2024 before reaching 1.5% for both 2025 and 2026, however the actual details of the Budget and its effects are unknown when this forecast was produced.
- The further easing in wage growth will be welcomed by the Bank of England as a sign that labour market conditions are continuing to cool. The 3myy growth rate of average earnings fell from 4.6% in June to 4.0% in July. On a three-month annualised basis, average earnings growth slowed from 3.0% to 1.8%. Excluding bonuses, the 3myy rate fell from 5.4% to 5.1%.
- Other labour market indicators also point to a further loosening in the labour market. The number of employees (using the Alternative PAYE measure) fell 59,000 in August marking the fourth fall in the past five months. At the same time, the number of job vacancies fell from 872,000 in the three months to July to 857,000 in the three months to August. That leaves the number of vacancies just 5% above what it was before the pandemic. Nevertheless, the Bank of England is still more concerned about the inflationary influence of the labour market, rather than the risk of a major slowdown in labour market activity.
- CPI inflation stayed at 2.2% in August, but services inflation rose from a two-year low of 5.2% in July to 5.6%, significantly above its long-run average of 3.5%. Food and fuel price inflation helped reduce CPI inflation, but these were offset by the rising furniture/household equipment inflation, recreation/culture inflation and a surprisingly large rise in airfares inflation. Based on this CPI inflation is expected to rise in the coming months, potentially reaching 2.9% in November, before declining to around 2.0% by mid-2025.
- Looking ahead, the increasing uncertainties of the Middle East may also exert an upward pressure on inflation. China's recent outpouring of new fiscal support measures in September has also added to the upshift in broader commodity prices, which, in turn, may impact on global inflation levels and thus monetary policy decisions. In the second half of 2025, though, Link think an easing in inflation will prompt the Bank to reduce rates quicker, resulting in rates eventually reaching 3.0%, rather than the 3.25-3.50% currently priced in by financial markets.
- Looking at gilt movements in the first half of 2024/25, and the 10-year gilt yield declined from 4.32% in May to 4.02% in August as the Bank's August rate cut signalled the start of its loosening cycle. There is a possibility that gilt yields will rise near-term as UK policymakers remain cautious due to persistent inflation concerns, before declining in the longer term as rates fall to 3.0%.

- Gilts rates affect the amount of interest the Council receives on its investments, and a reduction in the gilt rate will reduce the amount of interest the Council receives. This reduction can be caused directly when the Council invests in Treasury Bills or Money Market Funds (which use Treasury Bills as part of their investment portfolio), or indirectly by changing the rate of PWLB borrowing. If PWLB borrowing becomes cheaper other Council will borrow from the PWLB rather than us.
- The reduction in gilt rates will reduce the amount of interest on any new PWLB loans the Council takes out, but only if the loans are taken out after the gilt rate drops. Loans with the market are indirectly affected by Gilt rates, and reductions in the gilt rate should reduce other sources of borrowing as well.

MPC meetings: 9 May, 20 June, 1 August, 19 September 2024

- On 9 May, the Bank of England’s Monetary Policy Committee (MPC) voted 7-2 to keep Bank Rate at 5.25%. This outcome was repeated on 20th June.
- However, by the time of the August meeting, there was a 5-4 vote in place for rates to be cut by 25bps to 5%.
- November still looks most likely to be the next month to see a rate cut to 4.75% but, thereafter, inflation and employment data releases, as well as geo-political events, are likely to be the determinant for what happens in the remainder of 2024/25 and into 2025/26.

#### 4.3. Interest Rates

The Council has appointed Link Group as its treasury advisors and part of their service is to assist the Council to formulate a view on interest rates. The PWLB rate forecasts below are based on the Certainty Rate (the standard rate minus 20 bps) which has been accessible to most authorities since 1 November 2012.

Link’s latest forecast was created on 28 May and sets out a view that short, medium and long-dated interest rates will fall back over the next year or two. This is a forecast, and will depend on gilt rates, and what the economy actually does and when the Bank of England’s Base Rate reduces compared to Link’s forecast.

Link’s PWLB rate forecasts below are based on the Certainty Rate (the standard rate minus 20 bps, calculated as gilts plus 80bps). The HRA currently gets another 60-bps reduction on the Certainty Rate, but this can only be used for borrowing towards new builds (or externalising the debt for previous builds).

Link Group Interest Rate View	28.05.24									
	Dec-24	Mar-25	Jun-25	Sep-25	Dec-25	Mar-26	Jun-26	Sep-26	Dec-26	Mar-27
<b>BANK RATE</b>	4.50	4.00	3.50	3.25	3.25	3.25	3.25	3.00	3.00	3.00
3 month ave earnings	4.50	4.00	3.50	3.30	3.30	3.30	3.30	3.00	3.00	3.00
6 month ave earnings	4.40	3.90	3.50	3.30	3.30	3.30	3.30	3.10	3.10	3.20
12 month ave earnings	4.30	3.80	3.50	3.40	3.40	3.40	3.40	3.20	3.30	3.40
5 yr PWLB	4.50	4.30	4.10	4.00	3.90	3.90	3.90	3.90	3.90	3.80
10 yr PWLB	4.60	4.40	4.30	4.10	4.10	4.10	4.00	4.00	4.00	3.90
25 yr PWLB	5.00	4.80	4.70	4.50	4.50	4.40	4.40	4.40	4.30	4.30
50 yr PWLB	4.80	4.60	4.50	4.30	4.30	4.20	4.20	4.20	4.10	4.10

Link Group Interest Rate View	28.05.24									
	Dec-24	Mar-25	Jun-25	Sep-25	Dec-25	Mar-26	Jun-26	Sep-26	Dec-26	Mar-27
<b>BANK RATE</b>	4.50	4.00	3.50	3.25	3.25	3.25	3.25	3.00	3.00	3.00
3 month ave earnings	4.50	4.00	3.50	3.30	3.30	3.30	3.30	3.00	3.00	3.00
6 month ave earnings	4.40	3.90	3.50	3.30	3.30	3.30	3.30	3.10	3.10	3.20
12 month ave earnings	4.30	3.80	3.50	3.40	3.40	3.40	3.40	3.20	3.30	3.40
5 yr PWLB	4.50	4.30	4.10	4.00	3.90	3.90	3.90	3.90	3.90	3.80
10 yr PWLB	4.60	4.40	4.30	4.10	4.10	4.10	4.00	4.00	4.00	3.90
25 yr PWLB	5.00	4.80	4.70	4.50	4.50	4.40	4.40	4.40	4.30	4.30
50 yr PWLB	4.80	4.60	4.50	4.30	4.30	4.20	4.20	4.20	4.10	4.10

## 5. Review of the Treasury Strategy & Budgetary Framework

5.1 The Treasury Management and Budgetary Framework was approved by Cabinet on 21<sup>st</sup> February 2024 and recommended to Council later on 21<sup>st</sup> February 2024. Having reviewed the strategies there are no recommended policy changes to the Framework at this point in the year.

## 6. The Council's Capital Expenditure (Prudential Indicators)

6.1 This part of the report is structured to update:

- The Authority's capital expenditure plans.
- How these plans are being financed.
- The impact of the changes in the capital expenditure plans on the prudential indicators and the underlying need to borrow; and
- Compliance with the limits in place for borrowing activity.

6.2 The Council's Capital Expenditure Plans (Estimate of Capital Expenditure Prudential indicator)

This table shows the revised estimates for capital expenditure and the changes since the capital programme was agreed at the Budget. There have been no agreed changes to the Capital Budget as of 30/09/2024.

Capital Expenditure by Portfolio	2024/25 Original Budget £m	2024/25 Revised Budget £m	Increase/ (Decrease) in Budget £m
Business & Regeneration	20.872	20.872	0.000
Finance & Corporate	0.125	0.125	0.000
Housing & Communities	8.282	8.282	0.000
Public Services	24.533	24.533	0.000
Planning & Regulation	0.000	0.000	0.000
Health & Environment	0.100	0.100	0.000
Miscellaneous Services	0.100	0.100	0.000
Housing Revenue Account	22.080	22.080	0.000
<b>Total Capital Expenditure</b>	<b>76.092</b>	<b>76.092</b>	<b>0.000</b>

### 6.3 Changes to the Prudential Indicators for the Capital Financing Requirement (CFR), External Debt and the Operational Boundary

The table below shows the CFR, which is the underlying external need to incur borrowing for a capital purpose. It also shows the expected debt position over the period, which is termed the Operational Boundary. Changes in the CFR occur as part of capital financing transactions:

- Increases when Prudential Borrowing is used to fund the capital programme.
- Increases/decreases where land/property is transferred between the General Fund and the Housing Revenue Account
- Decreases when funds are applied to outstanding debt. There is a statutory requirement for the General Fund to charge a Minimum Revenue Provision to its revenue account, however, there is no requirement for the HRA to be charged with such a charge but if a charge is made it is classed as a Voluntary Revenue Provision for the repayment of principal.

<b>Financing of capital expenditure £m</b>	<b>2022/23 Actual £m</b>	<b>2023/24 Estimate £m</b>	<b>2024/25 Estimate £m</b>	<b>2025/26 Estimate £m</b>	<b>2026/27 Estimate £m</b>
Capital Receipts	1.30	0.04	0.65	0.50	0.50
Capital Grants	15.98	10.05	44.93	14.12	5.13
Capital Reserves	8.72	8.72	8.72	8.72	8.72
Revenue	3.92	4.33	4.87	4.29	4.25
<b>Total Non-Borrowing</b>	<b>29.90</b>	<b>51.37</b>	<b>59.17</b>	<b>27.63</b>	<b>18.60</b>
<b>Net Financing need for the year</b>	<b>5.27</b>	<b>20.50</b>	<b>16.92</b>	<b>22.12</b>	<b>11.16</b>
<b>Total Capital Programme</b>	<b>35.17</b>	<b>64.97</b>	<b>76.09</b>	<b>49.75</b>	<b>29.76</b>

The Operational Boundary is approximately set to the Capital Financing Requirement to allow the externalisation of the internal borrowing position should the economic situation suggest that the optimum time is during the remainder of this financial year.

## 7 Review of Limits to Borrowing

### 7.1 Prudential Indicator – Capital Financing Requirement

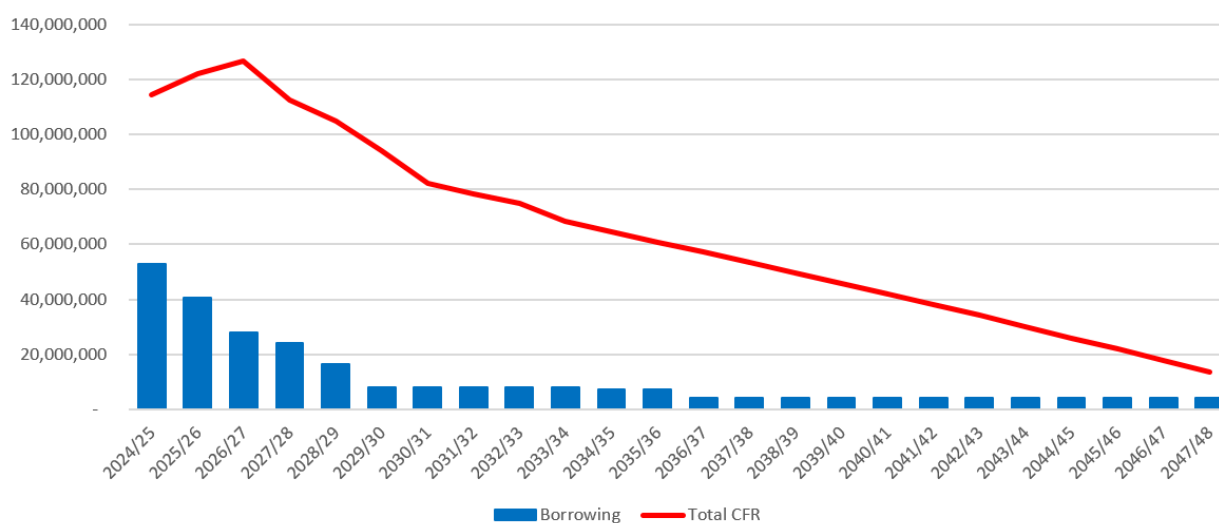
The Council is currently reviewing its CFR, and the below figures are the current estimates of the CFR for the Council and HRA. The figures have changed as certain transactions were misallocated as Capital Projects but are actually loans (which do not make up the CFR so are being removed). The Council also needs to include all leases within the CFR under IFRS16 standard. This only needs to occur from April 2024 onwards, so an adjustment for existing leases has been made in 2024/25, and future leases will be included in the CFR when we have details of them. Not all leases need to be included only those for assets worth more than £5000 when the lease starts.

£m	2022/23 Actual	2023/24 Estimate	2024/25 Estimate	2025/26 Estimate	2026/27 Estimate
Capital Financing Requirement					
Non-HRA	18.85	27.19	35.75	35.60	27.30
Housing	72.92	76.93	76.06	92.62	100.79
<b>Total CFR</b>	<b>91.77</b>	<b>104.12</b>	<b>111.81</b>	<b>128.22</b>	<b>128.09</b>
<b>Movement in CFR</b>	<b>(3.77)</b>	<b>12.35</b>	<b>7.69</b>	<b>16.41</b>	<b>(0.13)</b>

Movement in CFR Represented by					
Net Financing need for the Year	5.27	20.50	16.92	22.12	11.16
Less MRP and other financing movements	(9.04)	(8.15)	(10.50)	(5.71)	(11.29)
IFRS 16 Adjustment	0	0	1.27	0	0
<b>Movement in CFR</b>	<b>(3.77)</b>	<b>12.35</b>	<b>7.69</b>	<b>16.41</b>	<b>(0.13)</b>

The below chart shows the CFR against the current Borrowing. As the CFR line is higher than the borrowing total, this means the Council is under-borrowed. This means that the CFR has not been fully funded with external debt as internal cash balances have been used temporarily to finance the capital programme. In foregoing lost investment income, the Council benefits by saving on the current high interest rates.

Current CFR against Current Borrowing (as of 31/09/24)



The Chart also shows that there is considerable room for extra loans to be taken to fund the current capital programme as well as any future projects. The Council will need to manage these loans to ensure we ensure the council doesn't enter an overborrowing position but spreading out the repayment dates as well as having a continuing capital programme will ensure the council isn't expected to enter this position. The CFR figure is based on completed Capital projects, so if we complete more projects, the CFR figure will increase to represent the amount the council should payback each year.

### 7.2 Limits to Borrowing Activity

The first key control over the treasury activity is a prudential indicator to ensure that over the medium term, net borrowing (borrowings less investments) will only be for a capital purpose. Gross external borrowing should not, except in the short term, exceed the total of CFR in the preceding year plus the estimates of any additional CFR for 2024/25 and next two financial years. This allows some flexibility for limited early borrowing for future years. The Council has approved a policy for borrowing in advance of need which will be adhered to if this proves prudent.

	<b>2024/25 Original Estimate £m</b>	<b>Current Position at of 30 September 2024 £m</b>	<b>2024/25 Forecast Estimate for 31 March 2025 £m</b>
Borrowing	96.65	56.71	98.57
Other Long-Term Liabilities	-	-	-
<b>Total Debt</b>	<b>96.65</b>	<b>56.71</b>	<b>98.57</b>
<b>CFR (End year position)</b>	<b>144.75</b>	<b>126.48</b>	<b>126.48</b>

The amount that Council Officers are allowed to borrow is limited by the Authorised Limit which is set and revised by Members. This represents the

limit beyond which borrowing is prohibited. The limit reflects the level of borrowing which, while not desired, could be afforded in the short term, but is not sustainable in the longer term. The limit is based on the expected maximum borrowing need with some headroom for unexpected movements. This is the statutory limit determined under section 3 (1) of the Local Government Act 2003.

<b>Authorised Limit for External Debt</b>	<b>2024/2025 Original Indicator £m</b>
Borrowing	178.50
Other Long-Term Liabilities	4.00
<b>Total</b>	<b>182.50</b>
<b>Operational Limit for External Debt</b>	
Borrowing	190.00
Other Long-Term Liabilities	4.00
<b>Total</b>	<b>194.00</b>

No changes to the current Authorised Limit or Operation Limit for External Debt are required.

## **8 The Council's Investment Portfolio as at 30<sup>th</sup> September 2024**

8.1 The Treasury Management Strategy Statement (TMSS) for 2024/25, which includes the Annual Investment Strategy, was approved by the Council on 21<sup>st</sup> February 2024. In accordance with the CIPFA Treasury Management Code of Practice, it sets out the Authority's investment priorities as being:

- Security of capital
- Liquidity
- Yield

The Council aims to achieve the optimum return (yield) on its investments commensurate with proper levels of security and liquidity and with the Council's risk appetite. In the current economic climate, it is considered appropriate to keep investments short term to cover cash flow needs, but also to seek out value available in periods up to 12 months with high credit quality financial institutions, using the Link suggested creditworthiness approach, including a minimum sovereign credit rating and Credit Default Swap (CDS) overlay information.

### **8.2 Creditworthiness.**

The UK's sovereign rating has proven robust through the first half of 2024/25. The new Labour Government is expected to outline in detail its future fiscal proposals in the Budget scheduled for 30 October 2024.



### 8.3 CDS prices

It is noted that sentiment in the current economic climate can easily shift, so it remains important to undertake continual monitoring of all aspects of risk and return in the current circumstances.

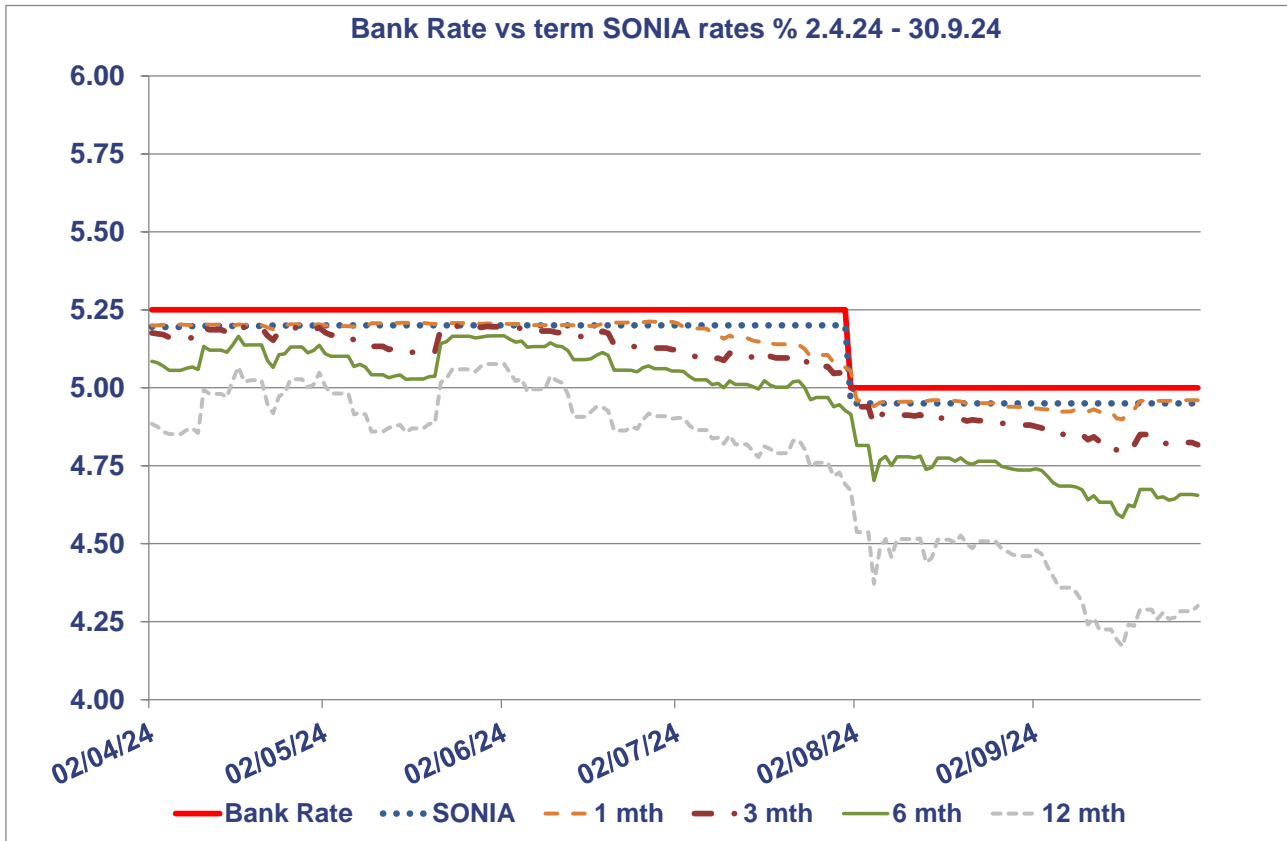
8.4 A list of all investments held as at 30th September 2024 is shown below:

Counterparty	Amount Invested	Deposit Period	Maturity Date	Interest Rate
<b>Fixed Term Deposit:</b>				
Stockport Council	£10.0m	3 Months	Nov 2024	4.95%
Blackpool Council	£5.0m	2 Months	Nov 2024	5.00%
Dundee City Council	£5.0m	4 Months	Feb 2025	4.95%
<b>Total Fixed Term Deposits</b>	<b>£20.0m</b>			<b>4.96%</b>
<b>Notice Accounts:</b>				
<b>Total Notice Accounts</b>	<b>£0.0m</b>			<b>N/A</b>
<b>Property Funds</b>				
CCLA Local Authority Property Fund	£2.0m	N/A	N/A	4.98%
<b>Total Property Funds</b>	<b>£2.0m</b>			<b>4.98%</b>
<b>Money Market Funds:</b>				
Federated Prime Rate	£10.0m	N/A	N/A	5.12%
<b>Total Money Market Funds</b>	<b>£10.0m</b>			<b>5.12%</b>
<b>Instant Access/Call Accounts</b>				
Lloyds Bank (Current Account)	£1.61m	Overnight	N/A	4.90%
<b>Total Instant Access</b>	<b>£1.61m</b>			<b>4.90%</b>
<b>Total Investments</b>	<b>£33.61m</b>			<b>5.01%</b>

### 8.5 Investment Counterparty criteria

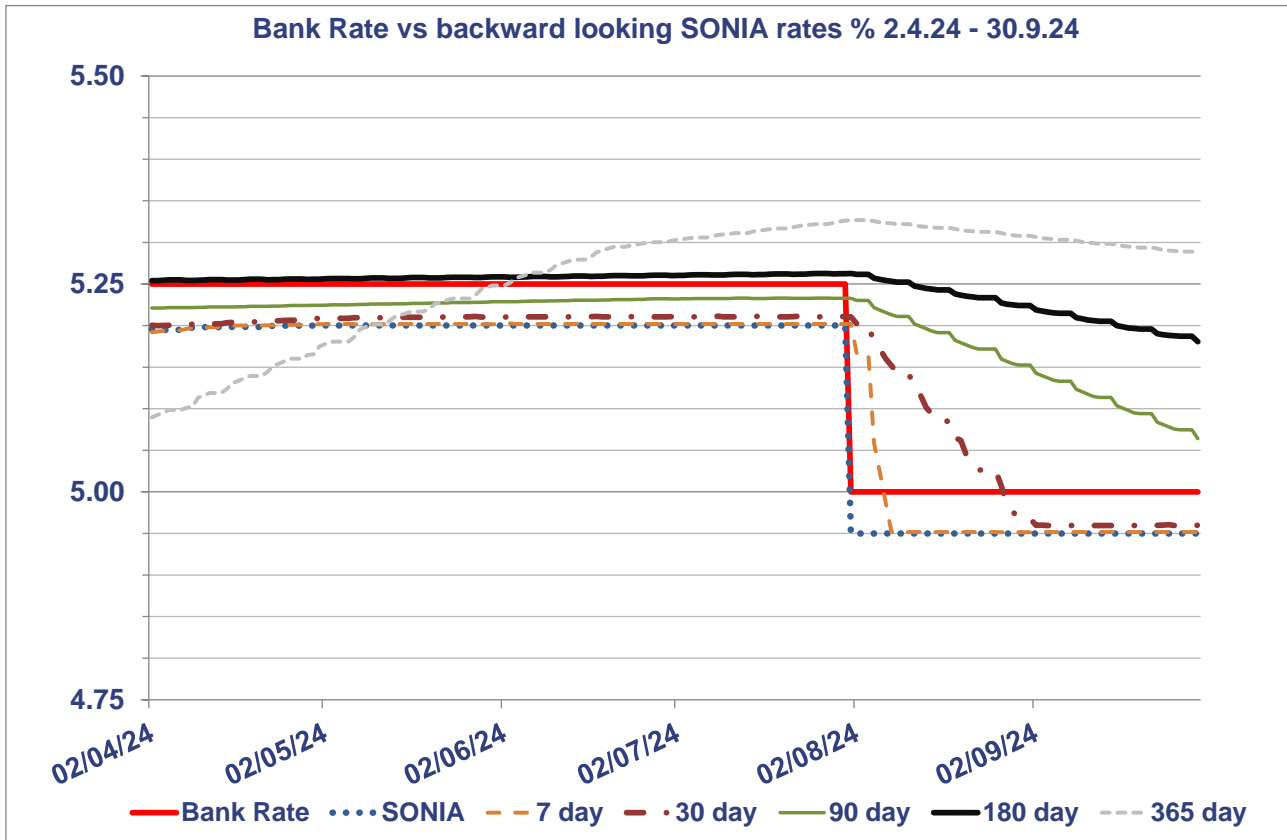
The current investment counterparty criteria selection approved in the TMSS is meeting the requirement of the treasury management function, and no in year changes are required.

8.6 Investment performance year to date as of 30 September 2024



	Bank Rate	SONIA	1 mth	3 mth	6 mth	12 mth
<b>High</b>	5.25	5.20	5.21	5.20	5.17	5.08
<b>High Date</b>	02/04/2024	03/05/2024	27/06/2024	17/04/2024	31/05/2024	30/05/2024
<b>Low</b>	5.00	4.95	4.90	4.79	4.58	4.17
<b>Low Date</b>	01/08/2024	01/08/2024	17/09/2024	17/09/2024	17/09/2024	17/09/2024
<b>Average</b>	5.17	5.12	5.11	5.06	4.96	4.75
<b>Spread</b>	0.25	0.25	0.31	0.41	0.58	0.91

The table above covers the first half of 2024/25.



	Bank Rate	SONIA	7 day	30 day	90 day	180 day	365 day
<b>High</b>	5.25	5.20	5.20	5.21	5.23	5.26	5.33
<b>High Date</b>	02/04/2024	03/05/2024	13/05/2024	26/06/2024	26/07/2024	26/07/2024	01/08/2024
<b>Low</b>	5.00	4.95	4.95	4.96	5.06	5.18	5.09
<b>Low Date</b>	01/08/2024	01/08/2024	27/08/2024	04/09/2024	30/09/2024	30/09/2024	02/04/2024
<b>Average</b>	5.17	5.12	5.12	5.15	5.20	5.25	5.26
<b>Spread</b>	0.25	0.25	0.25	0.25	0.17	0.08	0.24

The table above covers the first half of 2024/25.

### 8.7 Investment performance year to date as of 30 September 2024

<b>7 Day SONIA Benchmark Return</b>	<b>NBBC Performance</b>	<b>Investment Interest Earned</b>
5.12%	5.26%	£818,000

As shown, the Council is out-performing the 7 Day Benchmark by 14 Basis Points. The 7 Day Benchmark was chosen as the average length of investments for the Council is around 7 days. The Council's budgeted investment return for 2024/25 is £676k, and we currently forecasting a return of around £1.335m however this figure may be higher or lower than this forecast if interest rates change.

## 9 The Council's Debt Position as at 30<sup>th</sup> September 2024

9.1 The Council's borrowing activity for the second quarter of the financial year can be summarised as follows:

- No new loans were taken out
- £7.5m of debt matured in Q2 for a total of £10.0m of debt repaid in 24/25.
- £62.705m of debt is outstanding as at 30<sup>th</sup> September 2024 at an average rate of 3.64%. here are no more loans due to be repaid in 24/25.

9.2 Due to the high interest rates, the Treasury Team is minimalizing the amount of new external debt that the council is undertaking and are waiting for the rates to drop unless there is a cashflow reason for requiring externalising the Council's debt.

9.3 The Council's Debt Position as at 30<sup>th</sup> September 2024 is shown below:

<b>Borrowing</b>	<b>2024/25 Opening Balance £m</b>	<b>Balance as of 30<sup>th</sup> Sept 2024 £m</b>	<b>2024/25 Closing Forecast £m</b>
<b>General Fund</b>			
PWLB (Public Works Loan Board)	6.75	6.75	33.48
Market LOBO	2.00	2.00	2.00
<b>HRA</b>			
PWLB	63.96	53.96	63.96
<b>Total</b>	<b>72.71</b>	<b>62.71</b>	<b>98.57</b>

## 10 Debt Rescheduling

10.1 Debt rescheduling opportunities have been very limited in the current economic climate and following the various increases in the margins added to gilt yields which have impacted PWLB new borrowing rates. No debt rescheduling has therefore been undertaken to date in the current financial year.

10.2 The Council is currently breaching their Debt Maturity limits when the full Debt of both the General Fund and the HRA is considered. This is mainly due to HRA debts that were transferred from Central Government to the Council in 2011/12 which are expecting to mature in the next 5 years.

10.3 Part of the reason for the breach has been the use of internal borrowing over the last few years. Whilst making financial sense due to the high interest rates, this has indirectly led to the breach as the council is not borrowing more long-term debt, and therefore the percentage of debt that is maturing shortly is higher. As the CPR

figure earlier showed, the council has more capacity for debt and therefore this is not as much a problem as if we were over-borrowed.

10.4 The Council is expecting to use external borrowing later this year, which should assist with correcting the Debt Maturity breach, even if you include the HRA figures.

Total Debt Maturity Profile				
Debt Maturity within	£m	% of Total Debt	% of Running Total Debt	% for Lower and Upper Limit of Debt
Under 6 months	0.0	00.0%	00.0%	0%-30%
1 Year	0.0	00.0%	00.0%	0%-35%
2-5 Years	38.7	61.7%	61.7%	0%-50%
5-10 Years	16.0	25.5%	87.2%	0%-75%
10 Years and Over	8.0	12.8%	100.0%	0%-100%
<b>Total Debt</b>	<b>62.7</b>	<b>100.0%</b>	<b>100.0%</b>	

10.5 If we look at just the General Fund Debt, there is no breach of the Debt Maturity limits. There is also room for capital loans in the 5-10 year region if needed, but this would have to be evaluated over the Council's priorities and the expected lifespan of the asset linked to the capital spend.

General Fund Maturity Profile				
Debt Maturity within	£m	% of Total Debt	% of Running Total Debt	% for Lower and Upper Limit of Debt
Under 6 months	0.00	0.0%	0.0%	0%-30%
1 Year	0.00	0.0%	0.0%	0%-35%
2-5 Years	3.75	42.9%	42.9%	0%-50%
5-10 Years	0.00	0.0%	42.9%	0%-75%
10 Years and Over	5.00	57.1%	100.0%	0%-100%
<b>Total Debt</b>	<b>8.75</b>	<b>100.0%</b>	<b>100.0%</b>	

## 11 Conclusion

11.1 That Committee is recommended to note the Treasury Management 2024/25 Quarter 2/ Mid-Year review

## 12 Appendices (if none, state none)

12.1 None

## 13 Background Papers (if none, state none)

13.1 None

**NUNEATON AND BEDWORTH BOROUGH COUNCIL**

**Report to: Audit and Standards Committee – 12<sup>th</sup> November 2024**

**From: Constitution Review Working Party**

**Subject: Removal of Elected Members from Grayson Place (NBBC) Limited and NABCEL directorship roles**

---

**1. Purpose of the Report**

- 1.1. Following a meeting of the Constitution Review Working Party (CRWP) held 20<sup>th</sup> August 2024, the report seeks to recommend the removal of Elected Members from Grayson Place Limited and NABCEL directorship roles.

**2. Recommendations**

- 2.1. To consider the report;
- 2.2. To endorse the recommendation to remove Elected Members from Grayson Place (NBBC) Limited and NABCEL directorship roles for the reasons outlined in this report; and
- 2.3. Subject to 2.2, IT BE RECOMMENDED TO COUNCIL to approve the removal of Elected Members from Grayson Place Limited and NABCEL directorship roles; and
- 2.4. Subject to 2.2, Delegated Authority be given to the Head of Paid for Service to appoint a third Director of Grayson Place (NBBC) Limited to meet the minimum threshold as per the Articles of Association; and
- 2.5. Subject to 2.2, The Council support the amendment to the Articles of Association for NABCEL to reduce the number of Directors from five (5) to four (4).

**3. Background**

- 2.1. Nuneaton and Bedworth Borough Council wholly owns two Local Authority Trading Companies (LATC's):
- 2.1.1. Nuneaton and Bedworth Community Enterprises Limited (NABCEL); and
- 2.1.2. Grayson Place (NBBC) Limited.

2.2. Both LATC's have Articles of Association each of which require a minimum number of Directors to be present for a director's meeting. These are outlined below and include a mixture of Council Officer Director appointments, Elected Member Director appointments and for NABCEL only, Non-Executive Director's.

2.2.1. **NABCEL:** *"The number of Directors shall be 5, unless otherwise determined by ordinary resolution<sup>1</sup>".*

At the time of writing this report, the minimum number of Directors has been met with five (5) appointments.

Furthermore, the quorum for the transaction of business of the directors shall be not less than 1 Executive Director and 2 Non-Executive Directors.

2.2.2. **Grayson Place (NBBC) Limited:** *"Unless otherwise determined by ordinary resolution, the number of directors is not subject to any maximum and the minimum number is 3<sup>2</sup>".*

At the time of writing this report, there are two (2) x Council Officer Director Appointments and one (1) x Elected Member Director Appointment (as per Full Council's decision 15<sup>th</sup> May 2024).

The quorum for the transaction of business of the director shall be two (2) directors with at least one (1) director being a council officer (or a person appointed as their alternate director) and one (1) director being a council member (or a person appointed as their alternate director). A person who holds office only as an alternate director shall only count for quorum purposes if their appointor is not present.

2.3. The Council, as the shareholder and as per the Articles of Association for each LATC, can remove any director from office.

2.4. The method for appointing directors can be made by the Council for the purposes of Grayson Place (NBBC) Limited. As for NABCEL, appointments can be made by ordinary resolution, or by a decision of the directors, or in any other way permitted by the articles (which include appointment by the Council as per 20.2 of the Articles of Association).

2.5. In the case of both LATC's, the shareholder (the Council), reserve powers *"by special resolution, direct the directors to take, or refrain from taking, specified action<sup>3</sup>".* Furthermore, the Council has a Shareholder Committee, whose remit is to review, scrutinise and approve (where relevant) performance data, business plans and key operational and/or

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<sup>1</sup> Copied from the Articles of Association (Nuneaton and Bedworth Community Enterprises Limited).

<sup>2</sup> Copied from the Articles of Association (Grayson Place (NBBC) Limited).

<sup>3</sup> Copied from the Articles of Association (Nuneaton and Bedworth Community Enterprises Limited and Grayson Place (NBBC) Limited).

strategic matters. This is a common approach across the public sector. Coventry City Council's shareholder committee considers reports from its wholly owned entities such as Coventry Municipal Holdings Limited, Sherbourne Recycling Limited, UKBIC Ltd and Coventry and Warwickshire Growth Hub to name a few.

### **3. Alternative arrangements compared to current LATC arrangements**

- 3.1. A council company is subject to a numerous obligations imposed by the Companies Act 2006 in addition to legislation specific to local authority companies and the requirements (finance and accounting, health and safety, employment, procurement, data protection, freedom of information and environmental reporting law). Careful consideration must then to be given to the appointment of the company's board of directors, who are responsible for strategy and overseeing company operations, and who will owe their duties to the company. There are various options as to the composition of a board, which may include a mix of executive and independent, non-executive directors. Whatever form a board takes, the directors should provide for a complementary blend of strategic, practical and operational experience.
- 3.2. It is worth noting that LATC's are setup in different ways but ultimately some LATC's have no elected member involvement in terms of the Directorship and others do.
  - 3.2.1. For instance, Hastings Borough Council established a wholly owned private housing company in 2017 with no elected member holding a directorship role. The structure comprised of four (4) directors (chair of the Charity Committee, the Assistant Director of Housing & Built Environment, Income Generation Manager and the Chief Accountant) with a quorum for the transaction of business being three (3) directors.
  - 3.2.2. Alternatively, Oxford City Council established a LATC in 2017 and its structure takes decisions on matters not reserved to the Shareholder and delegates day-to-day running of the company to the Managing Director. The Board composition is for a minimum of three (3) and a maximum of six (6) Directors. The Board is made up of Council officers.<sup>4</sup>
  - 3.2.3. Whilst 3.2.1 and 3.2.2 above are two examples, this is not to say it is the right or wrong way to setup. The point made is that there are a range of different models and its what best suits the company and shareholder(s).
  - 3.2.4. It is noted in the LATC Guidance produced by Local Partnerships a recommendation that it is particularly not advisable for cabinet members with budget responsibility for a particular service to sit on the board of a company delivering that service as this means that the company cannot be held to account.

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<sup>4</sup> [Appendix two](#) of a report produced by Gravesham Borough Council related to example of Local Authority Companies.



#### **4. Risks and Concerns to note**

- 4.1. The key concern related to an elected member being in a directorship role for a LATC alongside the undertaking of their elected member role, is the risk of conflict of interests.
  - 4.1.1. It is essential to avoid conflicts of interest arising between the company and the council. For council officers who have been appointed as directors, such conflicts can be managed through a formal letter of appointment in which the council directs that, when acting as a director, the officer must act in the best interests of the company and that the statutory duty to do so will take precedence over the duty owed to the council by its officer.
  - 4.1.2. However, as a matter of public law, elected members must always act in the best interests of their council, so there will always be at least a potential conflict of interest when, as a director, they must resolve a decision in favor of the company. When appointed as a Director, a Director is required to exercise independent judgment to make decisions and avoid conflicts of interest. As such, whilst it is possible, very careful consideration will need to be given to appointing members as directors of a council company, their involvement in the company may well be better facilitated through their being appointed instead to a shareholder board or member committee as discussed below. Directors' first duty is to act in the best interests of the company. Situations can inevitably arise where the same person will be a decision maker or advisor both for the council and one of its entities. For example, in matters of reporting, contractual discussions, investment requests or resourcing agreements. It is therefore important to consider the rationale for having members or officers on boards of companies with a close association with the nature of their work.
- 4.2. Although many local authority trading companies are successful, there have been some failures with companies being wound up and services brought back in house. The reasons for these are often in relation to the inappropriate governance of the company rather than the commercial idea being flawed. This can be because it is easy for the shareholder to become too involved in the day-to-day running of the company. This therefore can limit the LATC's freedom to operate in a commercial manner, making decisions that it sees fit. This situation can become worsened when elected members hold directorship roles and/or sit on the Board with voting rights as this not only stifles innovation and growth but can mean serious conflicts of interest that pose a risk for members.
- 4.3. Notwithstanding the above, it is worth clarifying that some LATC's are successful yet having a mixed directorship listing of council officers, external non-executive directors and elected members. The critical aspect is ensuring critical steps are taken to ensure the LATC operate effectively, including: having a clear strategy; getting the right culture; good governance; investing in technology; and being realistic with

returns on investment.

## **5. Implications for the Shareholder and each LATC**

- 5.1. Should the recommendations be approved, based on the current structure of each LATC, the shareholder would have the following considerations and decisions to make:
  - 5.1.1. Grayson Place (NBBB) Limited: Appoint at least one (1) new Director to ensure the minimum threshold as per the Articles of Association is met.
  - 5.1.2. NABCEL: Appoint at least one (1) new Director to ensure the minimum threshold as per the Articles of Association is met or consider supporting the option to reduce the number of Director appointments to a minimum of four (4). It should be noted that whilst having an even number of Directors can cause issue from a voting perspective if all are present, the Articles of Association do permit the chair of the meeting to have the casting vote. Please also note the quorum for a meeting is three (3). Furthermore, to amend the minimum threshold of five (5), it would require ordinary resolution as per section 282 of the Companies Act.
- 5.2. For both LATC's, if the recommendations are approved, the elected members would need to be removed from the APPOINTMENTS BY OFFICE as agreed at Annual Council in May 2024.

## **6. Reference materials**

A range of reference material has been used to help produce this report. Please see below the sources of such reference materials.

- [Grant Thornton Blog: Latest Trends in Local Authority Trading Companies](#)
- [Anthony Collins: Council company governance](#)
- [Appendix two](#) of a report produced by Gravesham Borough Council related to example of Local Authority Companies.
- [Local Authority Company Review Guidance 2023 produced by Local Partnerships.](#)

**NUNEATON AND BEDWORTH BOROUGH COUNCIL**

**Report to:** Audit and Standards Committee – 12<sup>th</sup> November 2024

**From:** Assistant Director – Democracy & Governance and Monitoring Officer

**Subject:** Recommendations from the Constitution Review Working Party –  
Removal of Appeal Committee on Dismissal of Employees

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**1. Purpose of the report**

- 1.1 To consider and approve the recommendations from the Constitution Review Working Party and recommend changes to the Constitution.

**2. Recommendations**

- 2.1 That the recommendations as set out in the report and appendices be approved, and;
- 2.2 IT BE RECOMMENDED TO COUNCIL that the Constitution be amended accordingly.

**3. Background**

- 3.1 On the 16<sup>th</sup> October 2024 the Constitution Review Working Party met and consider the report attached at Appendix A from the People Services Manager proposing the removal of the Appeals Committee in relation to the dismissal of employees.
- 3.2 The reports summarises the recommendations in accordance with the ACAS Code of Practice on Appeals of Disciplinary and Grievance Procedures which provides that employers must follow a full and fair procedure in line with the Acas code for any disciplinary and grievance case as the procedure followed will be taken into account if the case reaches an employment tribunal.
- 3.3 The Acas code also recommends that regardless of the size of the organisation, all employers should follow a full and fair grievance procedure as set out in the guidance. This includes allowing employees the right to an appeal against a dismissal or grievance outcome.
- 3.4 The Council's current process provides for a two stage appeal, the first to an Assistant Director and the second to the Appeals Committee. The remit of the Appeals Committee in the case of a grievance, disciplinary action or dismissal is to determine whether the procedures in the Council's policies have been correctly followed and applied and if the procedures followed do not comply with the relevant policy then to remit the decision to the original decision maker to consider the matter afresh having regard to the findings of the committee panel.

- 3.5 The two stage appeal process can lead to delays and prolong matters for the employee and the Council in bringing the case to a conclusion.
- 3.6 Benchmarking with other authorities in the region have confirmed that they have only one stage of appeal, usually to a senior or chief officer.
- 3.7 The changes being recommended would therefore accord with both the Acas Code on Disciplinary and Grievance Procedures and other authorities in the region.

#### **4. Recommended changes**

- 4.1 The appeal to Members on process in relation to the dismissal of employees be removed;
- 4.2 Changes to Article 8.2, Part 4H - Employment Procedure Rules and the Council's Grievance, Dismissal and Disciplinary Policies be amended accordingly to reflect the changes referred to in the report.

**MATTHEW WALLBANK/  
WAHEEDA SHEIKH**

## **NUNEATON AND BEDWORTH BOROUGH COUNCIL**

**Report to: Constitutional Review Working Party**

**From: Ruth Bartlett, People Services Manager**

**Subject: Appeals – employee related matters**

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### 1. Purpose of Report

1.1 To brief the CRWP on the current process in relation to recruitment and appointment of Chief Officers and suggest changes for consideration.

### 2. Recommendations

2.1 To consider the contents of the report and decide on approach going forward

### 3. Background

3.1 In line with ACAS Code of Practice, employees have a right to appeal against decisions made under both the Council's Disciplinary Policy and Dismissal Procedures and the Grievance Policy.

3.2 In summary, the right of appeal would cover the following:

- If the sanction applied as disciplinary action was wrong or too severe
- If the grievance outcome may be incorrect
- If any part of the disciplinary or grievance procedure was followed incorrectly and/or unfairly
- If dismissed, was the reason for dismissal fair
- Consider any new evidence that may have come to light and if this would impact the outcome

3.3 Although not strictly covered by employment legislation, where an employer does not have an appeals process this may reflect negatively should cases progress further, for example to Employment Tribunal.

3.4 The Council's policies and procedures for both Disciplinary and Grievance include an appeals process. The current wording states that appeals will be heard in line with the Council's Constitution. As it stands, this means employees have an initial appeal to Assistant/Strategic Director. This right of appeal covers all points noted at 3.2.

3.5 In addition, the Council's Constitution currently states the below:

## **Appeals Panel**

- a) *The Appeals Panel shall consider appeals on any decision in connection with a grievance under the Council's Grievance Policy; or to dismiss or discipline taken under the Council's Disciplinary & Dismissals Policy in respect of any member of staff (other than the Council's statutory officers who shall be dealt with in accordance with the Employment Procedure Rules);*

and

*In the case of a grievance, disciplinary action and dismissals, the role of the Panel shall be to determine whether the procedures outlined in the Grievance or Disciplinary and Dismissal Policies have been correctly followed and applied. Should the Panel find that the procedures do not comply with the relevant policy, the Panel shall remit the decision to the original decision-maker to consider the matter afresh, having regard to the findings of the Panel. Upon the taking of that further decision, there shall be no further appeal to the Panel and the matter shall be dealt with by the Employment Tribunal, upon application of the affected employee.*

- 3.6 In summary, any appeals that progress to an Elected Member appeal process would be based solely on any issues related to process and/or procedure followed. This appeal would not look to deal with a review of any evidence and/or the outcome of any prior proceedings. This clarification is made clear to employees following the outcome of their initial appeal.
- 3.7 Employees cannot 'skip' the first appeal, i.e. they would need to appeal via Assistant/Strategic Director in the first instance. Therefore, the entire process from initial hearing to any final members appeal can be considerable. In cases of dismissal in particular, in this intervening period the Council is unable to recruit to any vacated posts.
- 3.8 Since 2020, records indicate only one appeal has progressed to elected member appeal stage.
- 3.9 Any member sitting on such an appeal panel is required to undertake training every two years. In addition, should cases progress to Employment Tribunal, members may be called upon as witness for cases.

## 4. **Benchmarking**

- 4.1 For the purposes of this review, a number of other local authorities in the region have been asked for details in relation to their approach on elected member involvement in appeals. The table below is a summary of responses:

<b>Authority</b>	<b>Member Involvement In appeals</b>	<b>Comments</b>
Warwick District Council	No	One stage appeal process to Chief Officer only

Stratford Council	District	No	One stage appeal to officer not previously involved in case
Malvern Hills and Wychavon Councils	District	No	One stage appeal to member of SMT
Rugby Council	Borough	No	One stage appeal to Chief Officer

5. Recommendations

- 5.1 The Council complies with the ACAS Code of Practice in relation to appeals for Disciplinary and Grievance matters. This obligation is fulfilled by the current first stage appeal to Assistant/Strategic Directors.
- 5.2 Given the above, and the length of time a protracted appeal process can take, it is proposed that an appeal to members on process only is removed.

6. Conclusion

- 6.1 The authority complies with ACAS Code of Practice as part of the Disciplinary and Grievance Policies which includes the one stage appeal process.
- 6.2 The current second stage appeal by elected members can only review process, and those members may be called as witnesses at Employment Tribunal, which may represent issues in the defence of any proceedings.

**NUNEATON AND BEDWORTH BOROUGH COUNCIL**

**Report to:** Audit and Standards Committee – 12<sup>th</sup> November 2024

**From:** Assistant Director – Democracy & Governance and Monitoring Officer

**Subject:** Recommendations from the Constitution Review Working Party – Changes to the Delegations of the Assistant Director of Planning

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**1. Purpose of the report**

- 1.1 To consider and approve the recommendations from the Constitution Review Working Party and recommend changes to the Constitution.

**2. Recommendations**

- 2.1 That the recommendations as set out in the report and appendices be approved, and;
- 2.2 IT BE RECOMMENDED TO COUNCIL that the Constitution be amended accordingly.

**3. Background**

- 3.1 On the 16<sup>th</sup> October 2024 the Constitution Review Working Party met and consider the report attached at Appendix A.
- 3.2 The reports summarises the recommendations in relation to the delegations to Assistant Director for Planning as set out in the constitution and the recommended changes.
- 3.3 The changes aim to ensure that only the most significant and or important applications are presented to Planning Applications Committee for consideration.

**4. Recommended changes**

- 4.1 The delegations of the Assistant Director of Planning be amended to reflect the recommended changes in Appendix A.

**MATTHEW WALLBANK/  
WAHEEDA SHEIKH**



## **Constitution Review Working Party (CRWP) – Briefing Note for Planning Changes**

The Constitution sets out a scheme of delegation relating to the determination of planning applications. One of the aims of this is to ensure that only the most significant and/or contentious planning applications are presented to Planning Applications Committee for consideration. The scheme of delegation is kept under constant review to ensure that it achieves this aim. This has resulted in five areas of potential change being identified as set out below.

### **Change 1 – Council Applications**

#### **Current wording:**

5D.7 DEVELOPMENT PROPOSALS SUBMITTED BY MEMBERS AND OFFICERS AND DEVELOPMENT BY THE COUNCIL a) All proposals by Members and Officers and all proposals by the Council itself will be determined by Planning Applications Committee, regardless of any Scheme of Delegation in force at the time. A Member or an officer who has submitted a planning application will take no part in the determination of that application or the decision-making process leading to the determination of that application.

#### **Proposed wording:**

5D.7 DEVELOPMENT PROPOSALS SUBMITTED BY MEMBERS AND OFFICERS AND DEVELOPMENT BY THE COUNCIL a) All proposals by Members and Officers and all major development proposals (as defined in statistical returns to the Government) by the Council itself will be determined by Planning Applications Committee, regardless of any Scheme of Delegation in force at the time. A Member or an officer who has submitted a planning application will take no part in the determination of that application or the decision-making process leading to the determination of that application.

#### **Reason for the Change:**

Section 3E.7.b.viii of the Constitution gives delegated authority to “process and make decisions on all planning applications as defined in Schedule 1 below except in any one of the following cases ... The proposal involves the Borough Council either as applicant or land owner, and the scheme is not of a minor nature, as defined in statistical returns to the Government.”

Section 5D.7 of the Constitution contradicts the above and takes precedent when considering which Council applications to take to Committee. The effect of this is such that any planning application submitted by the Council has to be determined by Committee. This means that even minor applications relating to Council owned houses have to be reported to Committee. For example, this has resulted in an uncontentious application with no objections for a ramp to the front of a Council house being reported to Planning Applications Committee.

#### **Benefits of the Change:**

The proposed change would ensure consistency between section 5D.7 and section 3E.7.b.viii. of the Constitution. Moreover, it would result in a better use of Planning Applications Committee's time because minor and uncontentious applications would not automatically have to be determined by them. It would also help the Council to provide a more effective and efficient service by enabling decisions to be made at the earliest opportunity rather than having to delay this whilst waiting for the next available Committee.

### **Implications of the Change:**

Any major application submitted by the Council will need to be determined by Planning Applications Committee. All other applications submitted by the Council will be determined in line with the scheme of delegation. This means that appropriate checks and balances would remain in place. For example, a Councillor could still request for an application in their Ward to be determined by Committee.

### **Change 2 – Applications with Viability Issues**

#### **Current wording:**

Delegated authority is given by section 3E.7.b.vii “To process and make decisions on all planning applications as defined in Schedule 1 below except in any one of the following cases ... The terms of a legal agreement needs to be agreed other than where a contribution is in accordance with a tariff agreed in adopted Supplementary Planning Guidance.”

#### **Proposed wording:**

Delegated authority is given by section 3E.7.b.vii “To process and make decisions on all planning applications as defined in Schedule 1 below except in any one of the following cases ... The terms of a legal agreement needs to be agreed other than: where a contribution is in accordance with a tariff agreed in adopted Supplementary Planning Documents; or where a viability assessment submitted with the planning application has been scrutinised by an independent viability consultant instructed by the Council who has then advised that the scheme is not viable and therefore cannot make all or some of the contributions that would ordinarily be sought in accordance with a tariff agreed in adopted Supplementary Planning Documents.”

#### **Reason for the Change:**

Applications which are accompanied by a viability assessment are currently scrutinised by an independent viability consultant instructed by the Council. The consultant then advises the Council whether or not the scheme is viable. If it's found to be unviable then the Officer will assess whether it would be appropriate for the scheme to not make some or all of the contributions that would ordinarily be sought in accordance with adopted Supplementary Planning Documents. This decision is based on planning judgment and is informed by having regard to both local and national policy and guidance.

The process described above would still continue. However, at present, the scheme would automatically have to be determined by Planning Applications Committee even if the independent Consultant advises that the scheme is not viable and therefore cannot

make all or some of the contributions. The proposed change would allow such applications to be determined under delegated powers unless one of the other cases described in section 3E.7 of the Constitution has been triggered.

### **Benefits of the Change:**

The proposed change would result in a better use of Planning Applications Committee's time because it would not have to consider applications purely on the basis that a scheme is unviable and therefore can't afford to make some or all of the contributions that would ordinarily be sought. It would also help the Council to provide a more effective and efficient service by enabling decisions to be made at the earliest opportunity rather than having to delay this whilst waiting for the next available Committee.

### **Implications of the Change:**

Schemes which are found to be unviable following scrutiny by an independent viability consultant and therefore can't afford to make some or all of the contributions that would ordinarily be sought would no longer have to be determined by Committee on that basis alone. Such applications would still have to be determined in line with the scheme of delegation. This means that appropriate checks and balances would remain in place. For example, a Councillor could still request for an application in their Ward to be determined by Committee.

## **Change 3 – Non-Material Amendments**

### **Current wording:**

Delegated authority is given by section 3E.7.b.vii "To process and make decisions on all planning applications as defined in Schedule 1 below except in any one of the following cases ... [criteria i-ix not reproduced here]". Schedule 1(8) states that this includes applications for "Non-Material Amendments".

### **Proposed wording:**

Schedule 1 be amended to remove number 8 - applications for "Non-Material Amendments".

Amending the delegated authority to include section 3E.7.k [new addition] to "Determine applications for Non-Material Amendments".

### **Reason for the Change:**

When planning permission is granted, development must take place in accordance with the permission and conditions attached to it. However, new issues may arise after planning permission has been granted, which require modification of the approved proposals. One such way to do this is by a non-material amendment application under Section 96A of the Town and Country Planning Act. This can only be used where the amendment is very minor and is not a material change to the development as approved. For example, if a window needs to be moved 10cm to the right of the approved position or the width of an extension needs to be reduced by 20cm. Whether or not it is acceptable is a matter of planning judgment and the Council must have regard to the effect of the change, together with any previous changes.

Essentially, applications for non-material amendments only relate to minor changes to an approved development where it is deemed there would be no new or further harm because of the change. However, at present such applications can only be determined under delegated powers providing none of the cases listed in section 3E.7.b are triggered. This means that Committee could be asked to consider and determine non-material applications for issues as small as a window needing to be moved 10cm to the right of an approved position.

### **Benefits of the Change:**

The proposed change would result in a better use of Planning Applications Committee's time because it would not have to consider or determine any applications for non-material amendments. This would help the Council to provide a more effective and efficient service by enabling decisions to be made at the earliest opportunity rather than having to delay this whilst waiting for the next available Committee.

### **Implications of the Change:**

All applications for non-material amendments would be determined by Officers under delegated powers.

## **Change 4 – Called-In Applications**

### **Current wording:**

Delegated authority is given by section 3E.7.b.v “To process and make decisions on all planning applications as defined in Schedule 1 below except in any one of the following cases ... Where a Member requests and the Assistant Director - Planning agrees (having consulted the chair and vice-chair of the Planning Applications Committee that:

- i. in the case of a minor application in their ward; or
- ii. in the case of a major application, any 3 Councillors,

that application be dealt with by the Planning Applications Committee.

The request has to be made to the Assistant Director - Planning in writing or by e-mail within 28 days of the date of the relevant weekly list of planning applications (or 14 days in the case of proposals submitted to other authorities). In both cases above, sufficient and rational reasons need to be given for the call in to be determined by Assistant Director - Planning, in consultation with the chair and vice-chair of Planning Application Committee.”

### **Proposed wording:**

Delegated authority is given by section 3E.7.b.v “To process and make decisions on all planning applications as defined in Schedule 1 below except in any one of the following cases ... Where:

- i. a Councillor in the case of a minor application in their Ward; or
- ii. in the case of a major application, any three individual Councillors,

request(s) and the Assistant Director - Planning agrees (having consulted the chair and vice-chair of the Planning Applications Committee), that application be dealt with by the Planning Applications Committee.

The request(s) must be made to the Assistant Director - Planning in writing or by e-mail within 28 days of the date of the relevant weekly list of planning applications (or 14 days in the case of proposals submitted to other authorities). In both cases above, sufficient and rational reasons need to be given for the call in to be determined by Assistant Director - Planning, in consultation with the chair and vice-chair of Planning Application Committee.”

**Reason for the Change:**

The current wording is unclear and specifies that “Where a Member requests ... that: ii. in the case of a major application, any 3 Councillors, that application be dealt with by the Planning Applications Committee.” The proposed change seeks to make it clear that requests in the case of major applications have to be made by three individual Councillors.

**Benefits of the Change:**

The proposed change would make the scheme of delegation clearer for called-in applications.

**Implications of the Change:**

Clarity in that a Councillor can call-in a minor application in their Ward and that any three individual Councillors can call-in major applications anywhere in the Borough.

**Change 5 – Processing Appeals**

**Current wording:**

None.

**Proposed wording:**

Addition – 5D.13.g: In the event that a Planning Appeal is received following the resolution of Planning Applications Committee to refuse an application, the Assistant Director – Planning will consider whether the reason(s) for refusal are defensible. In the event that the reason(s) for refusal are not considered to be defensible, the Assistant Director – Planning may present a further report to the Planning Applications Committee setting out why the reason(s) for refusal are not considered to be defensible together with the implications of this and options available for the Council. These options may include asking Planning Applications Committee to not defend the reason(s) for refusal. Planning Applications Committee may then be asked vote on their preferred option.

**Reason for the Change:**

To provide clarity concerning the ability of Planning Applications Committee to make a decision on whether or not to defend reason(s) for refusal following their resolution to refuse an application. This follows queries and debate concerning whether Planning

Applications Committee had the authority to do this in connection with the recent appeal relating to Woodlands Farm in Bedworth.

**Benefits of the Change:**

The proposed change would make it explicitly clear that Planning Applications Committee have the authority to make a decision on whether or not to defend reason(s) for refusal following their resolution to refuse an application.

**Implications of the Change:**

Clarity that Planning Applications Committee have the authority to make a decision on whether or not to defend reason(s) for refusal following their resolution to refuse an application.