



**AGENDA
for
MEETING OF
THE COUNCIL**

to be held on

Monday, 13th February, 2023

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Date: 3rd February 2023

Our Ref: KB

To: All Members of the Borough Council

A MEETING OF THE COUNCIL will be held on **Monday, 13th February, 2023**
at 6.00 p.m.

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

Public and press can follow the decision making online at
www.nuneatonandbedworth.gov.uk/virtual-meeting.

Please note that meetings will be recorded for future broadcast.

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 meeting held on 14th December, 2022 (**Page 7**) and to confirm the minutes of the Extraordinary meeting – Management Team Restructure (**Page 41**) and the Extraordinary Council – Bedworth Civic Hall both held on 12th January, 2023 (**Page 52**)
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 64**). 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 71**) 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 & Bedworth \(nuneatonandbedworth.gov.uk\)](#)
7. QUESTIONS BY MEMBERS - (Council Procedure Rule 10). A copy of Procedure Rule 10 is attached. (**Page 72**) and this is not subject to debate.
8. SPECIAL URGENCY DECISIONS - (Access to Information Procedure Rule 4B.16)
9. CABINET – report by Leader of the Council (**to follow**)
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. ELECTION OF MAYOR AND DEPUTY MAYOR – to give consideration to the selection of Mayor and Deputy Mayor for 2023/24.
11. RECOMMENDATIONS FROM CABINET OR OTHER COMMITTEE

Audit and Standards Committee – 10th January 2023

a) REVIEW OF RISK MANAGEMENT POLICY AND STRATEGY

At its meeting held on 10th January 2023 a report (**copy attached Page 74**) by the Head of Audit and Governance was considered and the following recommendation put forward for Council approval:

It be recommended to Council that the Constitution be updated accordingly.

Audit and Standards Committee – 31st January 2023

b) ANNUAL AUDIT REPORT

At its meeting held on 31st January 2023 a report (**copy attached Page 87**) by the Director – Finance and Enterprise and the External Auditors was

considered, and the following recommendation put forward for Council approval:

The Annual Audit Report be recommended to Council for noting.

Cabinet – 8th February 2023

c) GENERAL FUND REVENUE BUDGET 2023/24

The Council will be asked to consider recommendations agreed at Cabinet to be held on Wednesday, 8th February on the General Fund Revenue Budget 2023/24. **Report to follow**

d) HOUSING REVENUE ACCOUNT BUDGET 2023/24

The Council will be asked to consider recommendations agreed at Cabinet to be held on Wednesday, 8th February on the Housing Revenue Account Budget 2023/24. **Report to follow.**

e) CAPITAL BUDGET 2023/24

The Council will be asked to consider recommendations agreed at Cabinet to be held on Wednesday, 8th February on the Capital Budget 2023/24. **Report to follow.**

f) COUNCIL TAX 2023/24 – following consideration of the above items the Council is required to determine the Council Tax for 2023/24. **Resolution to follow**

g) TREASURY STRATEGY 2023/24

The Council will be asked to consider recommendations agreed at Cabinet to be held on Wednesday 8th February on the Treasury Management and Budgetary Framework 2023/24. **Report to follow**

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

14th December, 2022

The meeting of the Nuneaton and Bedworth Borough Council was held on Wednesday, 14th December 2022 which was recorded and live streamed.

Present

The Mayor (Councillor J. Clarke)
The Deputy Mayor (Councillor M. Walsh)

Councillors D. Brown, B. Beetham, C. Cape, T. Cooper, S. Croft, L. Cvetkovic, L. Downs, K. Evans, C. Golby, M. Green, J. Gutteridge, B. Hammersley, S. Harbison, J. Hartshorn, K. Kondakor, S. Markham, G. Moreton, B. Pandher, R. Baxter-Payne, J. Sheppard, T. Sheppard, E. Shiers, J. Singh, R. Smith, M. Tromans, R. Tromans, and M. Wright

Apologies were received for Councillors J. Coventry-Moreton, J. Kennaugh, N. Phillips, C. Watkins, and K. Wilson

A minute silence was held for former Mayor and Mayoress and recently awarded Alderwoman Diana Hawkes who had passed away recently.

CL33 **Minutes**

RESOLVED that the minutes of the Ordinary Council meeting held on 19th October 2022, were confirmed, and signed by the Mayor

CL34 **Declarations of Interests**

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

CL35 **Announcements**

The Mayor announced that they had received an acknowledgement from His Majesty King Charles III in relation to the Councils letter of sympathy on death of the late Queen Elizabeth II.

The Chief Executive announced that we had received a commemorative certificate and miniature replica of the Queens Baton for the Councils involvement in the Baton relay and helping with the Commonwealth Games.

CL36 **Censure of a Member**

The Chief Executive read out a Censure in relation to Councillor K. Kondakor following the outcome of a complaint taken to a Standards Hearing Panel. The Censure is recorded in the minutes and was read out as follows:

Censure of Councillor Keith Kondakor: Full Council 14th December 2022

1. Background

On 25th November 2022, the Audit & Standards Sub-committee held a hearing into a complaint against Councillor Kondakor that he had failed to comply with the following paragraphs of the Council's Code of Conduct:

Paragraph 3a – You must treat others with respect; &

Paragraph 5 – You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.

The complaint arose as a result of a social media exchange with another Councillor during which Councillor Kondakor stated:

“You clearly do not believe in democracy. We need a range of people on the Council, not a one party state produced by adjusting electoral systems and demonising (sic) every other party. You are getting more like Nazis every month.”

As a result of the last sentence of his statement, a member of the public took exception to the suggestion and raised a complaint. Despite being asked to remove the post and offer an apology, Councillor Kondakor refused to do so and so the complaint was investigated. When contacted by the Monitoring Officer, Councillor Kondakor did remove the post, but by then it had been retweeted several times. At the same time, Councillor Kondakor refused to offer an apology to the member who was the intended recipient of the post.

2. The Standards Local Hearing Panel decision

At the hearing, the Sub-committee found that Councillor Kondakor had breached both paragraphs of the Code of Conduct for Members.

3. Sanction

Because the statement was made on social media, the breach was considered to be significant and the Sub-committee felt that Councillor Kondakor be publicly censured at this full council meeting.

The Sub-committee also resolved

- for its findings in respect of Councillor Kondakor's conduct be published on the Council's website; and
- its findings be reported to Council for information;

4. Censure

The Sub-committee considered that Councillor Kondakor's comment was a gratuitous insult that stepped outside the bounds of ordinary political exchanges which are protected by Article 10 of the European Convention on

Human Rights. This caused offence to the complainant and the recipient of the social media post and displayed a lack of respect to both.

Publicly making the assertion demonstrated a blatant disrespect to all members of the Council, including himself. Accordingly, Councillor Kondakor had brought both the Council and his office as an elected member into disrepute. The Sub-committee agreed, therefore, that Councillor Kondakor be censured as follows:

You be formally censured that inappropriate language on social media is unacceptable. You apologise to both the complainant and to Councillor Evans publicly at this meeting for the use of the term "Nazi" as being both insulting and abusive.

This censure will be minuted and kept on public record, indefinitely.

CL37 **Public Participation**

Question 1 – Sam Margrave asked the following question to the Leader of the Council:

It is clear the Council is in financial difficulty and on the brink of bankruptcy.

The Conservatives when they stood for election in 2021 (for a three-year term in charge) promised in their manifesto "free parking throughout December & January".

You said this was vital for levelling up and helping local town centre business, and residents.

Despite the cost of living crisis residents are facing and promises, you've refused to offer free parking in December and January this year.

Broken promises aren't new, Labour in 2018 Promised the Green Bins would be free. Then put a £40 charge on them.

Both parties often lie to voters. Both parties promise change but deliver more of the same.

This isn't levelling up but levelling down and seems due to finances, so more money needs to be found for the Council to keep its promises.

Another area that the Council hasn't delivered on is cutting or scrapping Councillors allowances, which would free up hundreds of thousands of pounds to spend on things local people want.

According to the Government Councillors are meant to be voluntary like a school governor or magistrate or club secretary. They along with Town Councillors aren't paid.

In the past the Conservative Group called for Councillors allowances to be scrapped. One current member at least made the argument Mr Mayor.

Wychavon Council don't allow those on the County Council and Borough Council to receive two sets of allowances: "Councillors who are members of more than one authority (including the county council and fire authorities) may not receive allowances from more than one authority for the same duties"

Hinckley Council have something called "Renunciation" where a councillor may, by notice in writing to the Director (Corporate Services) elect to forego his/her entitlement or any part of his/her entitlement to an allowance under this scheme.

In order to make sure Council tax is going on Council services not into the pockets of Councillors; will the Council scrap allowances, or at least introduce similar schemes to Wychavon or Hinckley so Councillors who due to a good pension, full time work or getting two allowances as a County and Borough Councillor don't pocket more than they need so that cash is spent on public services not Councillors greed?

The Leader of the Council, Councillor K. Wilson, gave the following written response:

Mr Margrave is a former councillor, so I hold him to a higher standard about the knowledge of council workings, elections, and relevant legislation applicable to councils and councillors. Yet again he is trying to deflect attention from the substantive issues.

No one can avoid the issue that this council is facing financial challenges, but this is not a new situation. Every year that I have been a councillor – which included Mr Margrave's last four-year term – reductions have had to be made in budgets.

Mr Margrave is incorrect to say that we were elected to a three-year term in 2021. We only secured a one-year term as elections were due again in May 2022. Our manifesto in 2021 committed us to free car-parking in December and January and we delivered that in our Emergency Budget. This was part of a wider stimulus package to support businesses and traders in our town centres following the Covid pandemic. No further commitment was made in the subsequent election in May 2022, as he well knows.

The subject of councillors' allowances is never a popular one, which is why he has tried to deflect debating the substance of other issues with talk of allowances.

He is well aware that Borough Councillors have greater responsibilities and time commitments to the role than parish councillors or school governors. Show me a governor who takes phone calls or emails from residents at any time of day or night, or has their personal details published on public

websites! And he is well aware that the rules surrounding allowances are set out in legislation and statute, not by us as councillors.

I find it interesting that he chooses to raise this issue, seeing as he has been happy for two non-consecutive terms to pocket the very money he now professes to despise. Records are no longer available for his first term, but I'm happy to put on record the money he claimed from the council in his most recent term of office:

Row Labels	2014/15	2015/16	2016/17	2017/18	2018/19	Grand Total
Car Park Season Tickets	437.49	583.32	583.32	534.71	194.44	2,333.28
Members Allowance	4,319.34	4,886.04	4,928.58	4,934.88	451.04	19,519.88
NI Employers Contributions	43.84	16.01				59.85
Special Responsibility Allowance		2,372.71	347.53			2,720.24
Telephone - Members	308.15	365.04	368.34	368.64	30.72	1,440.89
Grand Total	5,108.82	8,223.12	6,227.77	5,838.23	676.20	26,074.14

I've looked up the dictionary definition of hypocrisy, and it defines it as: "a *situation* in which someone *pretends* to *believe* something that they do not really *believe*, or that is the *opposite* of what they do or say at another *time*." I believe that adequately sums up the premise of the question.

Question 2 – Mrs Jean Adams asked the following question to the Portfolio Holder for Public Services

Why destroy an iconic building that was built as an amenity for the community and could and did cater for all kinds of functions?

Councillor S. Markham, Portfolio Holder for Public Services, responded as follows:

The decision made at this time is "not re-open the Civic Hall at this time". No decision has been taken to destroy the facility. The Council is now seeking expressions of interest into opportunities from external parties.

Question 3 – Mrs Sue Pendleton asked the following question to the Portfolio Holder for Public Services:

"The boilers in the Civic Hall is said to be from elsewhere and previously used.

However there have been reports the boilers were ordered for the old greenhouses in Bedworth Park, but the wrong size and so put in storage and then transferred to the Civic Hall to be used, and it came straight out of the box, never being used before.

Is this true?"

Councillor S. Markham, Portfolio Holder for Public Services, gave the following written response:

No, the boilers were re-used from the Miners Welfare Park nursery, following the downsizing of the nursery in 2010 to the Civic Hall.

Question 4 – Mrs Linda Beachem asked the following question to the Portfolio Holder for Public Services:

“Have any plans or money put in place to deliver the sketch for a new entertainment venue been put in place as there seems to be no evidence that there are any plans to make this happen and its nothing more than a drawing meaning that the Civic Hall could be demolished with no alternative venue in the Town for years to come?”

Councillor S. Markham, Portfolio Holder for Public Services, gave the following written response:

We have published concept plans for the regeneration of Bedworth. There is further work to be undertaken including final costings, discussions with external partners, identification of funding options etc.

Question 5 – Mrs Joanne Browning asked the following question to the Portfolio Holder of Public Services:

How was SLL chosen as the consultant to look at the Civic Hall and were there other bidders who tendered for the work to conduct an assessment on the future of the Civic Hall?

Councillor S. Markham, Portfolio Holder for Public Services, responded as follows:

The Strategic Leisure Ltd were selected as a consultant for this piece of work, as NBBC were already working with them. The consultant that undertook the assessment and report have extensive years of experience from within the cultural sector.

Question 6 – Mrs Janet Batterbee submitted the following question for the Portfolio Holder for Public Services:

In the Cabinet report of the 12th of October 2022, 5.5 states “There will be security costs to consider while the building stands dormant and to ensure the Council meets its insurance requirements. Costs to be identified. What are the costs and what has been put in place to safeguard the building, so it isn’t vandalised, and damage is not caused?”

Councillor S. Markham, Portfolio Holder for Public Services responded as follows:

Nothing has been put in place at present as there are still team members on site to support the management and security of the building. Officers have been working with insurers to ensure that all required measures are adhered to, in order to protect the building from damage.

Question 7 – Mrs Valerie McCormack asked the following question for the Portfolio Holder for Public Services:

Day to Day diaries from 1973 to the last time the Civic Hall had a performance would show the vast variety of shows and artists that have been booked a performed, and how the Civic Hall has been a premier venue for the Borough and surrounding area for nearly have a century.
Will the Council make these books available to be viewed?

Councillor S. Markham, Portfolio Holder for Public Services, gave the following written response:

As I am sure you appreciate documentation from such a long period may well not be available and performances and hirers have changed significantly since the date highlighted. A review of what is available can be undertaken as to information held on the sites / corporate IT&C folders.

Question 8 – Mrs Pauline Ison submitted the question to the Portfolio Holder for Public Services:

Where has the money gone from the income from the NHS or hundreds of thousands set aside by the previous administration to undertake works at the Civic Hall?

Councillor S. Markham, Portfolio Holder for Public Services, gave the following written response:

The income received from the NHS hire was used to support the ongoing costs of the facility such as salaries, utilities, cleaning and required maintenance in order to operate the facility for vaccination use. The income received supported the overall deficit of the site as already reported to the previous Council meetings. These are available for public viewing through the Councils web site.

Question 9: - Darren Northall asked the following question to the Portfolio Holder for Public Services:

It was said recently by a resident that the Civic Hall Bar was profitable. Councillors however said that the Civic Hall Bar had never been profitable. Who is right, the Accounts or the Councillors?

Councillor S. Markham, Portfolio Holder for Public Services, responded as follows

The published audited accounts for the Civic Hall are the accurate figures. The Venue was not making a profit, and the Bar and Catering once taking into account operational costs and expenditure was not profitable.

Councillor K. Kondakor moved that Mr Darren Northall's question and the answer given for council be referred to the relevant Overview and Scrutiny Panel for in depth discussion.

Councillor M. Wright seconded the motion

A vote was taken

The motion was lost

Question 10 – Mrs Christine Robson asked the following question to the Portfolio Holder for Public Services:

Documents that have come out recently on the process of expressions of interest for the community or someone else to come and run the Civic Hall appear to make it extremely hard for a Community Trust run by local residents to be able to make it through to stage 2 of the process. Why are Councillors preventing the Community taking over the Civic Hall instead of helping residents put in a bid?

Councillor S. Markham, Portfolio Holder for Public Services, responded as follows:

Regarding the questions in the Stage 1 Expressions Of Interests (EOI) - this is from the legal legislation and statutory guidance that NBBC is following. We have reviewed several other local authorities forms and they are similar to our approach with regards to the information being requested.

The EOI asks for top level/standard information at this stage. The guidance document does cover the legalisation and refers viewers to the section of the Act which specifies the relevant bodies.

Question 11 – Mrs Nadine Shaw submitted the following question to the Portfolio Holder for Public Services:

To book acts to reopen the Civic Hall in 2023 when the NHS would have left, would have taken 18 months.

If it was fake news that the Civic Hall was closing, why didn't Councillor Kyle Evans ensure those acts remained booked and put a plan in place to reopen in 2023"?

Councillor S. Markham, Portfolio Holder for Public Services, gave the following written response:

It was decided that after several re-scheduling of dates for opening due to COVID and the use of the site for vaccination delivery, it was only fair that we updated all hirers to cancel their booking so that did not plan to use the site and be cancelled again and expend resources for their organisations such as promotion costs of advertising dates.

Question 12 – Jennifer Tallis submitted the following question to the Portfolio Holder for Public Services

The Council appear to have held back a report commissioned and given to the then Cabinet Member Cllr Kyle Evans in November 2021. In that report there was a recommendation/option to close the Civic Hall and demolish it.

The following year it was said it was fake news that the Civic Hall was going to close.

Can you explain why the report and its recommendations did not appear on a forward plan or go to a Council committee so they could consider options to reopen the Civic Hall once the NHS left the venue?

Councillor S. Markham, Portfolio Holder for Public Services, gave the following written response:

It was a draft report and provided a review of options for the site to be considered. The site was being used as a vaccination site and supporting residents health and wellbeing as a priority. The agreement with Coventry Warwickshire Partnership Trust had been extended and this was a priority to support at that time. There were several aspects from the report that needed to be considered before final draft, it was always intended for future publication.

Question 13 – Nicola Smith asked the following question to the Portfolio Holder for Public Services

Why wasn't the SLL report on the future of the Civic Hall considered at the Cabinet meeting of the 12th of October 2022?

Councillor S. Markham, Portfolio Holder for Public Services, responded as follows:

It was a draft report and provided a review of options for the site to be considered. The site was being used as a vaccination site and supporting residents' health and wellbeing as a priority. The agreement with Coventry Warwickshire Partnership Trust had been extended and this was a priority to support at that time. There were several aspects from the report that needed

to be considered before final draft, it was always intended for future publication.

Question 14 – Julie Whitehouse submitted the following question to the Leader of the Council:

When in opposition Councillor Wilson, you complained it was a “Disgrace that NBBC met in Secret Session” and stated there is “No Democracy at the Town Hall.”

As Leader of the Council your Council has continued to have secret closed door meetings where other Councillors and the Public cannot attend or watch. Such as the one that decided to Close the Civic Hall.

Your Council has also used powers to stop the public seeing emails between Councillors and Officers.

There have also been rumours of a WhatsApp Group where Councillors discuss and decide things.

Instead of making decisions and discussing what you are doing with Council Taxpayers money in secret, will you publish all emails and WhatsApp messages relating to discussions and decisions about closing the Civic Hall including any regeneration plans that would see the Civic Hall demolished?

The Leader of the Council, Councillor K. Wilson, gave the following written response:

Cabinet members regularly meet together and with officers to formulate policy. Any action that requires a formal decision – whether by Cabinet or Council – is then taken to the relevant committee or meeting.

The decision to not re-open the Civic Hall was taken to a Cabinet meeting which lasted almost 3 hours (from memory), and where several speakers spoke about the proposal. It has also been raised at several other meetings, including further meetings of Cabinet, Full Council and an Overview and Scrutiny Panel to consider the call-in of the decision by Cabinet. Again, many members of the public were at these meetings, and several spoke on the relevant items.

Far from secret meetings, these various meetings have all been in public for anyone to attend or watch online. Indeed, this is probably one of the most publicised and attended decisions made by the Council in many years.

Question 15 – Rachel Hardy asked the following question to the Leader of the Council:

According to Councillor Wilson Cabinet members took the decision not to reopen the Civic Hall at the Leadership Board on the 28th September 2022.

At the same meeting the Cabinet also approved the sketch that would see the Civic Hall Demolished.

Did Councillors therefore come to the Cabinet meeting of the 12th October 2022 with a closed mind, meaning there was predetermination and as such rendering the decision not to reopen the Civic Hall taken at the Cabinet invalid pursuant to the Localism Act 2011?"

The Leader of the Council, Councillor K. Wilson, gave the following written response:

All decisions have been made according to the relevant legislative requirements.

Question 16 – Jeanne Newitt submitted the following question to the Portfolio Holder for Public Services:

We have had three conflicting figures quoted from council members regarding the cost the Civic Hall per head, ranging from Councillor Wilson at £28, Councillor Markham £25, to council officers saying it was nearer to £11 per head..

The council have quoted a number of facts and figures incorrectly including audience numbers.

How can the council make the decision not to reopen the Civic Hall without having accurate figures to hand. Shouldn't there have been a fully detailed ACCURATE audit of the costs of the Civic Hall before such hasty decisions were made and shouldn't there be one now.

Also are steps being taken during the current cold weather to ensure that there is no damage from frozen pipes etc.

Councillor S. Markham, Portfolio Holder for Public Services, gave the following written response:

There was an error with the cost per head and total attendances for the year 20/21, both of which have been addressed and corrected at previous Council meetings. The report and data which contains these figures has also been amended and made available for any parties looking to express an interest in the future operation of the Civic Hall, via our Council web site.

The annual operational and management costs for the Civic Hall, have been reported annually for many years, as part of the budget process and reported to the Overview & Scrutiny Committee/Panels. All which detail that the site requires annual financial support. The Council is under financial strain to provide a balanced budget and at this time the Civic Hall has been closed to support that challenge with finances.

In relation to the building, the team are on site undertaking weekly checks.

Question 17 – Alex Tuft submitted the following question for the Portfolio Holder for Housing and Communities:

I am glad to have heard from my councillors that Camp Hill is finally being funded properly, however is this just words.... Can the council please give us a update on the Police Crime Commissioner's Funding that was applied for by this council, that is supposed to be spent in the Dingles and Stubbs Pool.

Councillor C. Golby, Portfolio Holder for Housing and Communities, gave the following written response:

The total value of the safer street allocation to be spent in Camp Hill is £130,000

The anticipated spending will be as follows:

- £100,000 will be spent on improving entrances and site hardening to slow or deter motorbikes. The proposed changes will also be designed to enhance entrances for pedestrians and the disabled where possible, for example by removing the duck under bars and replacing them with either chicanes or K barriers, adding missing bits of path and adding new trip rail (metal), repairing existing stretches of trip rail or and removing obsolete trip rail. Unintentionally but beneficially this additional trip rail may also help to deter future traveller encampments to some parts of the Dingle/Stubbs
- £30,000 will also be spent on improving lighting - by converting columns to LEDs and adapting key columns to carry CCTV cameras.
Given the current economic climate we are reviewing the council's capital projects and a date for commencement will be announced as soon as we can confirm one. “

Question 18 – Roger Adams asked the following question to the Portfolio Holder for Public Services:

The Cabinet Report of the 12' October 2022 on page 21 and 22 said in 4.7, 4.8, 4.9 and 5 that Bedworth Arts Centre have an agreement with the Council for use of an area of the Civic Hall. Access to this is separate to the main Civic Hall Building however the venue shares utilities with the Civic Hall. 4.8 explained the Council would incur costs in asking the Arts Centre to surrender their lease.

The report explained there wasn't anywhere else for the users of the Arts Centre to go. The report also said there were no equality act implications relating to above. The Cabinet agreed to work to allow the Arts Centre to continue to the end of their current lease agreement (31st March 2024). The report further stated agreeing to allow retention of access to the building for Bedworth Arts Centre to continue its operation and to allow user groups to continue to use the venue until the end of the agreement in March 2024 would incur costs for the Council. However the Council knowing there was nowhere for the Arts Centre to go, and that in particular a disabled group

would lose a warm space and access to a support group, not to mention the distress caused by changes the Council instead of sharing the cost of utilities hit a vulnerable disabled group and others with the full cost of heating and utilities for the whole of the Civic Hall meaning they could not stay. In respect of above and also considering the loss of the Autism friendly panto, why was there no equality impact assessment undertaken and was the Council using such a heavy handed tactic against a vulnerable group in line with their Public Sector Equality duties?

Councillor S. Markham, Portfolio Holder for Public Services, responded as follows:

An Equality Impact Assessment was conducted for the closure of the Civic Hall. NBBC have always stipulated that Bedworth Arts Centre can remain within their premises until the end of their Lease Agreement of March 2024. There has never been an expectation that the Arts Centre would be responsible for paying the cost of heating and utilities for the whole Civic Hall building – they will just be responsible for a contribution of their own usage. NBBC continue to be willing to work with and support community groups to find alternative venues due to the closure of the Civic Hall building.

Councillor K. Kondakor moved that Mr Roger Adam's question and the answer given for council be referred to the relevant Overview and Scrutiny Panel for in depth discussion.

Councillor M. Wright seconded the motion

A vote was taken

The motion was lost

The Mayor announced that the time for Public Questions had reached the 20 minutes allocated therefore the following questions were given written responses as follows

Question 19 – David Moore asked the following question to the Leader of the Council:

The Leader of the Council stated that the decision to close the Civic Hall was made at the Leadership Board. This Board is not mentioned in the Constitution.

Did the Councillors on the Cabinet therefore make the decision to close the Civic Hall outside of the proper decision making process and come to Cabinet with a closed mind thereby making the Cabinet decision invalid

The Leader of the Council, Councillor K. Wilson, gave the following written response:

All decisions have been made according to the relevant legislative requirements.

Cabinet members regularly meet together and with officers to formulate policy. Any action that requires a formal decision – whether by Cabinet or Council – is then taken to the relevant committee or meeting.

The decision to not re-open the Civic Hall was taken to a Cabinet meeting which lasted almost 3 hours (from memory), and where several speakers spoke about the proposal. It has also been raised at several other meetings, including further meetings of Cabinet, Full Council and an Overview and Scrutiny Panel to consider the call-in of the decision by Cabinet. Again, many members of the public were at these meetings, and several spoke on the relevant items.

Far from secret meetings, these various meetings have all been in public for anyone to attend or watch online. Indeed, this is probably one of the most publicised and attended decisions made by the Council in many years.

Question 20 – Michele Kondakor submitted the following question to the Portfolio Holder for Finance and Corporate

I was very surprised to find a £49 Council Tax Refund put into our bank account at the end of November. The letter explaining this arrived later and informed us that it was from the remaining money in a discretionary scheme called the Council Tax Energy Rebate (Discretionary Scheme) that the Council were now distributing evenly between the Band E customers who had not previously received a payment. The Discretionary Fund came from the government and was intended to support any household in need, regardless of their Council Tax band.

I am very disappointed that this money hasn't been better targeted to those in greatest need or even the opportunity used to suggest to those that received it, but were not in need, to pass it onto local charities helping those who are really struggling during this cost-of-living crisis e.g., the Foodbank, as we have done.

Given that the Council knew about this funding and its cut-off date for many months, why was there not a concerted effort to distribute this funding more appropriately to the many struggling people in the Borough?

Councillor S. Croft, Portfolio Holder for Finance and Corporate, gave the following written response:

To first provide some background on the question, the council this year implemented the energy rebate scheme announced by the then-Chancellor in February which has seen us pay £150 to every A-D band property, and a

further discretionary scheme which the council targeted at those most vulnerable for any band.

This scheme was promoted via a heavy communications and outreach campaign to help and encourage customers who are struggling to come forward and make a claim for support. As part of our efforts, information was shared via social media, at forums with partner organisations, via leaflets and outreach from our Financial Inclusion officers.

Despite this, when the discretionary scheme ended in November, there was some £140k of the funds unspent raising the prospect that these monies would need to be returned to the Exchequer – which I was not prepared to countenance.

My initial preference was to make a duplicate payment to those 694 customers whom we had already paid under the discretionary scheme in bands A-D. However, issues with the system through which the scheme has been operated prevented this. Duplicate payments were not possible without manual override and intervention on each customer account which proved a) too time consuming and b) undesirable from the perspective of access to customer records.

This option being closed to us, I approved the decision to disburse the remaining monies to those households in Band E who had not yet received payment. This, in effect, expanded the initial energy rebate scheme, so that every household in Bands A-D has received £150 and every Band E household has received £48.

While this was not the ideal outcome, this has ensured that money has been paid to local people rather than being returned to the Treasury and has allowed payment to those residents who may be cash poor compared to their notional assets.

Those residents who have received payments are perfectly free to donate monies to charity should they wish, though it would have been inappropriate to suggest or push this in the official correspondence as it is not the place of the council – or any level of government – to try direct what residents do with their own money once payments have been made.

Question 21 – Wendy Snell submitted the following statement:

Councillor Wilson recently described Bedworth Civic Hall as a CARBUNCLE. While this might be his view he must be reminded this is not the opinion of everyone. To many of us the Civic Hall is an attractive building with elegant curved lines and an art deco look.

This leaves me concerned as to what style of architecture this council would consider suitable to replace the Civic Hall on this prime location of Bedworth.

It seems from further statements he made that any building of 50 years or more is at risk of the bulldozer.

If previous councils had followed this line of thought we would have lost our beautiful Alms Houses and Parsonage. Instead they have been upgraded and refurbished and made suitable for modern living.

Please be mindful of residents' views and needs before large sums of public money is used to demolish what we already have.

No reply was given

Question 22 – Steve Forester submitted the following question for the Portfolio Holder for Public Services:

What facilities are planned for the youth? (Civic Hall)

Councillor S. Markham, Portfolio Holder for Public Services, gave the following written response:

There are a range of facilities for young people across the Borough, these include leisure, museum, and arts activities through various organisations, not just the Borough Councils provision. The recent opening of the mountain bike trails in the Bedworth Miners Welfare Park, new tennis and netball courts again in the Miners Welfare Park are two examples of new provision for all ages. We are currently working with a partner to develop new table tennis facilities in Nuneaton, again which will provide for all age groups.

Question 23 – Bradley Ellis submitted the following question to the Portfolio Holder for Finance and Corporate:

On page 32 the interest rate forecasts chart
The chart predicts "bank rate" interests rates declining from 5% in 2023 to 2.5% in September 2025

Does the council think these interest rates predictions are realistic with inflation running at 11%

What does the council think will happen to interest rates if inflation stays high and we get a second wave of inflation into 2025 with inflation remaining above 10% until 2025

If interest rates keep rising into 2025, Is the council going to stop buying property and speculative assets like property funds (as detailed on page 39), sometimes referred to by the council as "its core business".

Does the council think it's a good idea to buy property and property funds when the housing market is declining (due to interest rate increases), with property values currently falling.

Councillor S. Croft, Portfolio Holder for Finance and Corporate, gave the following written response:

Our forecasts are informed by Link Group, who provide us with independent treasury management and capital financing advice. So these projections, including for the interest rates, are not formed in a vacuum, but on the best expert economic analysis that is available to us. They are constantly monitored and updated, and we update our strategy to reflect that.

Interest rates are not the same as inflation and will therefore never be the same figure, but generally the trend is that interest rates tend to rise when inflation rises. However, interest rates are determined by the bank rate.

Mr Ellis has conflated two issues on property, p.39 refers to the council's investment portfolio, of which property is a small part, not direct property assets purchased by the council.

The Council has one property fund within this portfolio (CCLA, £2m), which is immaterial compared to the rest of the investment portfolio therefore diversification counteracts any potential risk. The return on this fund has improved considerably due to the high-interest rate climate.

In terms of property purchases by the council, whilst property values are expected to continue to fall, they are then subsequently predicted to rise again effectively negating this decline, therefore from a long-term perspective this is not an issue (unless we were specifically planning to sell off property/assets during 2023).

Question 24 – Peter Smith submitted the following statement:

With the publication of yet another report of dubious quality and the commissioning of another, that will no doubt be in line with the council agenda to demolish yet more public property against the wishes of residents.

This highlights the need for the halt to this project before any more public money is wasted. The lack of transparency and honesty in the whole transforming projects is a cause for concern.

Using Coventry and Warwickshire local enterprise partnership, towns fund and future high street fund and levelling up, in an attempt to mask what is in reality public money. This is deception at least if not fraudulent.

With £200 million already added to the national debt, this fact destroys the councillors claim that this project will do anything for the future, other than leave them with a massive unsuitable debt that will impoverish generations to come.

Stop the destruction of the future of Nuneaton and Bedworth and its residents now

No reply was given

Question 25 – Brian Walmsley submitted the following statement:

With respect to this Conservative council's intention to destroy and demolish our lily pad fountain, from an Overview and Scrutiny meeting:

We learnt NBBC will gain absolutely zero revenue as a result of knocking down the fountain.

We learnt WCC may get 'a few pounds' income if there were a pavement license granted.

25 Market Place was purchased on 23 January 2019, knowing full well the fountain existed.

We learnt the property does contain flats but the revenue from those flats goes to the owner.

We learnt that during November 2021 to August 2022 there were 300 ASB incidents recorded within the overall area of the town centre perimeter.

From police records, we know for a fact that ASB incidents, ACTUALLY AT THE FOUNTAIN, ARE MUCH LESS THAN TWO PERCENT OF ASB ISSUES within the town centre perimeter.

We learnt that Cllr Wilson failed to report to police that he had 'allegedly' personally witnessed drug taking, claiming he was too scared to do so!

We learnt that members of the public need to raise a formal complaint before this council will even consider action about Cllr Evans typing lies on Facebook.

We know the true cost to residents to run the lily pad fountain, over the last five years was a mere TWO PENCE PER YEAR PER RESIDENT.

$\pounds 9,207/5\text{years}/94,634(\text{population}2021) = \text{TWO PENCE PER YEAR PER RESIDENT}$

We learnt that this council does accept the findings about health benefits attributed to the sound of running water for mental health and well-being.

We learnt, from the looks on Conservative councilors faces that night, that they are unaware of their obligation towards the health and wellbeing of residents, as per the Joint Strategic Needs Assessment and the National Association of Local Council requirements and had not even considered their own council "health_impact_assessment" document.

We learnt there will be a shiny new public space as part of the Abbey Street planning application.

We learnt this council acknowledge there is an existing events location in Market Place.

In summary the only excuse remaining why you Conservatives want to knock down and destroy our fountain is because you will need to return £40,000 of tax payers monies to central government, a pretty pathetic reason to demolish a landmark feature of Nuneaton!

Our country is almost on its knees, as a result of Conservative government policies and actions, I actually suggest returning those £40,000 pounds of tax payers monies is a good idea as it could be spent supporting people who truly need help.

No reply was given

CL38 **Member Questions**

Question 1 - Councillor Kyle Evans asked the following question to the Portfolio Holder for Planning and Regulation:

Can the Cabinet Member for Planning confirm whether or not the landowners who form the HSG4 site within the Borough Plan signed a statement of common ground prior to the approval of the Borough Plan and did the agreement commit to delivering the site a whole and produce all the infrastructure requirements together.

Councillor R. Smith, Portfolio Holder for Planning and Regulation, responded as follows:

I thank Cllr Evans for the question, and I can confirm a statement of common Ground was signed between NBBC and Framptons on behalf of A R Cartwright Ltd on the 13th March 2018 as part of the Borough Plan Examination process.

The Statement of Common Ground set out that the parties agree that the site is suitable, available, and deliverable for development and sets out an agreement for the production of a master plan showing an indicative layout for development, together with facilities and infrastructure, which includes a local centre and new primary school.

There is no reference in the Statement of Common Ground to the phasing of the site coming forward for development and no commitment to delivering the site as a whole although there was disagreement over the capacity of the site.

To date there has been no formal pre-application discussion or any application submitted for either part of the whole HSG4 site.

Question 2 - Councillor Brett Beetham asked the following question to the Portfolio Holder for Planning and Regulation:

For the Portfolio Holder for Planning and Regulation. I have several concerned residents in Kingswood who are looking at new builds for themselves or their children who are ready to move out and they have been looking to purchase new builds in other areas of Nuneaton. They've seen several videos and online comments about the quality of new builds in Nuneaton and Bedworth. What enforcement powers does Nuneaton and Bedworth Borough Council have on the monitoring of the building standards for new builds or in fact any builds and what action can or has been taken if they fall below the required standard?

Councillor R. Smith, Portfolio Holder for Planning and Regulation, responded as follows:

I thank Cllr Beetham for his question.

The quality of new build homes is controlled by national standards and building control regulations, these standards are checked by Building Control Regulators and in the case of NBBC this is function carried out by a joint partnership with several of our Local Authority partners. Any developer large or small has to engage with a Building Control Regulator and has a choice over which regulator service they use. If they choose our partnership service, then we automatically get involved, however they do have the choice to go elsewhere, and some smaller developers do.

That said all building control regulators are governed by the same building regulations, so they all have the power to insist that standards are met or else the property will not be signed off for occupation.

Question 3 - Councillor K. Kondakor asked the following question to the Leader of the Council:

I am very concerned by comments at last week's scrutiny meeting, that imply that the council is about to agree to build a Cinema fully at council tax payers expense on the Abbey Street development and, separately, will appoint an operator to run it. Cinemas have occupancy levels around 15% and are very dependent on discretionary spending. We know that they have not fully recovered from the impact of pandemic and the Bank of England is expecting us to have the longest recession since the 1920s. The idea of a second cinema in the borough comes from a 7 year old report investigating possibilities for small independent cinemas in Warwickshire.

Given the significant risks the building of a cinema carries, will the leader of the council confirm that the project has an updated robust business case, that it will require no long term subsidy and that the tax-payer has some protection should the operator fail?

Councillor K. Wilson, Leader of the Council, gave the following written response:

Firstly, the delivery of a cinema a part of the Abbey Street development has been a feature since day 1. There has been strong interest from 5 cinema operators to deliver a new offer in the Town Centre which demonstrate that from an operator perspective there is sufficient demand to support a for a cinema. The operator selected will take a lease of the building shell and deliver a viable proposition appropriate to the Town Centre – please be assured we are not talking about a massive multi-plex

I can confirm that the Abbey Street development has a robust business case for its delivery which is regularly reviewed with the Council's development managers, Queensberry Real Estate.

The cinema will be let on commercial terms dictated by the market, however, as you will appreciate there is a risk with any commercial property letting, however, the Council will seek to mitigate any risks associated with the cinema letting as far as reasonably possible.

Question 4 – Councillor M. Green asked the following question to the Portfolio Holder for Health and Environment:

My first official engagement as a councillor in Arbury ward was to "Plant tree for the Jubilee" with Cllr. Golby, as part of the platinum jubilee celebrations, the Queen's Green Canopy. Trees provide a vital habitat for wildlife, produce Oxygen and remove CO2, while improving the urban spaces for our residents. Can you update the council of any plans regarding the planting of new trees across the Borough?

Councillor J. Gutteridge, Portfolio Holder for Health and Environment, responded as follows:

Thank you, Councillor Green for the question.

Trees are to be planted at various locations across the borough this autumn and winter, subject to weather conditions, and this is hoped to be the beginning of a wider tree planting across the borough in years to come.

Locations for more than 240 new trees have been identified by the Borough Council after Warwickshire County Council secured funding from the Forestry Commission, species to be planted this year in the borough include Elder, Common Oak, Copper Beach, Common Lime, Wild Cherry, Field Maple and London Plain.

Tree planting is planned in Nuneaton at Coronation Walk, Weddington Meadows, Tomkinson Recreation Ground, Stockingford, Recreation Ground Whittleford Park, Stubbs Pool and The Dingle. Shelbourne Avenue, Popular Tree Farm, Skey Drive, Attleborough Recreation Ground, Stanley Road Rec, Riversley Park and Tibetan Drive.

Tree planting is also planned in Bedworth at Anderton Road, Keresley Recreation ground and St Giles Recreation ground and in Bulkington at the Bulkington Recreation Ground and Brewer Road.

The good news of tree planting comes shortly after I revealed that Nuneaton and Bedworth Borough Council has already taken steps towards increasing the biodiversity within green spaces by creating new and enhancing existing areas of trial Wildflower Meadows.

Question 5 – Councillor M. Wright asked the following question to the Portfolio Holder for Finance and Corporate

We are all facing the prospect of higher energy bills at the moment; but the increase in the council's electricity bill to an estimated £1.9 million for next year seems rather more than can be explained by the unit price increase alone. What targets have been set for improving the energy efficiency of the council, and what progress is being made towards meeting these targets? Also, could we have estimates for next year's gas and diesel bills?

Councillor S. Croft, Portfolio Holder for Finance and Corporate, responded as follows:

Thank you very much Mr Mayor,

To give a bit of background, we purchase our gas and electricity through an organisation called ESPO, which is the public sector procurement organisation, through a system is called forward purchasing, which gives us consistency throughout the year. We know what we are going to pay within the year, it goes up between years obviously, the ESPO rates are commercially sensitive so I cannot publish those or give them to you but it should be fairly clear, from the current situation, what the market pressures are on energy costs.

To clarify the 1.9 million forecast electricity cost is based on the new rates from ESPO, these are matched against our previous consumption over the past 12 months and it's actually about 100% price increase on our previous year. We had budgeted in the draft budget initially for 50%, you will have seen an addendum come around Monday last. When we actually got the rates from ESPO we knew what the increase was going to be and that is due to two factors.

Commodity Costs and what's called Non-Commodity Costs. Commodity because of the actual product itself, it's fairly obvious what has driven the price of energy through the roof, I mean, we don't need to recite it now we have still got the supply chain issues from the pandemic working through the system, and of course, due to the problems in Eastern Europe. At the moment with the Russians using energy as effectively a diplomatic pressure tool it's driven prices up across Europe.

The Non-Commodity Cost includes things like transportation, distribution charges, and also government levies and taxes, and if I may inject what may be slightly controversial remark into a fairly dry subject if we're not very careful this is what Net Zero is going to feel like across the piece passing on attempts to phase out fossil fuels, it will end up being felt by the customer increased costs and reduced bills, and of course Mr Mayor the suppliers have inflationary costs as well, so that's driving the price increases.

So our current rate is fixed until the end of March 2023. For gas, I cannot give him the gas projections for us because ESPO is still working out the rates on the forward purchasing for that, but again, gas and electricity prices are very interlinked so it will be the same situation I expect.

On targets we are currently doing a pretty wide scale review of energy consumption across the estate housing and the general fund council estate, looking to see how we can reduce our energy usage. we do have to balance this and as was discussed at cabinet last week whether energy reduction schemes are going to be beneficial, there is going to be a cost benefit analysis. There's no point having huge Capital outlays if we still get stung by the energy prices because of factors outside of our control, but we are already taking some minor steps to reduce energy. We are trying to as, for example, rent out part of the Town Hall and that will be energy costs that come off the tax bill and go on to whoever our eventual tenant is. I understand that the Leader of the Council has already given instructions that we won't be wasting money on keeping the lights on overnight outside the town hall. I hope that answers his question and gives an overview of the situation.

Councillor M. Wright asked a supplementary question:

I just like to point out that with the falling cost of Renewables that it seems a bit odd to blame rising energy costs on Net Zero rather than on the government's failure to properly insulate and increase energy efficiency. Thank you.

No reply was given

CL39 **Special Urgency Decisions**
None.

CL40 **Petition – Save our Civic Hall – Hold a Public Meeting, Listen to Residents & Stop Closure/Demolition**

A petition was received by Mr Sam Margrave in respect of the above. The petition had over 700 valid signatories and was therefore referred to full council for debate. The Petition made the following requests:

'Nuneaton and Bedworth Borough Council, Warwickshire County Council, Nuneaton and Bedworth Councillors and the local MP (Craig Tracey) to work to save the Civic Hall and to:

1. Scrap plans to Close or Demolish the Civic Hall.
2. Hold a Public meeting at the Civic Hall to hear residents' views (Chaired by the MP with Councillors in attendance to listen and answer questions).
3. For NBBC (possibly with a Citizens panel) to undertake a full consultation, and work, to set out a package to rescue the existing Civic Hall, to reduce costs, and to bring the venue back into use.
4. Ensure WCC and NBBC work together with the community to develop plans for wider regeneration of Bedworth Town Centre to bring more into the town and invest to make Bedworth and our Borough Better with a bold vision for the future, to level up, not level down our Towns without losing all the current venue provides.
5. Call on Civic Leaders to commit to make Bedworth the home for the Boroughs primary and premier conference and theatre activities in any future development.'

Mr S. Margrave presented his petition to the council.

Councillor C. Golby moved the following motion:

- a) this Council notes the receipt of the petition;
- b) further notes that there have been further decisions of cabinet and Council since the receipt of the petition, to condemn the lack of proper business planning and future proofing of the Civic Hall during the previous labour administration;
- c) to welcome the expressions of Interest process that has been launched to move the running of the Civic Hall from an unsustainable and expensive public subsidy to a third sector model; and
- d) to welcome under this conservative administration we finally have a vision for what Transforming Bedworth could look like in the future that allows us to begin the process of engaging further on the regeneration of Bedworth

Councillor G. Moreton seconded the motion

Councillor K. Kondakor moved an amendment as follows:

- a) this council notes the receipt of the petition;
 - b) convene a Bedworth Citizens Assembly chaired by the North Warwickshire MP early in the new year; and
- Delete c) and d)

Councillor M. Wright seconded the amendment.

A recorded vote was taken on the amendment as follows:

FOR: Councillors K. Kondakor and M. Wright

AGAINST: Councillors R. Baxter – Payne, B. Beetham, D. Brown, C. Cape, J. Clarke, T. Cooper, S. Croft, L. Cvetkovic, L. Downs, K. Evans, C. Golby, M. Green, J. Gutteridge, B. Hammersley, S.

Harbison, J. Hartshorn, S. Markham, G. Moreton, B. Pandher, J. Singh, R. Smith, M. Tromans, R. Tromans, and M. Walsh

ABSENCES: J. Sheppard and E. Shiers.

The amendment was lost.

Councillor J. Sheppard moved the following amendment:

- a) the Council notes the receipt of the petition; and
- b) the petition is accepted and the request of the signatories is agreed
- Delete c) and d)

Councillor E. Shiers seconded the amendment.

A recorded vote was taken as follows.

FOR: Councillors J. Sheppard, K. Kondakor, E. Shiers, and M. Wright

AGAINST: Councillors R. Baxter – Payne, B. Beetham, D. Brown, C. Cape, J. Clarke, T. Cooper, S. Croft, L. Cvetkovic, L. Downs, K. Evans, C. Golby, M. Green, J. Gutteridge, B. Hammersley, S. Harbison, J. Hartshorn, S. Markham, G. Moreton, B. Pandher, J. Singh, R. Smith, M. Tromans, R. Tromans, and M. Walsh

ABSENCES: None

The amendment was lost.

A vote was taken on the substantive motion put forward by Councillor C. Golby.

The motion was carried.

RESOLVED that

- a) this Council notes the receipt of the petition;
- b) this Council notes that there have been further decisions of Cabinet and Council since the receipt of the petition, to condemn the lack of proper business planning and future proofing of the Civic Hall during the previous labour administration;
- c) to welcome the Expressions of Interest process that has been launched to move the running of the Civic Hall from an unsustainable and expensive public subsidy to a third sector model; and
- d) to welcome under this conservative administration, we finally have a vision for what Transforming Bedworth could look like in the future that allows us to begin the process of engaging further on the regeneration of Bedworth.

CL41 **Cabinet**

The Deputy Leader of the Council submitted the Leaders report on behalf of Cabinet. The report highlighted matters considered at the Cabinet meetings held on 9th November, and 7th December and details of reports from the West Midlands Combined Authority Board, which has a direct impact on NBBC.

RESOLVED that the report be noted.

CL42 **Recommendations from Cabinet and Other Committees**

i) **Sub Regional – Materials Recycling Facility (MRF)**

At the Cabinet meeting held on the 9th November a report was considered and a recommendation then put forward for Council approval. Councillor S. Markham proposed the recommendation for approval. This was seconded by Councillor J. Gutteridge

RESOLVED that an additional loan of £233,784 be made to Sherbourne Recycling Limited to address the increased capital costs of constructing the sub-regional Materials Recycling Facility and this be included in the Medium Term Financial Strategy for payment in 2023/24.

ii) **Q2 Treasury Management Report – Mid-Year Review**

At the Cabinet meeting held on 9th November 2022, it was recommended to Council that the mid-year Treasury Management Report for 2022/23 be noted. Councillor S. Croft proposed the recommendation with an amendment to Table 6.1 of the report as follows:

Capital Expenditure by Portfolio	2022/23 Original Budget £m	2022/23 Latest Budget £m
Business & Regeneration	46.748	48.814
Finance & Corporate	0.125	0.632
Housing & Communities	6.075	6.117
Public Services	8.406	9.014
Planning & Regulation	0.044	0.067
Health & Environment	0.100	0.100
Housing Revenue Account	22.938	25.119
Total capital expenditure	84.436	89.863

The recommendation and amendment were seconded by Councillor K. Evans.

RESOLVED that the mid-year Treasury Management Report for 2022/23 with the amendment to Table 6.1 be noted.

Councillor K. Kondakor requested that his vote against the recommendation be recorded in the minutes.

iii) Updates to text and date amendments to the Local Development Scheme

At the Cabinet meeting held on 9th November 2022, the following recommendation was made to Council that the amendments to the Local Development Scheme be approved. The recommendations were proposed by Councillor R. Smith, and was seconded by Councillor R. Baxter-Payne

RESOLVED that the amendments to the Local Development Scheme be approved

Councillor K. Kondakor requested that his vote against the recommendation be recorded in the minutes.

Mayor

Council - Schedule of Declarations of Interests – 2022/2023

	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"> - Housing matters - Statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992 - An allowance, payment given to members - An indemnity given to members - Any ceremonial honour given to members - Setting council tax or a precept under the Local Government Finance Act 1992 - Planning and Licensing matters - Allotments - Local Enterprise Partnership
	R. Baxter-Payne	Manager Brinklow Quarry Ltd, Brinklow; County Councillor - WCC	Spouse: Self-employed childminder Member of the following Outside Bodies: <ul style="list-style-type: none"> • West Midlands Combined Audit, Risk and Assurance Committee • Warwickshire Adult Social Care and Health Overview and Scrutiny Committee (substitute) 	
	B. Beetham	Employed at The George Eliot Hospital; Warwickshire County Council – Camp Hill	Member of the following Outside Bodies: <ul style="list-style-type: none"> • Camp Hill Urban Village: Pride in Camp Hill Board • Committee of Management of Hartshill and Nuneaton Recreation Ground 	
	D. Brown	Employed by H.M Land Registry	Regional Coordinator, Ragdoll Rescue Charity. Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Biodiversity Champion • Exhall Education Foundation • Warwickshire Joint Overview and Scrutiny Committee 	
	C. Cape	Director of Capability	Member of the following	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
		Coaching and Consultancy Ltd.	Outside Bodies: <ul style="list-style-type: none"> Armed Forces Covenant Meeting 	
	J. Clarke	Employed by Marcus Jones MP	County Councillor W.C.C. Nuneaton Conservative Association; Deputy Chairman Officer of the Abbey Preceptory No.541 - Nuneaton Member of the following Outside Bodies: <ul style="list-style-type: none"> Nuneaton Festival of Arts 	
	T. Cooper	None	Member on the following Outside Bodies: <ul style="list-style-type: none"> Camp Hill Urban Village: Pride in Camp Hill Board Committee of Management of Hartshill and Nuneaton Recreation Ground 	
	J. Coventry-Moreton	School Receptionist – St Nicholas Chamberlaine School, Bedworth	Share in rental dwelling at Sealand Drive, Bedworth and Tresilian Road, Bedworth.	
	S. Croft	Employed at Holland & Barrett Retail Ltd	Treasurer of the Conservative Association Member of the following Outside Bodies: <ul style="list-style-type: none"> Champion for Safeguarding (Children and Adults) Local Government Superannuation Scheme Consultative Board West Midlands Employers 	
	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"> Building Control Partnership Steering Group 	
	L. Downs	River Bars Limited; Coventry Plus Beyond the Plane	Member on the following Outside Body: <ul style="list-style-type: none"> Hammersley, Smith and Orton Charity 	
	K. Evans	Employed by UK Parliament	Sponsorship: Election Expenses – North	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			Warwickshire Conservative Association Membership of Other Bodies: <ul style="list-style-type: none"> • West Midlands Combined Audit, Risk and Assurance Committee (substitute) Executive Officer – North Warwickshire Conservative Association; Member of the Conservative and Unionist Party.	
	C. Golby		Member of Warwickshire County Council Membership of Other Bodies: <ul style="list-style-type: none"> • Nuneaton and Bedworth Safer and Stronger Communities Partnership • Nuneaton and Bedworth Community Enterprises Ltd. • Nuneaton and Bedworth Home Improvement Agency • Safer Warwickshire Partnership Board • Warwickshire Housing and Support Partnership • Warwickshire Police and Crime Panel • George Eliot Hospital NHS Trust – Public/User Board • George Eliot Hospital NHS Foundation Trust Governors • District Leaders (substitute) • Local Enterprise Partnership (substitute) • Coventry, Warwickshire and Hinckley and Bosworth Joint Committee (substitute) 	
	M. Green	Employed by Horiba Mira – Calibration Technician	Chair of Education Standards Committee – St Thomas Moore School Executive Member – Nuneaton Conservatives. Secretary – St Vincent De Paul Society at Our Lady of the Angels Church. Our Lady of the Angels Church. Member of the George Eliot Fellowship	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			Member of the Nuneaton Education Strategy Board Member on the following Outside Bodies: <ul style="list-style-type: none"> • Friendship Project for Children. 	
	J. Gutteridge		Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Warwickshire Health and Wellbeing Board • Age UK (Warwickshire Branch) • Committee of Management of Hartshill and Nuneaton Recreation Ground • West Midlands Combined Authority Wellbeing Board 	
	B. Hammersley	County Councillor – W.C.C.	Member on the following Outside Bodies: <ul style="list-style-type: none"> • Hammersley, Smith and Orton Charity 	
	S. Harbison	Self Employed	Member of Conservative and Unionist Party. Member on the following Outside Bodies: <ul style="list-style-type: none"> • Astley Charity 	
	J. Hartshorn	Employed by Asda Nuneaton	Member of Nuneaton Conservatives	
	J. Kennaugh	County Councillor W.C.C. Employed by FedEx Express UK Ltd	Member of the W.C.C. Regulatory Committee Member of the Conservative Party Member of UNITE the Union Member on the following Outside Bodies: <ul style="list-style-type: none"> • EQUiP 	
	K.A. Kondakor	Electronic Design Engineer (self-employed semi-retired); Statistical data analyst and expert witness (self employed)	Unpaid director of 100PERCENTRENEWABLEUK LTD	
	S. Markham	County Councillor – W.C.C.	Governor at Ash Green School Member of the following Outside Bodies: <ul style="list-style-type: none"> • Nuneaton and Bedworth Sports Forum • Warwickshire Direct Partnership 	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			<ul style="list-style-type: none"> • Warwickshire Waste Partnership • Sherbourne Asset Co Shareholder Committee 	
	G. Moreton	Member of School Appeals Panels at Warwickshire County Council	Share in rental dwellings at Sealand Drive, Bedworth and Tresillian Road, Exhall. Member on the following Outside Bodies: <ul style="list-style-type: none"> • Bedworth Neighbourhood Watch Committee 	
	B. Pandher		Member of Warwickshire County Council Treasurer & Trustee of Nanaksar Gurdwara Gursikh Temple; Coordinator of Council of Sikh Temples in Coventry; Secretary of Coventry Indian Community; Trustee of Sikh Monument Trust Vice Chair Exhall Multicultural Group Member of the following Outside Bodies: <ul style="list-style-type: none"> • Foleshill Charity Trustee – Proffitt's Charity 	
	N. Phillips	Employee of DWP	Member of: <ul style="list-style-type: none"> • Nuneaton Labour CLP • The Fabian Society • The George Eliot Society • The PCS Union • Central Credit Union • Stockingford Sports and Allotment Club • Haunchwood Sports and Social Club 	
	J. Sheppard		Partnership member of the Hill Top and Caldwell Big Local. Director of Wembrook Community Centre. Member of the Management Committee at the Mental Health Drop in.	Dispensation to speak and vote on any matters of Borough Plan that relate to the Directorship of Wembrook Community Centre
	T. Sheppard	Employee of Dairy Crest		
	E. Shiers	Employed by and Director of Cannon	The Labour Party Coventry East Credit Union	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
		Enterprise Ltd. Director of The Fresh Dessert Company	Member of the Pride in Camp Hill Board. Member of the governing board for Camp Hill Primary School. Member of the Board of Trustees of Camp Hill Community Association. Volunteer for the Coventry and Warwickshire district RSPCA	
	J. Singh			
	R. Smith		Chairman of Volunteer Friends, Bulkington; Trustee of Bulkington Sports and Social Club; Member of the following Outside Bodies: <ul style="list-style-type: none"> • A5 Member Partnership; • PATROL (Parking and Traffic Regulation Outside of London) Joint Committee; • Building Control Partnership Steering Group • Bulkington Village Community and Conference Centre • Representative on the Nuneaton and Bedworth Older Peoples Forum • West Midlands Combined Authority and Land Delivery Board 	
	M. Tromans	RTC Ltd, Nuneaton; WCC, Warwick	Nuneaton Acorns WI	
	R. Tromans	RTC, Nuneaton AFL, Wellingborough	W.C.C. Warwick Member of the following Outside Bodies: <ul style="list-style-type: none"> • Nuneaton Neighbourhood Watch Committee • Hospice Charity 	
	M. Walsh	Employed by MacInnes Tooling Ltd. – UK Sales Manager		

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
	C.M. Watkins	Employee of Nutri Pack	Representative on the following outside bodies: <ul style="list-style-type: none"> • Nuneaton and Bedworth Community Enterprises Ltd. (NABCEL) 	
	K.D. Wilson	Acting Delivery Manager, Nuneaton and Warwick County Courts, HMCTS, Warwickshire Justice Centre, Nuneaton	Deputy Chairman – Nuneaton Conservative Association Corporate Tenancies: properties are leased by NBBC to Nuneaton and Bedworth Community Enterprises Ltd, of which I am a Council appointed Director. Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Director of Nuneaton and Bedworth Community Enterprises Ltd (NABCEL) • Coventry, Warwickshire and Hinckley & Bosworth Joint Committee • District Council Network • Local Government Association • Director of Coventry and Warwickshire Local Enterprise Partnership Ltd (CWLEP) • West Midlands Combined Authority 	
	M. Wright			

NUNEATON AND BEDWORTH BOROUGH COUNCIL

EXTRAORDINARY COUNCIL

12th January, 2023

An Extraordinary Council meeting of the Nuneaton and Bedworth Borough Council was held on Thursday, 12th January 2023 which was recorded and live streamed.

Present

The Mayor (Councillor J. Clarke)
The Deputy Mayor (Councillor M. Walsh)

Councillors D. Brown, B. Beetham, C. Cape, J. Coventry-Moreton, S. Croft, K. Evans, C. Golby, M. Green, J. Gutteridge, B. Hammersley, S. Harbison, J. Hartshorn, J. Kennaugh, K. Kondakor, S. Markham, G. Moreton, B. Pandher, R. Baxter-Payne, J. Sheppard, E. Shiers, J. Singh, R. Smith, M. Tromans, R. Tromans, C. Watkins, M. Wright and K. Wilson

Apologies were received for Councillors T. Cooper, L. Cvetkovic, L. Downs, N. Phillips and T. Sheppard

The Mayor wished everyone a Happy New Year.

CL43 **Declarations of Interests**

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

CL44 **Announcements**

No announcements were made.

CL45 **Public Participation**

Question 1 – Sam Margrave asked the following question to the Leader of the Council:

Thank you, Mr Mayor,

Staff at the Council work incredibly hard and over recent years they've seen their workloads increase massively.

For local people that has meant cuts or a reduction in services, the Town Hall not being open, planning applications delayed, people waiting longer for the council to deal with issues that matter to them and the Council entirely withdrawing from Bedworth shutting the area office, Civic Hall and now toilets.

Despite the leader of the Council previously criticising the Council for having secret meetings, as leader he has likely had more secret meetings than there ever was under any previous administration in the past decade.

Because the item on reorganisation is secret, local people who you are here to serve can't have a say.

We don't know why the management changes are happening, if it's to have a better service or because of financial pressures caused by Councillors pushing the Council on the brink of bankruptcy.

Every member of staff at NBBC, from bin men to the chief executive deliver the council services we all rely on.

Without breaking any confidentiality which may be on pink paper, can you tell the public tonight what management changes you are proposing and the reason for restructuring the management team?

Councillor K. Wilson, Leader of the Council, responded as follows:

Mr Mayor, as a former councillor Mr Margrave should have a greater knowledge of the workings of a council than most people; so, I think it only fair that he is held to a higher standard than an ordinary member of the public. He persists in his warped interpretation of the situation to suit his own ends.

It is a complete fabrication to suggest that all Cabinet members are doing is holding meetings in secret. As he well knows, any and all formal decisions have been made in public meetings – either Cabinet or Council – unless there is a specific legal reason as set out in the Local Government Act 1972. These are usually where there are commercial sensitives where wider publication or knowledge would undermine the Council's ability to conduct negotiations without one hand tied behind our backs. This could prejudice our position financially or enable tenderers access to information that would enable them to submit bids that would not comply with a truly competitive process or get us best value.

Or, as in the case tonight, it deals with the employment matters of individual employees of this Council. I would assume that Mr Margrave would not like his personal contract of employment – if indeed he has one, I don't know – discussed in front of any random person. These are highly personal matters to an individual, Mr Mayor.

But, having said all this, Mr Mayor, ex-Councillor Margrave knows this. When he was a Councillor, he has been in meetings before where the exact same thing has happened in the past and he has put his hand up in favour of a confidential meeting on several occasions. All without objection. Without breaching the confidential nature of the upcoming item, the restructure will focus on modernising our senior management structure to make it fit for purpose and ensure we are focused on service delivery. This is not a cost-cutting exercise.

But what isn't a secret is that local government faces financial challenges. It has always done so – including during ex-Councillor Margrave's terms of office. We are not – repeat NOT – on the brink of bankruptcy. His attempts to do so are a shallow attempt at scaremongering local residents to fit in with his own twisted narrative of this Council.

And doing so is also deeply unfair to the hardworking officers of this Council who are doing their best to deliver services through unprecedented and challenging financial times. We have experienced the shocks of Covid and now the global inflationary pressures that have deeply affected local government finance. Nuneaton and Bedworth is not immune to this.

The legal method for a council to effectively declare bankruptcy is through a section 114 notice. I discussed this with the statutory section 151 officer – who is far better qualified than either Mr Margrave or, indeed, myself – to determine whether we are on the brink of bankruptcy. I am happy to report that she has confirmed that we are not at risk of a s114 notice/bankruptcy. And we are not at risk of this because it is this Conservative administration that is stepping up to the plate, taking the difficult decisions that he and his former Labour colleagues didn't have the backbone to make, and taking the necessary actions to put this council on a sound financial footing. Not just for today, but for the future too.

Because of this we will remain solvent.

CL46 Exclusion of Public and Press

Councillor K. Kondakor moved in accordance with the constitution Part 4A.12 that the meeting be adjourned for the second Extraordinary Council to take place first in public session and that the report for this meeting be prepared suitable for public viewing.

Councillor M. Wright seconded the motion

A vote was taken

The motion was lost.

RESOLVED that under section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following item, it being likely that there would be disclosure of exempt information of the description specified in paragraph (i) and (ii) of Part I and II of Schedule 12A to the Act.

CL47 Restructure of Management Team

The Chief Executive & Head of Paid Service submitted a report on the Restructure of Management Team to full council for consideration.

RESOLVED that

- a) a preferred option [as set out in Appendix C of the report] for a revised Senior Management Structure be consulted upon with Management Team and the wider group of Senior Managers for a period of 7 weeks running from 16 January 2023 to 28 February 2023.
- b) the constitutional arrangements in relation to the review of consultation outcomes and implementation, including the setting of remuneration levels for Chief Officers and senior managers by the Employment Committee be noted.
- c) arrangements be put into place to establish a Panel of Independent Persons as detailed in the report.
- d) an Extraordinary Full Council meeting be convened as soon as is practicable to receive feedback from the consultation exercise, the Panel of Independent Persons and recommendations from the Employment Committee.

Councillor K. Kondakor requested that his vote against the recommendations be recorded in the minutes

Mayor

Council - Schedule of Declarations of Interests – 2022/2023

	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"> - Housing matters - Statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992 - An allowance, payment given to members - An indemnity given to members - Any ceremonial honour given to members - Setting council tax or a precept under the Local Government Finance Act 1992 - Planning and Licensing matters - Allotments - Local Enterprise Partnership
	R. Baxter-Payne	Manager Brinklow Quarry Ltd, Brinklow; County Councillor - WCC	Spouse: Self-employed childminder Member of the following Outside Bodies: <ul style="list-style-type: none"> • West Midlands Combined Audit, Risk and Assurance Committee • Warwickshire Adult Social Care and Health Overview and Scrutiny Committee (substitute) 	
	B. Beetham	Employed at The George Eliot Hospital; Warwickshire County Council – Camp Hill	Member of the following Outside Bodies: <ul style="list-style-type: none"> • Camp Hill Urban Village: Pride in Camp Hill Board • Committee of Management of Hartshill and Nuneaton Recreation Ground 	
	D. Brown	Employed by H.M Land Registry	Regional Coordinator, Ragdoll Rescue Charity. Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Biodiversity Champion • Exhall Education Foundation • Warwickshire Joint Overview and Scrutiny Committee 	
	C. Cape	Director of Capability	Member of the following	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
		Coaching and Consultancy Ltd.	Outside Bodies: <ul style="list-style-type: none"> Armed Forces Covenant Meeting 	
	J. Clarke	Employed by Marcus Jones MP	County Councillor W.C.C. Nuneaton Conservative Association; Deputy Chairman Officer of the Abbey Preceptory No.541 - Nuneaton Member of the following Outside Bodies: <ul style="list-style-type: none"> Nuneaton Festival of Arts 	
	T. Cooper	None	Member on the following Outside Bodies: <ul style="list-style-type: none"> Camp Hill Urban Village: Pride in Camp Hill Board Committee of Management of Hartshill and Nuneaton Recreation Ground 	
	J. Coventry-Moreton	School Receptionist – St Nicholas Chamberlaine School, Bedworth	Share in rental dwelling at Sealand Drive, Bedworth and Tresilian Road, Bedworth.	
	S. Croft	Employed at Holland & Barrett Retail Ltd	Treasurer of the Conservative Association Member of the following Outside Bodies: <ul style="list-style-type: none"> Champion for Safeguarding (Children and Adults) Local Government Superannuation Scheme Consultative Board West Midlands Employers 	
	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"> Building Control Partnership Steering Group 	
	L. Downs	River Bars Limited; Coventry Plus Beyond the Plane	Member on the following Outside Body: <ul style="list-style-type: none"> Hammersley, Smith and Orton Charity 	
	K. Evans	Employed by UK Parliament	Sponsorship: Election Expenses – North	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			Warwickshire Conservative Association Membership of Other Bodies: <ul style="list-style-type: none"> • West Midlands Combined Audit, Risk and Assurance Committee (substitute) Executive Officer – North Warwickshire Conservative Association; Member of the Conservative and Unionist Party.	
	C. Golby		Member of Warwickshire County Council Membership of Other Bodies: <ul style="list-style-type: none"> • Nuneaton and Bedworth Safer and Stronger Communities Partnership • Nuneaton and Bedworth Community Enterprises Ltd. • Nuneaton and Bedworth Home Improvement Agency • Safer Warwickshire Partnership Board • Warwickshire Housing and Support Partnership • Warwickshire Police and Crime Panel • George Eliot Hospital NHS Trust – Public/User Board • George Eliot Hospital NHS Foundation Trust Governors • District Leaders (substitute) • Local Enterprise Partnership (substitute) • Coventry, Warwickshire and Hinckley and Bosworth Joint Committee (substitute) 	
	M. Green	Employed by Horiba Mira – Calibration Technician	Chair of Education Standards Committee – St Thomas Moore School Executive Member – Nuneaton Conservatives. Secretary – St Vincent De Paul Society at Our Lady of the Angels Church. Our Lady of the Angels Church. Member of the George Eliot Fellowship	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			Member of the Nuneaton Education Strategy Board Member on the following Outside Bodies: <ul style="list-style-type: none"> • Friendship Project for Children. 	
	J. Gutteridge		Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Warwickshire Health and Wellbeing Board • Age UK (Warwickshire Branch) • Committee of Management of Hartshill and Nuneaton Recreation Ground • West Midlands Combined Authority Wellbeing Board 	
	B. Hammersley	County Councillor – W.C.C.	Member on the following Outside Bodies: <ul style="list-style-type: none"> • Hammersley, Smith and Orton Charity 	
	S. Harbison	Self Employed	Member of Conservative and Unionist Party. Member on the following Outside Bodies: <ul style="list-style-type: none"> • Astley Charity 	
	J. Hartshorn	Employed by Asda Nuneaton	Member of Nuneaton Conservatives	
	J. Kennaugh	County Councillor W.C.C. Employed by FedEx Express UK Ltd	Member of the W.C.C. Regulatory Committee Member of the Conservative Party Member of UNITE the Union Member on the following Outside Bodies: <ul style="list-style-type: none"> • EQUiP 	
	K.A. Kondakor	Electronic Design Engineer (self-employed semi-retired); Statistical data analyst and expert witness (self employed)	Unpaid director of 100PERCENTRENEWABLEUK LTD	
	S. Markham	County Councillor – W.C.C.	Governor at Ash Green School Member of the following Outside Bodies: <ul style="list-style-type: none"> • Nuneaton and Bedworth Sports Forum • Warwickshire Direct Partnership 	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			<ul style="list-style-type: none"> • Warwickshire Waste Partnership • Sherbourne Asset Co Shareholder Committee 	
	G. Moreton	Member of School Appeals Panels at Warwickshire County Council	Share in rental dwellings at Sealand Drive, Bedworth and Tresillian Road, Exhall. Member on the following Outside Bodies: <ul style="list-style-type: none"> • Bedworth Neighbourhood Watch Committee 	
	B. Pandher		Member of Warwickshire County Council Treasurer & Trustee of Nanaksar Gurdwara Gursikh Temple; Coordinator of Council of Sikh Temples in Coventry; Secretary of Coventry Indian Community; Trustee of Sikh Monument Trust Vice Chair Exhall Multicultural Group Member of the following Outside Bodies: <ul style="list-style-type: none"> • Foleshill Charity Trustee – Proffitt's Charity 	
	N. Phillips	Employee of DWP	Member of: <ul style="list-style-type: none"> • Nuneaton Labour CLP • The Fabian Society • The George Eliot Society • The PCS Union • Central Credit Union • Stockingford Sports and Allotment Club • Haunchwood Sports and Social Club 	
	J. Sheppard		Partnership member of the Hill Top and Caldwell Big Local. Director of Wembrook Community Centre. Member of the Management Committee at the Mental Health Drop in.	Dispensation to speak and vote on any matters of Borough Plan that relate to the Directorship of Wembrook Community Centre
	T. Sheppard	Employee of Dairy Crest		
	E. Shiers	Employed by and Director of Cannon	The Labour Party Coventry East Credit Union	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
		Enterprise Ltd. Director of The Fresh Dessert Company	Member of the Pride in Camp Hill Board. Member of the governing board for Camp Hill Primary School. Member of the Board of Trustees of Camp Hill Community Association. Volunteer for the Coventry and Warwickshire district RSPCA	
	J. Singh			
	R. Smith		Chairman of Volunteer Friends, Bulkington; Trustee of Bulkington Sports and Social Club; Member of the following Outside Bodies: <ul style="list-style-type: none"> • A5 Member Partnership; • PATROL (Parking and Traffic Regulation Outside of London) Joint Committee; • Building Control Partnership Steering Group • Bulkington Village Community and Conference Centre • Representative on the Nuneaton and Bedworth Older Peoples Forum • West Midlands Combined Authority and Land Delivery Board 	
	M. Tromans	RTC Ltd, Nuneaton; WCC, Warwick	Nuneaton Acorns WI	
	R. Tromans	RTC, Nuneaton AFL, Wellingborough	W.C.C. Warwick Member of the following Outside Bodies: <ul style="list-style-type: none"> • Nuneaton Neighbourhood Watch Committee • Hospice Charity 	
	M. Walsh	Employed by MacInnes Tooling Ltd. – UK Sales Manager		

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
	C.M. Watkins	Employee of Nutri Pack	Representative on the following outside bodies: <ul style="list-style-type: none"> • Nuneaton and Bedworth Community Enterprises Ltd. (NABCEL) 	
	K.D. Wilson	Acting Delivery Manager, Nuneaton and Warwick County Courts, HMCTS, Warwickshire Justice Centre, Nuneaton	Deputy Chairman – Nuneaton Conservative Association Corporate Tenancies: properties are leased by NBBC to Nuneaton and Bedworth Community Enterprises Ltd, of which I am a Council appointed Director. Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Director of Nuneaton and Bedworth Community Enterprises Ltd (NABCEL) • Coventry, Warwickshire and Hinckley & Bosworth Joint Committee • District Council Network • Local Government Association • Director of Coventry and Warwickshire Local Enterprise Partnership Ltd (CWLEP) • West Midlands Combined Authority 	
	M. Wright			

NUNEATON AND BEDWORTH BOROUGH COUNCIL

EXTRAORDINARY COUNCIL

12th January, 2023

A second Extraordinary Council meeting of the Nuneaton and Bedworth Borough Council was held on Thursday, 12th January 2023 which was recorded and live streamed.

Present

The Mayor (Councillor J. Clarke)
The Deputy Mayor (Councillor M. Walsh)

Councillors D. Brown, B. Beetham, C. Cape, J. Coventry-Moreton, S. Croft, K. Evans, C. Golby, M. Green, J. Gutteridge, B. Hammersley, S. Harbison, J. Hartshorn, J. Kennaugh, K. Kondakor, S. Markham, G. Moreton, B. Pandher, R. Baxter-Payne, J. Sheppard, E. Shiers, J. Singh, R. Smith, M. Tromans, R. Tromans, C. Watkins, M. Wright and K. Wilson

Apologies were received for Councillors T. Cooper, L. Cvetkovic, L. Downs, N. Phillips and T. Sheppard

CL48 **Declarations of Interests**

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

CL49 **Announcements**

No announcements were made.

CL50 **Public Participation**

Question 1 – Janet Batterbee submitted the following statement:

I would like to publicly congratulate the Civic Hall action committee on their success in establishing the Bedworth Civic Hall CIC. This is a major milestone. I would also like to thank the several Councillors who have replied to my various emails about the Civic Hall, even if I don't always like your answers.

I hope that all local Councillors and MP's will now recognise that our valued Civic Centre can have a better future, and that you will work with the Action Committee and interested residents to ensure that can happen.

Question 2 – Sam Margrave asked the following question to the Portfolio Holder for Public Services

Now the Council has approved the Civic Hall as an Asset of Community Value will the Council postpone the current expression of interest process (which could see the Civic Hall privatised and taken over by a private business or developer or demolished) and commit to give the building to Bedworth Civic Hall Community Interest Company (which is run by local residents, community leaders, business people and those connected to the arts) and allocate officer time to work with residents to secure funding through the community ownership fund, arts council and others to take over the building and carry out the work needed to reopen?

Councillor S. Markham, Portfolio Holder for Public Services gave an answer to both Question 2 and Question 3 together.

Question 3 - Rachel Hardy submitted the following question to the Portfolio Holder for Public Services

The Civic Hall has been recognised and listed as an Asset of Community Value under the Localism Act 2011.

That act allows community groups to bid to run a registered building or piece of land that is used to further the social wellbeing or interests of the local community and economy.

The act also prevents demolition plans from going ahead for at least 7 months.

Demolition would also cost £600,000.

With the Council having to make a decision about financing the Civic Hall and to produce a balanced budget in a matter of months, will the Council scrap any plans that would lead to demolition as outlined by the Bedworth Transforming plans and the drawings that went to OSP; and will you apply for community ownership funding and hand the building over to a community group to get it off the Councils books and to work with residents to get national money into Bedworth to allow residents to take on the ownership of the Civic Hall ensuring the venue can continue in the Town, and the Council is able to focus on its own finances?

Councillor S. Markham, Portfolio Holder for Public Services, responded as follows:

Just because the Civic Hall has been approved as an asset of community value, it will not stop the process of Expression of Interest's (EOI), the Council have approved a process and a timescale for the assessment of the submitted EOI's. This ends on 30th January and then February / March will be used to assess the submitted EOI forms, consider the next steps and report back to Cabinet.

Anyone interested in running the Civic Hall, will still need to complete and submit an EOI within this timescale, there is guidance on-line of who you can contact to assist you, or any other group.

Officers will not be able to assist individual groups to secure funding, the process has to be fair to all, and neither them nor this council can be seen to favour one application over another by assisting one group.

Just to clarify, when the council made the announcement regarding the Civic Hall, the recommendation was 'to not re-open, at this time' although there is a vision for Bedworth that was put forward, at NO time has the council said that it is being imminently demolished, so the rumours that it is going to be knocked down for a car park or left as a pile of bricks simply isn't true.

Question 4: - Steve Young submitted the following question to the Portfolio Holder for Public Services

Last Year Civic Action applied to make the Civic Hall an Asset of Community value.

The Council has now given its approval for the Civic Hall to be registered as an asset of Community Value.

Since the Application members of Civic Action and our community have formed Bedworth Civic Action Community Interest Company.

Will the Cabinet member meet with us to discuss a bid to take over the building under the localism act 2011?

Councillor S. Markham, Portfolio Holder for Public Services, gave the following written response:

I'm pleased that this work has been completed by community members, but as was said earlier regarding Officers, as the Cabinet Member I will not be able to assist individual groups to secure funding or bids to take over the Civic Hall, it has to be fair to all and neither I nor this council can be seen to favour one application over another by assisting one group.

Question 5: - Ian Calvert asked the following question to Councillor Kyle Evans who submitted the motion to council:

Where has Councillors Evans, Walsh, Moreton, Coventry-Moreton and Singh seen that Labour has stated Labour have said the Civic Hall should immediately reopen?

As at the last Council Meeting, the elected group of Labour Councillors stated that they had not put any leaflets or statements out about Bedworth Civic Hall – therefore, will these Councillors explain why the money has come from for this Extraordinary Council Meeting has come from?

Will these Councillors also be asking North Warwickshire and Bedworth Labour who don't have any Councillors to attend a meeting and answer these questions

Councillor K. Evans, responded as follows:

Thank you, Mr Mayor, and I thank Mr Calvert for his question.

There are three parts to his question, I'll take those in turn. So, the first question is where we have effectively seen that Labour have said, 'There will be re-opening the Civic Hall' three points to that question, a leaflet as I understand it was delivered to every property in Bedworth.

I have the leaflet here and it says, 'What are we demanding, 1) the Civic Hall must be reopened as soon as possible.'

In addition to that at the last full council meeting when Mr Margrave submitted his petition to us the Labour Group asked that, we as a council endorse all the recommendations on that petition and one of the recommendations was that the Civic Hall is re-opened immediately.

In addition, the final point I would make is that the Bedworth Labour Party has put a number of banners around the vicinity of the Town Centre quote "Save the Civic Hall" if you intend to Save the Civic Hall you probably don't intend to close it.

The second part to your question, in terms of the funding for this extraordinary council meeting, an extraordinary council meeting was being called anyway to discuss the management restructure so I envisaged that the only cost to taxpayers will probably be half an hour's worth of utility bills.

The final point to your question, will these councillors also be asking North Warwickshire in Bedworth Labour who don't have any councillors to attend a meeting and answer these questions? With respect it's not really my job as a conservative councillor to ask labour members to attend meetings, of course, if they wish to attend and speak, they're always more than welcome and I'd love to hear their views.

CL51 **Notice of Motion - Bedworth Civic Hall and Spending Commitments made by the Labour Group**

A notice of motion request on the above was received by Councillors K. Evans, M. Walsh, G. Moreton, J. Coventry-Moreton, and J. Singh.

Councillor K. Evans moved the motion as follows:

"In light of the Commitment from the Labour Group that this Council should immediately re-open the Bedworth Civic Hall, and that under a future Labour administration this Council will re-open the Bedworth Civic Hall as a tax payer funded asset. This Council requests the Leader of the Opposition, Councillor

Christopher Watkins, to provide details on the Labour Group's proposed funding model within ten working days. The Labour Group's proposed funding model is to be presented to all Councillors by the Committee Services Team upon receipt."

The motion was seconded by Councillor M. Walsh.

A recorded vote was taken as follows:

FOR: Councillors R. Baxter – Payne, B. Beetham, D. Brown, C. Cape, J. Clarke, J. Coventry-Moreton, S. Croft, K. Evans, C. Golby, M. Green, J. Gutteridge, B. Hammersley, S. Harbison, J. Hartshorn, J. Kennaugh, S. Markham, G. Moreton, B. Pandher, J. Singh, R. Smith, M. Tromans, R. Tromans, M. Walsh, and K. Wilson

AGAINST: Councillors K. Kondakor J. Sheppard, E. Shiers, C. Watkins and M. Wright

ABSENCES: None

The motion was carried

RESOLVED that in light of the Commitment from the Labour Group that this Council should immediately re-open the Bedworth Civic Hall, and that under a future Labour administration this Council will re-open the Bedworth Civic Hall as a tax payer funded asset. This Council requests the Leader of the Opposition, Councillor Christopher Watkins, to provide details on the Labour Group's proposed funding model within ten working days. The Labour Group's proposed funding model is to be presented to all Councillors by the Committee Services Team upon receipt.

Mayor

Council - Schedule of Declarations of Interests – 2022/2023

	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"> - Housing matters - Statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992 - An allowance, payment given to members - An indemnity given to members - Any ceremonial honour given to members - Setting council tax or a precept under the Local Government Finance Act 1992 - Planning and Licensing matters - Allotments - Local Enterprise Partnership
	R. Baxter-Payne	Manager Brinklow Quarry Ltd, Brinklow; County Councillor - WCC	Spouse: Self-employed childminder Member of the following Outside Bodies: <ul style="list-style-type: none"> • West Midlands Combined Audit, Risk and Assurance Committee • Warwickshire Adult Social Care and Health Overview and Scrutiny Committee (substitute) 	
	B. Beetham	Employed at The George Eliot Hospital; Warwickshire County Council – Camp Hill	Member of the following Outside Bodies: <ul style="list-style-type: none"> • Camp Hill Urban Village: Pride in Camp Hill Board • Committee of Management of Hartshill and Nuneaton Recreation Ground 	
	D. Brown	Employed by H.M Land Registry	Regional Coordinator, Ragdoll Rescue Charity. Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Biodiversity Champion • Exhall Education Foundation • Warwickshire Joint Overview and Scrutiny Committee 	
	C. Cape	Director of Capability	Member of the following	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
		Coaching and Consultancy Ltd.	Outside Bodies: <ul style="list-style-type: none"> • Armed Forces Covenant Meeting 	
	J. Clarke	Employed by Marcus Jones MP	County Councillor W.C.C. Nuneaton Conservative Association; Deputy Chairman Officer of the Abbey Preceptory No.541 - Nuneaton Member of the following Outside Bodies: <ul style="list-style-type: none"> • Nuneaton Festival of Arts 	
	T. Cooper	None	Member on the following Outside Bodies: <ul style="list-style-type: none"> • Camp Hill Urban Village: Pride in Camp Hill Board • Committee of Management of Hartshill and Nuneaton Recreation Ground 	
	J. Coventry-Moreton	School Receptionist – St Nicholas Chamberlaine School, Bedworth	Share in rental dwelling at Sealand Drive, Bedworth and Tresilian Road, Bedworth.	
	S. Croft	Employed at Holland & Barrett Retail Ltd	Treasurer of the Conservative Association Member of the following Outside Bodies: <ul style="list-style-type: none"> • Champion for Safeguarding (Children and Adults) • Local Government Superannuation Scheme Consultative Board • West Midlands Employers 	
	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"> • Building Control Partnership Steering Group 	
	L. Downs	River Bars Limited; Coventry Plus Beyond the Plane	Member on the following Outside Body: <ul style="list-style-type: none"> • Hammersley, Smith and Orton Charity 	
	K. Evans	Employed by UK Parliament	Sponsorship: Election Expenses – North	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			Warwickshire Conservative Association Membership of Other Bodies: <ul style="list-style-type: none"> • West Midlands Combined Audit, Risk and Assurance Committee (substitute) Executive Officer – North Warwickshire Conservative Association; Member of the Conservative and Unionist Party.	
	C. Golby		Member of Warwickshire County Council Membership of Other Bodies: <ul style="list-style-type: none"> • Nuneaton and Bedworth Safer and Stronger Communities Partnership • Nuneaton and Bedworth Community Enterprises Ltd. • Nuneaton and Bedworth Home Improvement Agency • Safer Warwickshire Partnership Board • Warwickshire Housing and Support Partnership • Warwickshire Police and Crime Panel • George Eliot Hospital NHS Trust – Public/User Board • George Eliot Hospital NHS Foundation Trust Governors • District Leaders (substitute) • Local Enterprise Partnership (substitute) • Coventry, Warwickshire and Hinckley and Bosworth Joint Committee (substitute) 	
	M. Green	Employed by Horiba Mira – Calibration Technician	Chair of Education Standards Committee – St Thomas Moore School Executive Member – Nuneaton Conservatives. Secretary – St Vincent De Paul Society at Our Lady of the Angels Church. Our Lady of the Angels Church. Member of the George Eliot Fellowship	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			Member of the Nuneaton Education Strategy Board Member on the following Outside Bodies: <ul style="list-style-type: none"> • Friendship Project for Children. 	
	J. Gutteridge		Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Warwickshire Health and Wellbeing Board • Age UK (Warwickshire Branch) • Committee of Management of Hartshill and Nuneaton Recreation Ground • West Midlands Combined Authority Wellbeing Board 	
			Member of NABCEL	
	B. Hammersley	County Councillor – W.C.C.	Member on the following Outside Bodies: <ul style="list-style-type: none"> • Hammersley, Smith and Orton Charity 	
	S. Harbison	Self Employed	Member of Conservative and Unionist Party. Member on the following Outside Bodies: <ul style="list-style-type: none"> • Astley Charity 	
	J. Hartshorn	Employed by Asda Nuneaton	Member of Nuneaton Conservatives	
	J. Kennaugh	County Councillor W.C.C. Employed by FedEx Express UK Ltd	Member of the W.C.C. Regulatory Committee Member of the Conservative Party Member of UNITE the Union Member on the following Outside Bodies: <ul style="list-style-type: none"> • EQUiP 	
	K.A. Kondakor	Electronic Design Engineer (self-employed semi-retired); Statistical data analyst and expert witness (self employed)	Unpaid director of 100PERCENTRENEWABLEUK LTD	
	S. Markham	County Councillor – W.C.C.	Governor at Ash Green School Member of the following Outside Bodies: <ul style="list-style-type: none"> • Nuneaton and Bedworth Sports Forum • Warwickshire Direct Partnership 	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			<ul style="list-style-type: none"> • Warwickshire Waste Partnership • Sherbourne Asset Co Shareholder Committee 	
	G. Moreton	Member of School Appeals Panels at Warwickshire County Council	Share in rental dwellings at Sealand Drive, Bedworth and Tresillian Road, Exhall. Member on the following Outside Bodies: <ul style="list-style-type: none"> • Bedworth Neighbourhood Watch Committee 	
	B. Pandher		Member of Warwickshire County Council Treasurer & Trustee of Nanaksar Gurdwara Gursikh Temple; Coordinator of Council of Sikh Temples in Coventry; Secretary of Coventry Indian Community; Trustee of Sikh Monument Trust Vice Chair Exhall Multicultural Group Member of the following Outside Bodies: <ul style="list-style-type: none"> • Foleshill Charity Trustee – Proffitt's Charity 	
	N. Phillips	Employee of DWP	Member of: <ul style="list-style-type: none"> • Nuneaton Labour CLP • The Fabian Society • The George Eliot Society • The PCS Union • Central Credit Union • Stockingford Sports and Allotment Club • Haunchwood Sports and Social Club 	
	J. Sheppard		Partnership member of the Hill Top and Caldwell Big Local. Director of Wembrook Community Centre. Member of the Management Committee at the Mental Health Drop in.	Dispensation to speak and vote on any matters of Borough Plan that relate to the Directorship of Wembrook Community Centre
	T. Sheppard	Employee of Dairy Crest		
	E. Shiers	Employed by and Director of Cannon	The Labour Party Coventry East Credit Union	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
		Enterprise Ltd. Director of The Fresh Dessert Company	Member of the Pride in Camp Hill Board. Member of the governing board for Camp Hill Primary School. Member of the Board of Trustees of Camp Hill Community Association. Volunteer for the Coventry and Warwickshire district RSPCA	
	J. Singh			
	R. Smith		Chairman of Volunteer Friends, Bulkington; Trustee of Bulkington Sports and Social Club; Member of the following Outside Bodies: <ul style="list-style-type: none"> • A5 Member Partnership; • PATROL (Parking and Traffic Regulation Outside of London) Joint Committee; • Building Control Partnership Steering Group • Bulkington Village Community and Conference Centre • Representative on the Nuneaton and Bedworth Older Peoples Forum • West Midlands Combined Authority and Land Delivery Board 	
	M. Tromans	RTC Ltd, Nuneaton; WCC, Warwick	Nuneaton Acorns WI	
	R. Tromans	RTC, Nuneaton AFL, Wellingborough	W.C.C. Warwick Member of the following Outside Bodies: <ul style="list-style-type: none"> • Nuneaton Neighbourhood Watch Committee • Hospice Charity 	
	M. Walsh	Employed by MacInnes Tooling Ltd. – UK Sales Manager		

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
	C.M. Watkins	Employee of Nutri Pack	Representative on the following outside bodies: <ul style="list-style-type: none"> • Nuneaton and Bedworth Community Enterprises Ltd. (NABCEL) 	
	K.D. Wilson	Acting Delivery Manager, Nuneaton and Warwick County Courts, HMCTS, Warwickshire Justice Centre, Nuneaton	Deputy Chairman – Nuneaton Conservative Association Corporate Tenancies: properties are leased by NBBC to Nuneaton and Bedworth Community Enterprises Ltd, of which I am a Council appointed Director. Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Director of Nuneaton and Bedworth Community Enterprises Ltd (NABCEL) • Coventry, Warwickshire and Hinckley & Bosworth Joint Committee • District Council Network • Local Government Association • Director of Coventry and Warwickshire Local Enterprise Partnership Ltd (CWLEP) • West Midlands Combined Authority 	
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	J. Singh			
	R. Smith		Chairman of Volunteer Friends, Bulkington; Trustee of Bulkington Sports and Social Club; Member of the following Outside Bodies: <ul style="list-style-type: none"> • A5 Member Partnership; • PATROL (Parking and Traffic Regulation Outside of London) Joint Committee; • Building Control Partnership Steering Group • Bulkington Village Community and Conference Centre • Representative on the Nuneaton and Bedworth Older Peoples Forum • West Midlands Combined Authority and Land Delivery Board 	
	M. Tromans	RTC Ltd, Nuneaton; WCC, Warwick	Nuneaton Acorns WI	
	R. Tromans	RTC, Nuneaton AFL, Wellingborough	W.C.C. Warwick Member of the following Outside Bodies: <ul style="list-style-type: none"> • Nuneaton Neighbourhood Watch Committee • Hospice Charity 	
	M. Walsh	Employed by MacInnes Tooling Ltd. – UK Sales Manager		

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
	C.M. Watkins	Employee of Nutri Pack	Representative on the following outside bodies: <ul style="list-style-type: none"> • Nuneaton and Bedworth Community Enterprises Ltd. (NABCEL) 	
	K.D. Wilson	Acting Delivery Manager, Nuneaton and Warwick County Courts, HMCTS, Warwickshire Justice Centre, Nuneaton	Deputy Chairman – Nuneaton Conservative Association Corporate Tenancies: properties are leased by NBBC to Nuneaton and Bedworth Community Enterprises Ltd, of which I am a Council appointed Director. Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Director of Nuneaton and Bedworth Community Enterprises Ltd (NABCEL) • Coventry, Warwickshire and Hinckley & Bosworth Joint Committee • District Council Network • Local Government Association • Director of Coventry and Warwickshire Local Enterprise Partnership Ltd (CWLEP) • West Midlands Combined Authority 	
	M. Wright			

9. PUBLIC PARTICIPATION

9.1 General

At each 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 matters in respect of which to which the Council has powers or duties or which affect the Borough.

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 Chief Executive no later than 12 noon on the day before the meeting of the Council.

9.3 Scope of questions and statements

The Chief Executive may reject a question or statement if it:

- is not about a matter for which the Council has a responsibility or which doesn't affect the borough;
- is defamatory, frivolous or offensive;
- is substantially the same as a question or statement which has been put at a meeting of the Council in the past six months; or
- requires or involves the disclosure of confidential or exempt information.

9.4 The Mayor will invite the relevant Cabinet Member or Committee Chair to give a reply. Such reply shall not exceed 5 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 5 minutes is not exceeded. The Mayor may reject a supplementary question on any of the grounds detailed in paragraph 9.3 above.

9.5 Time Limit and Number of questions

No question or statement shall exceed 3 minutes. In the event of there being more than one question or statement, the Chief Executive will draw lots to determine the order in which the questions shall be asked or statements made. 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.

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 10.3(b) below) on any matter in relation to which the Council has powers or duties, or which affects the Borough. For questions from Members, Paragraph 4.9.4 shall apply. 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 paragraphs 10.2 or 10.3 shall be asked unless: (a) the question has been delivered in writing to the Head of Paid Service and Leader before 12 noon on the day before 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 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.

4.10.5 Time Limit

The maximum time for Members' questions shall not normally exceed 24 minutes, and the Mayor shall have discretion to limit the questions as he or she shall see fit.

4.10.6 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.

4.10.7 Any question or statement which cannot be dealt with because of lack of time will be dealt with in writing in accordance with paragraph 10.5 (c).

4.10.8 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

NUNEATON AND BEDWORTH BOROUGH COUNCIL

Report to: Audit and Standards Committee – 10th January 2023
From: Head of Audit and Governance, Risk Management and Performance Officer
Subject: Review of Risk Management Policy and Strategy

1. Purpose of Report

To provide the Audit and Standards Committee with the updated Risk Management Policy and Strategy document for approval.

2. Recommendation

That the revised Risk Management Policy and Strategy document at Appendix A is approved and it be recommended to Council that the Constitution be updated accordingly.

3. Review Process

The Risk Management Policy and Strategy is subject to review every two years unless significant changes are identified in the interim period, and it was last approved by the Audit and Standards Committee in November 2021. There have been no significant changes since it was last approved. however, due to the changes in committee membership and to emphasise roles and responsibilities, the Chair has agreed that it is appropriate to carry out a review earlier than scheduled.

4. Details of Changes

Only minor modifications have been made to the Policy and Strategy document which relate to changes in organisational structures and reporting lines and to provide clarification where necessary of roles and responsibilities in relation to risk management. For ease of reference, the changes are highlighted on the revised document shown at Appendix A.

LINDA DOWNES
STEVE GORE



Risk Management Policy and Strategy

November 2022

Document Control

Organisation	Nuneaton and Bedworth Borough Council
Title	Risk Management Policy and Strategy
Filename	DOC16/75813
Owner	Governance, Risk Management and Performance Officer
Subject	Risk Management Policy and Strategy
Next Review Date	October 2023

Revision History

Revision Date	Reviser	Previous Version	Description of Revision
07/04/2017	Steve Gore	V4.0	Risk descriptors update.
27/08/2019	Steve Gore	V5.0	New organisational structure.
October 2021	Steve Gore	V6.0	Scheduled review.
November 2022	Steve Gore	V7.0	Organisational structure / clarification of reporting lines.

Document Approvals

This document requires the following approvals

Name	Date
Audit and Standards Committee	10/1/23

Risk Management Policy

1. Nuneaton and Bedworth Borough Council (NBBC) recognises that it has a responsibility to manage risks, both internal and external. It is therefore committed to maintaining robust risk management and business continuity arrangements that make a positive contribution towards the achievement of the Council's corporate aims and priorities and maximise the opportunities to achieve its vision.
2. It is good business practice that risk management processes should be:
 - Supportive rather than unduly restrictive.
 - Embedded in the Council's culture and in its decision-making, planning and management functions; and
 - Embraced by all Members and employees.
3. The Council's aims with respect to risk management are as follows: -
 - To embed risk management into the culture of the Council
 - To adopt an effective and transparent corporate approach to risk management, which also applies to the Council's work with external partners and contractors
 - To work with partners and stakeholders to identify and exploit opportunities that will contribute to corporate aims and priorities
 - To integrate risk management into the operational and management practices of the Council
 - To promote risk awareness throughout the Council and among our contractors and key partners
 - To be responsive to changing social, environmental and legislative requirements, whilst effectively managing the related risks and opportunities.
 - To undertake an annual review of the effectiveness of the risk management arrangements to support the Council's Annual Governance Statement
4. These aims will be achieved through the Council's Risk Management Strategy, which details the roles, responsibilities and actions necessary for successful implementation.

Risk Management Strategy

1. Introduction

- 1.1 This strategy sets out the processes to ensure that risks to the Council's services, objectives, employees, assets, contractors and partnerships are identified, recorded, assessed, prioritised and then mitigated, transferred or eliminated, to achieve an acceptable level of exposure.
- 1.2 The Risk Management Framework states how the Council manages risks and maximises opportunities in achieving its aims and priorities and this strategy forms part of that process.

2. Definitions

2.1 Corporate Governance

Corporate governance is the framework of accountability to users, stakeholders, and the wider community, within which organisations take decisions and lead and control their functions to achieve their objectives. The effectiveness of corporate governance arrangements has a significant impact on how well an organisation meets its aims. Its purpose is to ensure that the right thing is done, in the right way, by the right people, in an open, honest, and timely manner.

2.2 Risk and Risk Appetite

“Risk” can be defined as “The possibility that an event will occur and adversely affect achievement of objectives”.

Therefore, “risk management” is the process by which risks are identified, analysed, controlled, and monitored. Resources for managing risk are finite, therefore risks are prioritised in accordance with an evaluation system. The level of risk tolerated is the “risk appetite”.

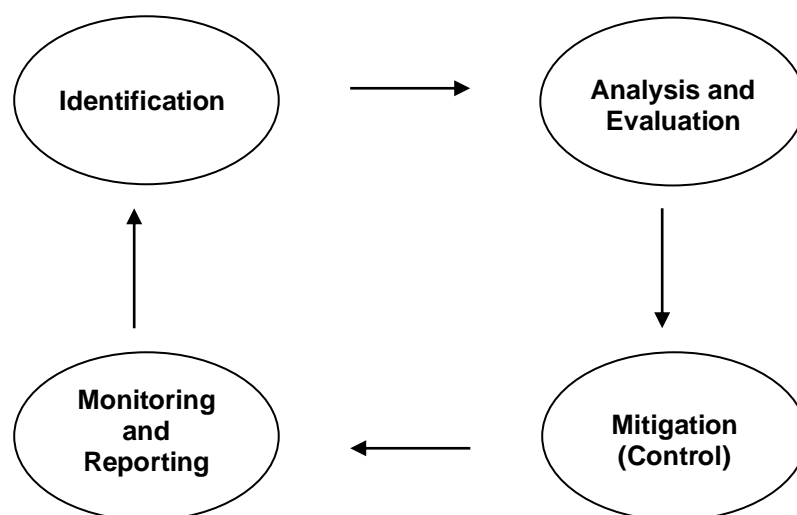
2.3 Partnership

A partnership is an agreement between the Council and one or more independent legal bodies, organisations, or individuals to work collectively to achieve a common purpose with specified aims and objectives. More detailed guidance on managing partnerships and the associated risks is available in the Council's Partnership Framework document.

3. Risk Management Process

Risk management involves the following four processes: -

- Identification of risk
- Analysis and evaluation
- Mitigation
- Monitoring and reporting



3.1 Step 1 - Identification of Risk

A systematic approach needs to be applied if all significant risks are to be identified and managed effectively. By identifying areas of risk before an event or loss occurs, steps can be taken to reduce the likelihood of occurrences and/or to minimise the cost to the Council if they do happen. Reacting to events only after they have occurred can be very costly.

Risks can be identified in a number of ways, for example: -

- Through discussions with colleagues, stakeholders, Members, contractors, partners, insurance brokers, insurers, risk advisers and external auditors
- Looking at trends, accident reports, complaints, new agendas, legislation and regulations

The table below lists some categories of risk which may have an impact on aims and priorities: -

Risk Category	Examples of issues to consider
Political	Local and national political issues. Stability of the political situation.
Economic	State of the local economy. Interest rates, inflation and related key assumptions. Labour market effects on recruitment and retention.
Social and Employee-Related	Demographic profile of the workforce and population. The consequent effect on demand for services and/or stakeholder expectations.
Technological and Information-Related	Capacity to respond to technological changes or opportunities arising from technological developments. Current use of or reliance on technology. Quality and security of information. Accessibility of key documents. Resilience and IT/Communications recovery capacity.

Risk Category	Examples of issues to consider
Legislative /Regulatory	Preparedness for new legislation and regulations, e.g., health and safety, planning or employment law.
Environmental	Use, acquisition &/or disposal of land &/or premises. Waste, disposal and recycling arrangements.
Competitive	Competitiveness of service delivery in terms of cost and quality. Ability to deliver value for money.
Customer/ Citizen	Extent, nature and effectiveness of consultation and involvement with the community. Ability to meet current and future needs. Service delivery feedback. Reputation.
Professional	Organisational and individual competency levels and capacity to deliver objectives. Staff recruitment and retention. Skill and knowledge levels. Opportunities for networking and continuing professional development.
Financial	Level of reserves. Adequacy of funding. Financial planning and control. Fraud.
Legal	Possible legal challenges and claims.
Partnership/ Contractual	Key strategic partners. Procurement arrangements. Contractual arrangements. Partners' governance arrangements.
Physical	Security and protection of assets. Maintenance practices. Protection, security, health, safety and wellbeing of the workforce and population.

There are two key elements to each risk description – **cause and consequence**. To effectively manage risks, both of these elements need to be identified. An example is as follows: -

NBBC's failure to maintain a sound budgetary and financial control environment (**cause**), resulting in the Council having insufficient financial resources to achieve the key priorities (**consequence**).

When identified, significant risks should be recorded in a risk register. NBBC have both strategic and operational risk registers (including some which are specific to individual projects or partnerships). The Strategic Register addresses cross-cutting corporate risks. Operational registers address risks that could impact upon service delivery.

Both follow the same format and record the following information for each risk: -

- A risk reference number
- The risk description (in terms of cause and consequence)
- A gross risk score (the score before effective mitigation controls are in place)
- The mitigation controls (identifying whether 'existing' / 'ongoing' or 'planned')
- The mitigation owner(s). These could be different for each control
- The net risk status – red, amber or green (after effective mitigation controls are in place)
- Sources of assurance i.e., how the risk is monitored / relevant documents; and
- The risk owner

3.2 Step 2 - Analysis of Risk

Having identified the risks, they need to be analysed. This process requires managers to assess: -

- The probability (likelihood) of a risk occurring; and
- The severity (impact) of the consequences should it do so.

The matrix below indicates risk levels

Likelihood	4	4	8	12	16
	3	3	6	9	12
	2	2	4	6	8
	1	1	2	3	4
		1	2	3	4
		Impact			

Key

	Green (acceptable)
	Amber (tolerable)
	Red (unacceptable)

The Council's likelihood and impact descriptors are as follows: -

Likelihood

4: **Very High** – occurrence is most likely or has already happened and will do so again if control measures are not introduced

3: **High** – occurrence is anticipated within the next 12 months

2: **Significant** – occurrence is probable in the next 3 years

1: **Low** – foreseeable but not probable in the next 3 years

Risk Management Policy and Strategy

	Level of Impact	Service Delivery	Financial / Legal	Reputation / Community
4	Major	<ul style="list-style-type: none"> • A service delivery failure causes significant hardship to people for a period of 3 to 4 weeks or more or 1 week for anyone that is vulnerable, or failure to meet a nationally mandated deadline • Loss of major stakeholder/partner. • Adverse outcome of a serious regulatory enquiry 	<ul style="list-style-type: none"> • Financial loss over £400,000. • Serious risk of legal challenge 	<ul style="list-style-type: none"> • Sustained adverse TV/radio coverage • Borough wide loss of public confidence • Major damage to local environment, health and economy • Multiple loss of life
3	Serious	<ul style="list-style-type: none"> • A service delivery failure causes significant hardship for a period of 2 to 3 weeks or 3 to 7 calendar days for vulnerable people • Formal regulatory inquiry • Loss of a key partner or other partners 	<ul style="list-style-type: none"> • Financial loss between £200K and £399K • High risk of successful legal challenge 	<ul style="list-style-type: none"> • Significant adverse coverage in national press or equivalent low national TV coverage • Serious damage to local environment, health and economy • Extensive or multiple injuries &/or a fatality
2	Moderate	<ul style="list-style-type: none"> • A service delivery failure causes significant hardship for 1 to 2 weeks or 1-2 calendar days for vulnerable people • Loss of a significant non-key partner • Legal concerns raised • Loss of employees has moderate effect on service provision 	<ul style="list-style-type: none"> • Financial loss between £50K and £199K • Informal regulatory enquiry 	<ul style="list-style-type: none"> • Significant adverse coverage in local press or regional TV • Large number of customer complaints. • Moderate damage to local environment, health and economy • Moderate injuries to an individual
1	Low	<ul style="list-style-type: none"> • Disruption to services for up to 1 week • Minor legal implications • Loss of employees not significantly affecting service provision 	<ul style="list-style-type: none"> • Financial loss up to £49K 	<ul style="list-style-type: none"> • Minor adverse media coverage. • Minor environmental, health and economy damage • Minor increase in number of customer complaints • One or more minor injuries to an individual

3.3 Step 3 - Control of Risks

Having identified and prioritised the risks, each one needs to be assessed to determine the appropriate action required for it to be mitigated. There are four options: -

Terminate	Stop the activity or remove the physical cause
Transfer	As far as possible, pass the risk on to another party, e.g. contractually or by insuring it
Treat	Set up control (mitigation) measures &/or improve existing ones. Examples: <ul style="list-style-type: none"> • Use of password, barrier, temperature or other controls. • Installation or upgrade of alarms. • Implement new or revised procedures, requirements &/or management arrangements
Tolerate	Do nothing, live with the risk as it stands

The mitigation owner also needs to be identified, this being the individual specified as responsible for putting the stated control(s) into action &/or ensuring it remains in operation. Ownership of a control measure should rest with a single individual, even if more than one person is needed to carry it out.

The level of risk remaining after the internal control measure is in place is the residual or net risk. This should be at a level which is within NBBC’s risk appetite. That is (except for any risk identified as “Outside the Council’s control because of external factors”), the level of residual risk is acceptable to the authority.

3.4 Step 4 - Monitoring and Review of Risks

As key management tools, Risk Registers must be used effectively to ensure that:

- They comprehensively address all recognised significant risks
- Mitigation measures/controls are adequate to minimise the likelihood and/or impact of each risk
- Any significant risks identified and remedial actions are sufficiently monitored

To establish whether they are being adequately managed, the following criteria will be used:

Red – Less than 60% of the identified risks are being satisfactorily managed

Amber – 60%-80% of the identified risks are being satisfactorily managed

Green – Over 80% of the identified risks are being satisfactorily managed

Percentages relate to the proportion of the identified risks that are net green.

4. Roles and Responsibilities

Management Team

- To ensure the Council adopts an effective risk management strategy and that risks are fully considered in all strategic decision making processes
- Responsible for health and safety in relation to Council activities, for establishing a positive health and safety culture and for actively encouraging ownership and accountability at all levels
- To ensure that effective business continuity plans are maintained and are regularly tested
- To regularly monitor the Strategic Risk Register

Audit and Standards Committee

- To monitor the effective development and operation of risk management and corporate governance across the Council
- To seek and obtain assurance that appropriate action has been taken on risk related issues identified by internal and/or external audit
- To ensure that the Council's assurance statements, including the Annual Governance Statement, properly reflect the risk environment and any actions required to improve it
- To review the Strategic Risk Register alongside the draft annual internal audit plan and recommend changes to the plan to address any highlighted concerns
- To consider and approve the Risk Management Policy and Strategy following bi-annual review if significant changes are identified or if significant changes are necessary in the interim period between scheduled reviews

Members

- To oversee the effective management of risk by the Council's officers, particularly when considering reports and proposals from officers

Senior Information Risk Owner (SIRO) and Deputy SIRO

- To oversee the development of an Information Risk Policy, and a Strategy for implementing the policy within the existing Information Governance Framework
- To take ownership of the risk assessment process for information risk, including review of the annual information risk assessment to support and inform the Annual Governance Statement
- To review and agree an action plan in respect of identified information risks
- To ensure that the Council's approach to information risk is effective in terms of resource, commitment and execution and that this is communicated to all staff
- To provide a focal point for the resolution and/or discussion of information risk issues
- To ensure the Corporate Information Governance Group (CIGG) is adequately briefed on information risk issues
- To advise the Chief Executive and the CIGG on information risk management strategies and provide periodic reports and briefings on programme progress

Directors

- To adopt the Risk Management Policy and Strategy
- To ensure that all significant risks are identified and are effectively controlled through the process of risk assessment and mitigation within their respective services (maintain effective directorate Operational Risk Register)
- To establish a positive health and safety culture within their service units and actively encourage ownership and accountability at all levels
- To develop and maintain a current business continuity plan (including updated contact information), ensuring appropriate officers understand their respective roles in relation to it

The Corporate Governance Group (CGG)

- To monitor current and planned expenditure and income and to highlight any emerging issues that could have an impact on the Council's finances
- To develop and co-ordinate excellent governance arrangements across the Council, including those relating to risk management
 - To fulfil the role of the Corporate Information Governance Group (CIGG) on behalf of the Council providing strategic advice and assurance to the Authority on all matters concerning information management and governance
 - To report to Management Team any issues that require its attention.
- To review directorate Operational Risk Registers on an annual basis (one register every two months)

The Information Management Group (IMG)

- To monitor and appraise the information and data needs of the Council and ensure that the Council delivers quality customer interaction and delivers services efficiently
- To facilitate information audits within each functional area and review them on a regular basis
- To aid the Information Asset Owners, (IAO) in carrying out their duties
- To monitor and appraise the outstanding FOI/DP cases. To identify any outstanding actions, liaise and co-ordinate with the relevant service areas to ensure that the requests are completed within the relevant timescales. If necessary, escalating the requests to the CIGG
- To promote and raise awareness of retention and disposal policies and procedures for all documents and records
- To ensure that information and data is treated as a corporate asset, shared by all. Develop any relevant policies and procedures to be presented to CIGG for approval, ensuring that NBBC is complying with relevant legislation
- To promote Information Management as a key corporate activity, essential to the provision of excellent customer interaction and efficiently delivered, high quality services

Head of Audit and Governance

- To support the Council and its services in the effective development, implementation, monitoring and review of the Council's risk management policy, strategy and process
- To promote risk management and the process of business risk assessment throughout the Council and in relation to the Council's partnerships.
- To develop and implement Audit Plans using a risk-based approach.
- To support and promote risk management guidance and training for employees, contractors and members and to encourage the sharing of good practice

- To report to the Audit and Standards Committee on risk management activities and any issues arising
- To ensure that strategic, operational and partnership risks are suitably reflected within risk registers and that appropriate mitigating controls are in place and are adequately monitored and controlled
- To review the Risk Management Policy & Strategy at least bi-annually and to update it as required
- To report to the Corporate Governance Group on risk management activities and any issues arising

The Governance, Risk Management and Performance Officer

- To provide risk management information & advice, both proactively & reactively in relation to strategic, operational and partnership risks
- To work with the owners of operational risks as required to identify and manage those risks and to maximise opportunities
- Liaising with Chief Executive / Directors / officers, to review and update all risks in the Strategic Risk Register on a quarterly basis
- To provide quarterly Strategic Risk Register reports to **Management Team / Cabinet / Scrutiny panels**, identifying what proportion of the risks are being satisfactorily managed (Clause 3.4 of this document refers)
- To review and propose changes as required to the Risk Management Policy & Strategy, to risk registers and to other corporate risk management related documents

Health & Safety Managers

- To promote an effective, healthy and safe organisational culture by developing, implementing and monitoring health & safety policies and procedures

Employees (including agency and casual)

- To maintain an awareness of risks in their own areas of work and contribute to the control process as appropriate
- To recognise their legal responsibility for the health, safety and welfare of themselves and others who may be affected by their work activities

NUNEATON AND BEDWORTH BOROUGH COUNCIL

Report to: Audit and Standards Committee 31st January 2023

From: Director – Finance and Enterprise

Subject: Annual Auditor Report 2020/21 Accounts

1. Purpose of Report
 - 1.1 To provide the final opinion on the Statement of Accounts for 2020/21.
2. Recommendations
 - 2.1 That the Annual Auditor Report for the Statement of Accounts are noted.
 - 2.2 That the Annual Audit Report is recommended to Council for noting.
3. Background
 - 3.1 The External Auditor, Grant Thornton have concluded the audit for 2020/21 and report the opinion in Appendix A.
4. Body of Report
 - 4.1 Detail of the final opinion and value for money conclusion of the External Auditor are noted in the Annual Audit Report and are presented to the Committee.
5. Conclusion
 - 5.1 That the enclosed opinion and value for money conclusion is noted.
6. Appendices
 - 6.1 Appendix A – Nuneaton and Bedworth Borough Council Audit Findings Report
7. Background Papers
 - 7.1 None.



Auditor's Annual Report on Nuneaton & Bedworth District Council

2020-21

January 2023



Contents



We are required under Section 20(1)(c) of the Local Audit and Accountability Act 2014 to satisfy ourselves that the Council has made proper arrangements for securing economy, efficiency and effectiveness in its use of resources. The Code of Audit Practice issued by the National Audit Office (NAO) requires us to report to you our commentary relating to proper arrangements.

We report if significant matters have come to our attention. We are not required to consider, nor have we considered, whether all aspects of the Council's arrangements for securing economy, efficiency and effectiveness in its use of resources are operating effectively.



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Appendices

- A – The responsibilities of the Council
- B – An explanatory note on recommendations
- C – Use of formal auditor's powers

The contents of this report relate only to those matters which came to our attention during the conduct of our normal audit procedures which are designed for the purpose of completing our work under the NAO Code and related guidance. Our audit is not designed to test all arrangements in respect of value for money. However, where, as part of our testing, we identify significant weaknesses, we will report these to you. In consequence, our work cannot be relied upon to disclose all irregularities, or to include all possible improvements in arrangements that a more extensive special examination might identify. We do not accept any responsibility for any loss occasioned to any third party acting, or refraining from acting on the basis of the content of this report, as this report was not prepared for, nor intended for, any other purpose.

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Executive summary



Value for money arrangements and key recommendations

Under the National Audit Office (NAO) Code of Audit Practice ('the Code'), we are required to consider whether the Authority has put in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources. The auditor is no longer required to give a binary qualified / unqualified VFM conclusion. Instead, auditors report in more detail on the Authority's overall arrangements, as well as key recommendations on any significant weaknesses in arrangements identified during the audit.

Auditors are required to report their commentary on the Council's arrangements under specified criteria. As part of our work, we considered whether there were any risks of significant weakness in the Authority's arrangements for securing economy, efficiency and effectiveness in its use of resources. We identified risks in respect of:

- Financial sustainability
- Governance
- Improving economy, efficiency and effectiveness.

Criteria	Planning Risk assessment	Conclusion
Financial sustainability	Potential risk of significant weaknesses identified in respect of the Council's financial sustainability	No significant weaknesses in arrangements identified, but improvement recommendations made
Governance	No risks of significant weaknesses identified	No significant weaknesses in arrangements identified, but improvement recommendations made
Improving economy, efficiency and effectiveness	No risks of significant weaknesses identified	No significant weaknesses in arrangements identified. Our work on Covid-19 identified one improvement recommendations.

Overall commentary

Overall, we have not identified any significant weaknesses and related key recommendations, including the Council's response to COVID 19. We have identified a small number of financial management, governance and capacity related improvement recommendations to further improve the Council's governance and performance arrangements, which management has accepted and will implement.

Council - 15 February 2023



Financial sustainability

The Council is operating in an increasingly uncertain financial environment. For the second successive year, the Comprehensive Spending Review was a single year spending review. The Council, as with all local authorities, will need to continue to plan with little certainty over funding in the medium term.

Despite this uncertainty, and the challenges posed by COVID-19, the Council has maintained a good financial position. The Council put forward a series of proposals which forecast a balanced budget for the 2021/22 financial year.

This places the Council in a reasonable financial position. The Council's Medium Term Financial Plan will enable the sensible phasing of proposals to minimise the impact of the financial climate on services to residents. Our work has not identified any significant weaknesses in arrangements to secure financial stability at the Council, but we have identified some further improvements to strengthen the Medium Term Financial Plan and monitoring of the delivery of savings and capital plan.

Further details can be seen on pages 8 to 14 of this report.



Governance

Our work this year has focussed on developing a detailed understanding of the governance arrangements in place at the Council and the changes instigated as a response to the pandemic.

Our work on both business as usual governance and adapted structures has not identified any significant weaknesses in arrangements or the need for key recommendations in relation to governance. We have identified opportunities to further enhance the Council's governance arrangements in areas such as registers of gifts and hospitality and upside of risk management. Further details can be seen on pages 15 to 20 of this report.



Improving economy, efficiency and effectiveness

The Council has demonstrated a clear understanding of its role in securing economy, efficiency and effectiveness in its use of resources. Our work has not identified any significant weaknesses in arrangements or need for key recommendations in relation to delivering economy efficiency and effectiveness. In the context of COVID 19 and ongoing service pressures, the Council needs to continue to explore opportunities to increase capacity and strengthen the resilience of the services provided.

Further details can be seen on pages 21 to 23 of this report.

Opinion on the financial statements



Audit opinion on the financial statements

We gave an unqualified audit report on the Council's financial statements on 22 September 2022. This is later than the statutory deadline of 30 November 2021. The reasons for this are set out on the following page.

Other opinion/key findings

We have not identified any significant unadjusted findings in relation to other information produced by the Council, including the Narrative Report, Annual Governance Statement or the Pension Fund financial statements or Annual Report.

Audit Findings Report (AFR)

More detailed findings can be found in our AFR, which was reported to the Council's Audit and Standards Committee in August 2022 with a final update in September 2022.

Our audit identified several adjustments and recommendations. The full details and impact of these can be found in our Audit Findings Reports to the Audit & Standards Committee. Whilst there was no material net impact of the adjustments upon the resources available to the Council to spend on services the larger adjustments were in respect of accounting for property, plant and equipment valuations and the treatment of a provision in respect of business rates appeals.

Preparation of the accounts

The Council provided draft accounts later than the statutory deadline due to an increased workload being placed on the Head of Financial Services (see next page). Working papers were not provided at the same time as the financial statements.

Whole of Government Accounts

To support the audit of the Whole of Government Accounts (WGA), we are required to review and report on the WGA return prepared by the Council. This work includes performing specified procedures under group audit instructions issued by the National Audit Office.

We have completed our work on the Whole of Government Accounts consolidation pack in line with the national deadline of 30 September 2022.

Grant Thornton provides an independent opinion on whether the accounts are:

- True and fair
- Prepared in accordance with relevant accounting standards
- Prepared in accordance with relevant UK legislation.



Issues arising from the audit of the financial statements

In prior years, through our Annual Audit Letter and Audit Findings Reports, we informed the Audit & Standards Committee that we believed the Council was carrying what we described as a 'key person risk' in that all of our audit queries were dealt with and co-ordinated by one member of the finance team, the Head of Financial Services.

During the 2020-21 financial statements audit, the Head of Financial Services had also been asked take on additional responsibilities in relation to Covid-19 grants and other returns. This was partly responsible for the start of our audit being delayed until October 2021. As the increased workload for the Head of Financial Services continued, this led to a delay in receipt of evidence and receipt of responses to queries raised. The audit was originally due to be completed before the end of December 2021. However, due to the delays previously mentioned this was not achieved. It was communicated early in January 2022 that the Head of Financial Services would be leaving at the end of March 2022. Plans were then agreed with the Interim Director of Finance to have the audit completed by the end of January. This was further delayed to the end of March due to the prioritisation of the Head of Financial Services workload, primarily linked to the budget setting process.

By the time the Head of Financial Services left the Council, there were still a number of queries outstanding. We agreed with the Interim Director of Finance at that time to have all responses to queries early in April however but this deadline was not achieved. In May, the Council has appointed a new Director of Finance who has assisted the audit team to obtain the required evidence for the audit to be completed in September 2022. The new Director of Finance has also been supported since the end of July by a new Interim Head of Financial Services. The Director of Finance and Head of Financial Services have been a significant help to the audit process since they joined and have worked to ensure that the wider finance team was able to provide responses to our remaining queries.

As noted above this enabled us to bring the 2020/21 audit of the financial statements to a conclusion in September 2022. Our audit identified several adjustments and recommendations. The full details and impact of these can be found in our Audit Findings Reports to the Audit & Standards Committee. Whilst there was no material net impact of the adjustments upon the resources available to the Council to spend on services the larger adjustments were in respect of accounting for property, plant and equipment valuations and the treatment of a provision in respect of business rates appeals.

Given the length of the delay in finalising the 2020/21 financial statements audit we have considered whether this might indicate a significant weakness in the Council's arrangements. We have noted that the Council has continued to ensure its finance function has capacity through the initial use of interims and the progression to permanent staff. At the same time it was responding to the challenges of the pandemic. On balance we have concluded that there is not a significant weakness. We have raised an improvement recommendation as we believe it is important that in order to create greater resilience in respect of accounts preparation and support of future audits it is important that the Council now use this opportunity to review the arrangements for accounts preparation, including appropriately delegating and spreading the tasks between the finance team and providing training where necessary in order to reduce the key person risk going forward.



Improvement recommendation



Governance

Recommendation 1	The Council should continue to improve resilience in respect of accounts preparation and support of future audits by reviewing the arrangements for accounts preparation, including appropriately delegating and spreading the tasks between the finance team and providing training where necessary in order to reduce the key person risk going forward.
Why/impact	Timely preparation and publication of the Council's statutory financial statement is a key plank of public accountability. Delays also impact the normal cycle of work within the Council including preparation and in-year monitoring of budgets and increased audit costs.
Auditor judgement	The Council has a relatively small finance team. It has relied upon a key individual in the past in order to prepare the financial statements and support delivery of the audit alongside their other duties. We had highlighted in previous audits that this represented a key person risk and as a result of the pandemic and illness this crystallised during 2020/21 and into 2021/22. It is important that the Council continues to improve resilience in respect of accounts preparation and support of future audits by reviewing the arrangements for accounts preparation, including appropriately delegating and spreading the tasks between the finance team and providing training where necessary in order to reduce the key person risk going forward.
Summary findings	During the 2020/21 financial statements audit, the Head of Financial Services, who was the key person in preparing the financial statements and supporting their audit had to take on additional responsibilities in relation to Covid-19 grants and other returns. This led to a delay in receipt of evidence and receipt of responses to queries raised. The audit was originally due to be completed before the end of December 2021 but was ultimately completed in September 2022. During this period the Head of Finance and the Director of Finance left the authority. A new permanent Director of Finance was appointed in May 2022 and has been supported since the end of July 2022 by a new Interim Head of Financial Services. They have been key in bringing the 2020/21 audit to a conclusion.
Management comment	The Finance team is currently in the process of being restructured, with the new structure expecting to be in place in April 2023. Training will be provided across the team to ensure they will be able to be actively involved in the preparation of the annual accounts and audit during 23/24 onwards.



The range of recommendations that external auditors can make is explained in Appendix B.

Commentary on the Council's arrangements to secure economy, efficiency and effectiveness in its use of resources

All Councils are responsible for putting in place proper arrangements to secure economy, efficiency and effectiveness from their resources. This includes taking properly informed decisions and managing key operational and financial risks so that they can deliver their objectives and safeguard public money. The Council's responsibilities are set out in Appendix B.

Councils report on their arrangements, and the effectiveness of these arrangements as part of their annual governance statement.

Under the Local Audit and Accountability Act 2014, we are required to be satisfied whether the Council has made proper arrangements for securing economy, efficiency and effectiveness in its use of resources.

The National Audit Office's Auditor Guidance Note (AGN) 03, requires us to assess arrangements under three areas:



Financial sustainability

Arrangements for ensuring the Council can continue to deliver services. This includes planning resources to ensure adequate finances and maintain sustainable levels of spending over the medium term (3-5 years).



Governance

Arrangements for ensuring that the Council makes appropriate decisions in the right way. This includes arrangements for budget setting and management, risk management, and ensuring the Council makes decisions based on appropriate information.



Improving economy, efficiency and effectiveness

Arrangements for improving the way the Council delivers its services. This includes arrangements for understanding costs and delivering efficiencies and improving outcomes for service users.



Our commentary on each of these three areas, as well as the impact of Covid-19, is set out on pages 7 to 30. Further detail on how we approached our work is included in Appendix C.

Financial sustainability



We considered how the Council:

- identifies all the significant financial pressures it is facing and builds these into its plans
- plans to bridge its funding gaps and identify achievable savings
- plans its finances to support the sustainable delivery of services in accordance with strategic and statutory priorities
- ensures its financial plan is consistent with other plans such as workforce, capital, investment and other operational planning
- identifies and manages risk to financial resilience, such as unplanned changes in demand and assumptions underlying its plans.

Approach to Medium term financial planning to identify the significant financial pressures

Council papers for February 2021 included the Medium Term Financial Plan (MTFP) which was updated as part of the budget setting process to take into account any new information available from the provisional settlement for 2020/21. The draft budget for 2020/21 included the following assumptions:

- Pay award estimate of 2.75% plus increased Independent Living Wage
- No price inflation unless it is contractual or unavoidable
- Employers pensions contributions in line with the 2019 triennial valuation
- An increase in the council tax base of 2%
- Increasing Council Tax to £5 on a Band D property
- No further increase in fees and charges other than for Cemeteries
- Interest Rates per the latest forecasts
- 1.5% vacancy saving
- Revenue Support Grant and Business Rates in order to achieve a balanced budget, Council officers developed savings and income opportunities across existing transformation themes, as reflected in the Council Plan 2019-31, resulting in proposals to meet the budget gap

From review of the MTFP and budget setting papers we are satisfied that the Council has appropriate financial planning arrangements in place, and there is evidence of scrutiny at Cabinet, Council and the Audit and Standards Committee. From a review of the financial performance reports we are satisfied that financial risks in the Council are understood and being managed. The Council's corporate risk register includes a risk relating to delivering a financially sustainable Council, which demonstrates that the Council is aware of the significant challenges it continues to face and is actively managing its financial sustainability. The Council is appropriately managing its financial risks in the short, medium and long term.

The Council does not have significant levels of income from commercial activities. The Council is the sole shareholder for Nuneaton & Bedworth Community Enterprise Ltd (NABCEL) and during 2020/21 it received a dividend payment of £59,180. Review of final 2020/21 NABCEL financial statements highlighted the company had increasing cash balance to fund any potential liabilities, with monitoring of company performance undertaken by the NABCEL Shareholder Committee which reports to council Cabinet.

It is important that management continue to monitor the financial sustainability of the company and ensure this is fully reflected in the Council's financial plans.

Financial sustainability (Cont'd)

The Council has arrangements in place to recognise, assess, and re-evaluate the impact of changes in expenditure drivers, including pay inflation. The MTFP sets out the range of key assumptions that the Council has made in developing its financial plans. The MTFP sets out the range of key assumptions that the Council has made in developing its MTFP. This includes: inflationary assumptions including in relation to planned savings and in relation to various sources of income.

There is no evidence that the Council's MTFP is based on unrealistic assumptions. The MTFP is reviewed annually as part of the annual budget setting process, with the net financial effect of overspends mitigated by underspends elsewhere, the use of reserves and contingencies. Given the relative financial stability during 2020/21 these arrangements were satisfactory. At the time of writing however, given current levels of inflation reported by the Office for Budget Responsibility, significantly higher than the assumed levels set out in the future years of the MTFP, a formal mid-year review of MTFP, including assumptions, would help improve the accuracy of forecasts. We have therefore made an improvement recommendation regarding best practice to review and update key assumptions budget and MTFP mid-year to ensure they remain accurate.

The budget is developed each year considering cost pressures and Council priorities. These cost pressures are clearly outlined within the budget. Budget development includes analysis of information from other services areas, historic and more recent trends. This is used to estimate the demand for services, alongside demographic changes, which feeds into the budget and MTFP. The Council also identifies mitigations against these potential pressures. For example it has established provisions for contract inflation and pay inflation in relation to Brexit.

Cash forecasts were prepared for a two year period covering the period to 31 March 2022. Total income and expenditure is totalled for each month to present the net cash flow position. This is used for forecast an opening and closing cash balance for each month (adjusted closing balance). The cash flow forecasts indicated that the Council's cash balance would remain positive throughout 2021/22 with no cash flow difficulties identified. The positive cash balance reported in 2021/22 has subsequently been conformed.

The Section 25 report which details the robustness of the estimates made for the purposes of the budget calculations; and the adequacy of the proposed financial reserves was presented by the Director of Finance (Section 151 officer) to Council on 17 February 2020, which confirmed that the Council Tax calculation for 2020/21 and set a balanced budget for 2020/21. The report sets out the key assumptions that support the MTFP, and discusses the adequacy of the general fund balance in particular, with the aim to maintain the balance to £1.439 million in 2021/22. This reserves position was actually achieved within 2021/22, during which the Council strengthened its useable reserves position. The Section 25 report clearly identifies an approach to increasing Council reserves to support uncertainty in the short and medium term.

Plans to bridge funding gaps and identify achievable savings

The MTFP set out approved planned savings of £1.774m to be delivered during 2020/21. The Council had clear arrangements in place to identify and monitor the progress of savings delivery. The Council had a minor reduction in its useable reserves position during 2020/21 with overall balances reducing from £9.64 million at 31/3/2020 to £9.51 million at 31/3/2021, Reserves will be used to manage slippage in savings delivery and to manage uncertainties in the medium term. To mitigate against the undelivered savings the Council plans to utilise temporary underspends and a drawdown from the COVID-19 emergency grant.

The Local Government Association (LGA) analysis (used by the Council) shows that the Council's General Fund unallocated balance is less than half the average level of their nearest neighbours and the overall level of reserves is also lower than that same comparative group. Whilst the level of reserves that the Council holds is still considered reasonable (by the Council) in relation to the budget risk assessment, they are at the lower end of the prudent level. This has been taken into account as part of the budget setting process for 2022/23 and the Medium Term Financial Plan update. The £99k surplus in 2020/21 has been allocated to General Fund balances to ensure that this continues to reflect the risks that the Council faces.

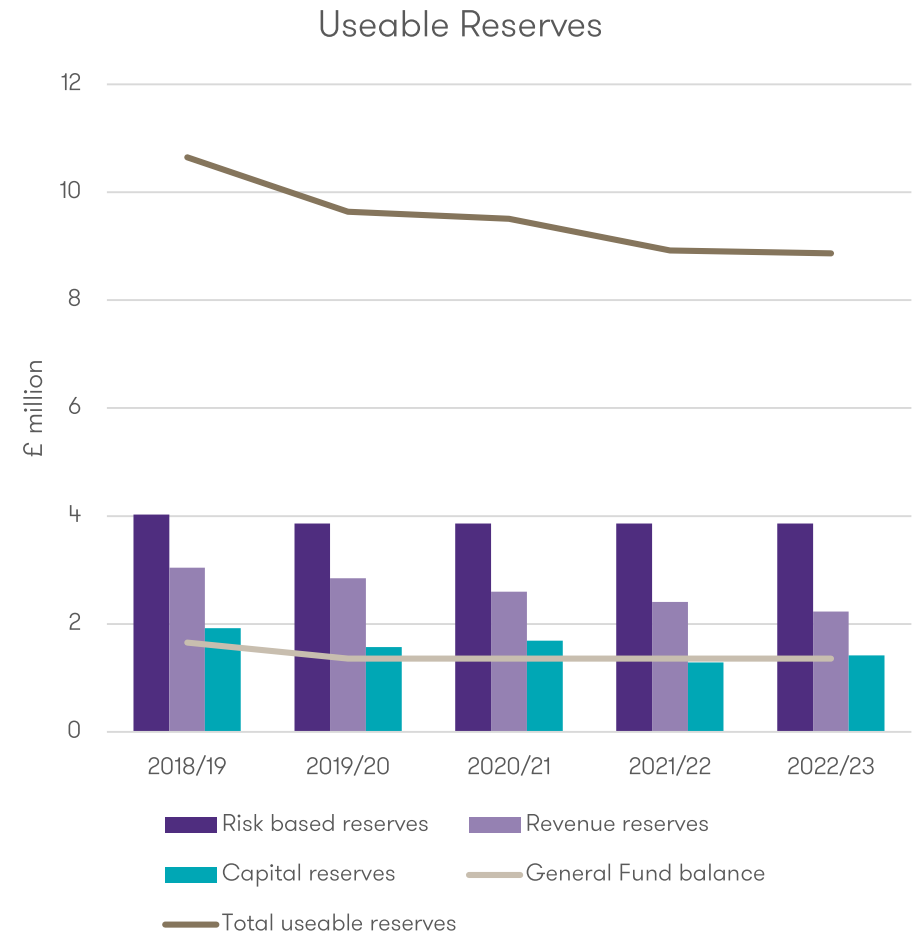
Financial sustainability (Cont'd)

The 2020-21 savings update reported to Cabinet in February 2021 forecast £1.774m (100% of planned savings) savings would be delivered in 2020/21. Monitoring of savings delivery is one of the key areas of focus for the Cabinet. Reporting the Council's delivery of MTFP planned savings highlights a very confusing picture. The information is difficult to be clearly reviewed and Cabinet and Council finance commentary reports detail the Council has found delivery of their saving target to be a challenge. This suggests that the Council's targets are ambitious or unrealistic or require further monitoring to ensure delivery.

Given the sustained period of austerity faced by all local authorities, savings become harder to identify over time given the scale of savings already delivered, which has been further impacted by the COVID-19 pandemic. In this context, we recommend that the Council refine its existing arrangements for monitoring savings, to ensure they support delivery of the savings required. We have raised an improvement recommendation in relation to this on page 13.

The Council was able to maintain its useable reserves position during 2020/21, including risk based reserves and the general fund balance. This provides a buffer in case the Council fails to deliver savings or future uncertainties arise in the medium term.

The graph on the right details an analysis of the useable reserves looking at the period 2018/19 to 2022/23 highlights a downward trajectory in the overall reserves balance. In this context, it is important that the Council continues to focus on the delivery of savings and strengthening its useable reserves.



Financial sustainability (Cont'd)

Plans its finances to support the sustainable delivery of services in accordance with strategic and statutory priorities

Our review of budget planning documents highlights that the Council has an understanding of the cost of delivering core statutory services as distinct from discretionary areas of spend. This is not clearly differentiated in the financial planning reports which underlie the budget and MTFP on the basis that all spend is directed towards the delivery of core services and achievement of Council Plan priorities.

The outcomes for the Council are set out in the MTFP 2019-23. These outcomes drive the work of the Council and the strategic planning process including:

- Promote residents' health and wellbeing
- Enable appropriate housing development Sponsor a sustainable green approach
- Prioritise community safety and empowerment
- Grow a strong and inclusive economy
- Champion education skills
- Embrace new and emerging technology
- Support local businesses
- Create vibrant and diverse town centres
- Stimulate regeneration
- Celebrate and promote our heritage
- Improve the physical environment

The MTFP could be strengthened to clearly link to the corporate plan priorities and better demonstrate transparently how the MTFP delivers against the corporate plan.

There are a number of new or increased projects included in the Capital Programme for 2020/21. These include:

- Preliminary Works Riversley Park Bridge – for the provision of a bridge suitable for both pedestrians and cyclists and funded by external contributions.
- Pingles Running Track – the resurfacing and improvement of the track which was last replaced in 2010.
- Mobile Home Sites – this is the final phase of remedial works to improve fire safety and the expansion of one site. Works have progressed well and therefore some of the planned work for 2020/21 has moved forward to 2019/20.

The Council approved the 2020/21 Capital Strategy in February 2020. The Capital Strategy identifies outcomes which the capital programme is designed to achieve:

- maintenance of existing assets and statutory compliance to achieve Council Plan outcomes (transforming our services and organisation);-
- enterprise driven investment to deliver savings or generate sustainable income streams. These outcomes link clearly to the Council's Plan.

The capital strategy includes planned capital expenditure over the period 2019-23 by year. The narrative of the MTFP provides details on how some of the projects link to Corporate Plan and Capital Strategy outcomes. The capital budget appears to support the delivery of strategic priorities. To strengthen the link between strategic priorities and the capital programme, the capital programme could be categorised by outcomes identified within and particular Council Plan outcomes. This would demonstrate clearly how the Council is delivering their Council Plan outcomes through the capital programme.

The financing of the capital programme is included in the MTFP and is supported by the Treasury Management Statement, also approved by Council in February 2020. The General Fund Capital Programme for 2020/21 was updated in February 2021 and a revised budget of £15.57m (compared to original budget of £19.636m) was approved. The actual outturn for the year was £10.53m. Of the overall underspend, £2.47m was to be reprofiled into 2021/22.

Reasons for major projects requiring re-profiling into 2021/22 included:

- £0.21m Tennis Courts Miners Welfare Park procurement exercise being delayed,
- £0.12m Leisure Strategy Cabinet - 21st July 2021 highlighted work on the project is progressing well, the carry forward funding was a result of the phasing of payments,
- £0.43m Vehicle Replacement Vehicles were ordered but due to lead in times they were not delivered until 2021/22.
- £0.18m, Purchase of Investment Properties One property did not complete until June 2021.
- £0.29m Towns Fund Advanced Funding, the contract was awarded with a completion date of June 2021.
- £0.79m Getting Britain Building, this was a 2-year project with phased grant contributions.

We have discussed with management the reasons underlying re-profiling are supported by reasonable assumptions and accurately reflect project status. Management have held conversations with the funders of the projects to extend the deadlines due to the impact Covid has had on these projects. The capital programme for 2022/23 is set at £61.6m of which £16.7m of this is reprofiled from 2021/22.

Financial sustainability (Cont'd)

Ensures its financial plan is consistent with other plans such as workforce, capital, investment and other operational planning

The MTFP sets the framework for how the Council plans to use its financial resources to deliver activity over the medium term. The Council considers the MTFP one of the key strategic documents. The others are the Asset Management Plan, the Corporate Plan & the Housing Revenue Account Business Plan and the Strategic Workforce Plan. Our work highlighted that the MTFP is fully integrated with the Corporate plan acting as the foundation to deliver the vision and priorities within it and the workforce plan (the framework to develop the workforce to achieve Council Priorities).

Capital project proposals are considered by the Cabinet, including how each proposal will help to deliver corporate priorities, savings that will be realised and the revenue implications of the project (such as on-going maintenance costs). Our work found no evidence of major capital investment cancelled, there was slippage in the capital budget during 2019/20 and 2020/21 (mainly due to impact of COVID-19).

The Council's Treasury Management Strategy sets out the balance sought between optimising return and mitigating risk. The Council follows the CIPFA Code of Practice on Treasury Management, which sets out the reporting requirements, to ensure best practice is followed. The minimum reporting requirements are for three main reports incorporate estimates and actuals. An annual Treasury Strategy (prepared in advance of the new financial year) covers the annual Treasury and Investment Strategies, the Treasury and Capital Prudential Indicators and the Minimum Revenue, a Provision Policy Statement and a mid-year Strategy Review to update Members with the progress of the capital programme, amending prudential indicators as necessary, and whether the Treasury Strategy is still appropriate or requires revision (e.g. Council received the 2020/21 Half-Year Update Report in November 2020). Reporting covers investments and borrowing. The Council has been risk averse in its investment strategy.

The budget and MTFP clearly identifies priorities and resulting cost pressures. The budget is developed focusing on delivery of key service areas and priorities, and budget plans are centrally collated to avoid conflicting or competing elements. Our work highlighted no evidence of inconsistencies between the budgetary and the financial position reported in financial statements.

Identifies and manages risk to financial resilience, such as unplanned changes in demand and assumptions underlying its plans

Risks are incorporated into the MTFP. There is a section within the Council's MTFP entitled 'How will the Council Manage Financial Risk?'. This section of the MTFP discusses key risks to delivery of the MTFP and the actions to mitigate of each risk identified. The total cost of these risks is £4.7m. The MTFP was presented and discussed by Cabinet February 2020 allowing for scrutiny and questioning (before presentation to Council in February 2020).

The MTFP highlights the Council's reserves which form an important role in managing uncertainty. In particular, the MTFP outlines key areas of uncertainty identified the MTFP identifies the key risks to the delivery of the MTFP. Each of these risks are individually quantified and total £4.7million, with mitigation of the risk identified too. As at 31st March 2021 General Fund earmarked reserves stood at £18.47m, primarily due to the accounting treatment for business rates. The Council held both revenue and capital reserves as well as an unallocated balance. There are also reserves for specific risks that the Council faces, such as the Insurance Fund and Business Rates Retention, as well as unspent grants that are ring-fenced for a specific purpose. The potential impact of changes of various estimates and assumptions is discussed with Cabinet as part of the briefing process, as part of the budget development. This is however not formally reported to members.

The Council has an ongoing planned savings programme, which will also help in addressing future variances. Generally, the Council is well managed and has an understanding of its budget position and budgetary pressures.

A risk based reserves review was undertaken as part of the 2019/20 budget setting process which set minimum levels to mitigate the risk that the authority faces. The basis of this has not changed significantly and those levels of reserves are deemed reasonable. The Council have identified that a Financial Planning Reserve of at least £1.5m should be maintained to cover budget risks and fluctuations such as income reductions or higher inflation. The Council has set a minimum target level of £1million for the General Fund. At the end of 2020/21 the balance was £1.36m. The Council has sufficient provisions in place to take into account the impact of legal and regulatory proceedings.

Conclusion

Our work has not identified any significant weaknesses in arrangements to secure financial stability at the Council, but we have identified some further improvements to strengthen the Medium Term Financial Plan and monitoring of the delivery of savings and capital plan.

Improvement recommendation



Financial sustainability

Recommendation 2	Introduce a formal mid-year review of current MTFP assumptions with appropriate reporting to Members. Refine formal reporting to Members on sensitivity analysis and scenario planning, undertaken on key assumptions and estimates, as part of the development of the annual budget and MTFP.
Why/impact	Regular review of MTFP assumptions will help to ensure ongoing accurate financial forecasting and allow for appropriate timely action. Reporting a mid-year review of MTFP assumptions, sensitivity analysis and scenario planning to members will provide the opportunity for challenge, scrutiny, oversight and improved the accuracy of forecasting.
Auditor judgement	Greater agility on financial management is required given current financial uncertainties, regular review and challenge of MTFP assumptions to help ensure financial forecasts remain accurate.
Summary findings	MTFP assumptions are updated annually as part of the annual budget setting process. Sensitivity analysis and scenario planning is undertaken as part of the development of the budget, however this analysis is not formally presented to members.
Management comment	Members are more actively involved in the budget setting process for 23/24 at present, and during the 23/24 financial year mid-year MTFP reviews will commence and be reported to Members.



The range of recommendations that external auditors can make is explained in Appendix B.

Improvement recommendation



Financial sustainability

Recommendation 3	Refine existing arrangements for identifying and monitoring MTFP saving plans to ensure planned savings are fully delivered. Where circumstances change to affect delivery these are clearly reported, especially for those in relation to early intervention and demand management.
Why/impact	Sufficient and appropriate arrangements to monitor, manage and address slippages will improve savings delivery and reduce pressure on the Council's useable reserves. Further analysis would enable the Council to provide assurance that the Council's targets (whilst ambitious) are not unrealistic.
Auditor judgement	There is a risk that MTFP savings become harder to identify and deliver over the medium-term.
Summary findings	Our experience in the sector is that in sustained periods of austerity, savings become harder to deliver over time. This is likely to be the case for the Council, given the impact of 10 years of funding reductions, the scale of savings already delivered and continuing impact of the pandemic.
Management comment	For the 23/24 financial year onwards, monitoring of performance against savings put forward as part of the approved budget will be encompassed as part of the monthly budget monitoring process undertaken by the Accountancy team.



The range of recommendations that external auditors can make is explained in Appendix B.

Governance



We considered how the Council:

- monitors and assesses risk and gains assurance over the effective operation of internal controls, including arrangements to prevent and detect fraud
- approaches and carries out its annual budget setting process
- ensures effectiveness processes and systems are in place to ensure budgetary control
- ensures it makes properly informed decisions, supported by appropriate evidence and allowing for challenge and transparency
- monitors and ensures appropriate standards.

Monitoring and assessing risk

The Corporate Risk Register is clearly set out, with a risk owner, concise description and key controls to manage each risk. The Council has a Risk Management Policy, Process Guide and Toolkit to ensure consistent scoring of risks across all Directorates. The Council provides appropriate training on risk management. The Council's risk appetite was unchanged throughout 2020/21. There is scope to increase the Council's risk maturity and duality of risk by formally considering opportunities to exploit as well as a focus on downside risks, in risk registers. The Council's pandemic response and shift to new ways of working has identified a number of opportunities to refine and improve the way the Council delivers its services. It is important that these opportunities are captured so change can be embedded and monitored going forward.

The impacts of the pandemic can be seen throughout the Corporate Risk Register. The Council's highest rated corporate risks were in relation to:

- Nuneaton and Bedworth Community Enterprises Ltd. (NABCEL) gives rise to unplanned liabilities
- Failure to effectively manage Health & Safety arrangements to limit the potential for accidents and financial penalties
- Failure to deliver / refresh the key elements of "Delivering Our Future (DOF) 2019 - 31"
- Arson or an accidental fire in NBBC corporate buildings, General Purpose flats and Independent Living Complexes
- Inadequate information management resulting in penalties applied by the Information Commissioner's Office / Non-compliance with General Data Protection Regulations (GDPR)
- The impact of COVID-19 on the provision of Council services

The Council has an established risk management framework in place. The arrangements include reports to Cabinet, reports to Service and Directorate Management Team meetings. The Council Corporate Risk Register is reviewed quarterly by Cabinet. Deep dive reviews of the critical risks were presented to the Audit and Assurance Committee throughout the year, allowing for more detailed and effective oversight and challenge. The corporate risk register is a focus document and we are satisfied that it includes a proportionate number of risks.

The Strategic Performance Monitoring Report includes a description of actions that the Council undertook and performance measures which provide an indication of how well the Council is performing against its priorities. The Council should consider whether it can streamline this report to provide more summarised and integrated performance, finance and risk reporting, this would build on existing arrangements which include meetings between respective finance, performance and risk management teams to discuss their reporting to Cabinet. We have included improvement recommendations to ensure the Council continues to formalise its risk maturity and risk management arrangements at directorate, service and operational level.

Governance (Cont'd)

Assurance over the effective operation of internal controls

In developing its 2020/21 Annual Governance Statement (AGS), the Council formally reviewed its corporate governance arrangements against its Local Code of Corporate Governance. The Council reviews the Local Code of Corporate Governance on a regular basis and adopts an action plan to deal with any issues. The Audit and Standards Committee approved a revised Local Code in July 2018, which is consistent with the principles set out in the CIPFA/Solace Delivering Good Governance in Local Government Framework 2016. The Council also carried out a comprehensive review of the effectiveness of its governance framework including its system of internal control. This included:

- an assessment by each Assistant Director of internal controls in their service areas against the required standards;
- review of minutes of Audit and Assurance Committee, Cabinet and Council to ensure that periodic monitoring and reviews are being reported appropriately and governance issues are addressed;
- review of the overall opinion of the Head of Audit and Governance (Head of Internal Audit);
- assessment of the Audit and Assurance Committee arrangements against the 2018 CIPFA Guidance for Audit Committees in Local Authorities and the Police;
- review of the Council's arrangements against the CIPFA Statements on the Role of the Chief Financial Officer and the Role of the Head of Internal Audit;
- review by the Pensions Committee of the Warwickshire Local Government Pension Scheme (LGPS) Fund Policy documents;

This exercise provided good assurance that there were no significant weaknesses in internal controls or governance arrangements during the 2020/21 year.

Internal Audit

The Council has appropriate Internal Audit arrangements in place. Internal Audit services are provided by an in-house team. Despite the impacts of COVID-19, sufficient work was carried out across the Council's 5 directorates to support the opinion given. The Group Audit Manager provided "reasonable assurance" over the effectiveness of the Council's arrangements for governance, risk management and internal control. 70% of planned 2020/21 audits were completed, 3 audit reviews in 2020/21 were given the lowest assurance level of 'limited'. This, combined with the completed reviews in year, gave an appropriate level of coverage across the Council to provide this Head of Internal Audit opinion.

The primary reason for not achieving delivery off full planned audit programme was the difficulties caused by the Covid-19 restrictions with many Council services affected directly and having high priority Covid related priorities to deal with and the majority of staff were working from home. This therefore made it more difficult and time consuming to obtain information to complete audit reviews.

The Head of Internal Audit's annual opinion has been produced in line with mandatory Public Sector Internal Audit Standards (PSIAS). The annual report also makes reference to Internal Audit's Quality Assurance and Improvement Programme, which ensures work is compliant with PSIAS. The PSIAS require an external assessment of the internal audit service at least once every 5 years; the last external assessment at NBBC was in 2019.

Monitor compliance with legislation and regulatory standards

Compliance with legislative and regulatory standards falls within the remit of the Director for Planning & Regulation who is authorised to institute, defend or participate in any legal proceedings in any case where such action is necessary to give effect to decisions of the Council, or in any case where he/she considers that such action is necessary to protect the Council's interests. The annual governance statement sets out that the Council has approved and adopted a code of corporate governance, which is consistent with the principles of the International Framework: Good Governance in the Public Sector. The statement is included in the annual review of the Constitution undertaken each year. To ensure all statutory requirements have been met the statement has been produced in accordance with the CIPFA Delivering Good Governance Framework 2016. The Annual Governance Statement is approved by the Audit and Standards Committee.

This exercise provided good assurance that there were no significant weaknesses in internal controls or governance arrangements during the 2020/21 year. This was corroborated by our 2020/21 financial statements audit and review of the 2020/21 Annual Governance Statement.

There have been two instances reported during 2020/21 which may fall into the category of "serious" data security breaches. One related to disclosure of a confidential investigation report related to member behaviour. The other related to disclosure of personal information to a cleansing operative related to removal of Ragwort from land. Our work highlighted both of these had been properly resolved.

Governance (Cont'd)

Counter Fraud

The Council seeks to engender an organisational culture that embraces the highest standards of conduct and accountability. Anti-fraud and corruption policies are kept under close review. The Council also participates in the National Fraud Initiative (NFI). The Council has a Whistleblowing policy and a Speak Up statement, which complements the Whistleblowing policy and encourage individuals to raise issues of concern in a safe environment. The Council has not been subject to any material frauds in year. In addition to national initiatives, the Council produces and reviews its own anti-fraud and corruption measures as it aims for the highest standards of conduct and integrity to protect public funds. The relevant policies are contained within the Council's Constitution - Financial and Contract Procedures Rules; Members Code of Conduct; Employee Code of Conduct; Anti-Fraud, Corruption and Bribery Strategy; Anti Money Laundering Framework - Rules and Procedures, Confidential Reporting Code (i.e. Whistleblowing Policy), Gifts & Hospitality Policy.

Gifts and Hospitality and Declaration of Interests arrangements were reviewed as part of our work for 2020/21 and it was identified that at March 2021 not all declarations had been received. A record of the gifts and hospitality and declaration of interests is published on the Council's website for transparency. Actions have been taken by the relevant Departments to close the exposure gaps identified by the audit. New employees receive induction training on a range of policies in the first 3 months; they are then required to undertake a mandatory training/or refresher training on these policies (reading and understanding) through the Training system (Delta), which records the relevant courses undertaken by individual employee (e.g. Anti-fraud and Corruption policy etc.) and prompts refresher when due.

The Council has been participating in Housing Benefits Accuracy Awards reviews. The Housing Benefit team selects approximately 60 claims across the claim types, every month from the spreadsheet activity sent to the Council by the DWP, and reviews these findings evidence the Council is in the top quartile in the Country.

Leadership and committee effectiveness/decision making

The Council operates a Leader and Cabinet form of executive. Governance arrangements include a number of scrutiny committees which hold the Cabinet to account. The work of the Council's committees is governed by the constitution. The constitution is regularly reviewed and updated. The constitution is shared with all staff members on joining and is openly available on the Council's website. The Council's AGS sets out how the Council operates, how decisions are made and the policies and are followed to ensure that these are efficient, transparent and accountable to local people.

Our review of minutes of Audit and Standards Committee and review of other committee minutes indicates that key strategic decisions are subject to healthy challenge and are supported by detailed papers. Senior officers are open to conversations during committee meetings. Senior officers attend to present their own area items and to field any questions. We have not seen evidence of discussions not being open. The Audit and Standards Committee provides challenge of financial and non-financial items. The members of the Committee have a good mix of experience and expertise. The Committee is well attended with minimal absences.

There is discussion with officers and attendance at committee demonstrating an appropriate "tone from the top". There have been a number of changes to the Council's Corporate Management Team during 2020/21 financial year, this has included changes of Director of Finance. Arrangements were put in place to ensure statutory posts were filled. In view of the loss of experienced officers, it is important that the Council continues to put arrangements in place to ensure there is continuity in the leadership of the Council and no loss of corporate memory. We are satisfied that the recent changes to the leadership team have been well managed, with continuity maintained and corporate knowledge retained.

Register of Interests/ Gifts Hospitality

The Council maintains a record of member interests and gifts and hospitality on its website. There is a requirement for members to reconfirm their interest within 28 days of becoming a member or on re-election/ re-appointment to office. The constitution is also clear that member must ensure that their register of interests is kept up-to-date and updates should be notified within 28 days of becoming aware of any new interest. An extraordinary Council meeting December 2020 included an updated Register of Councillor declared interests. Whilst compliant with the Council's constitution, the process could be strengthened by requesting members to confirm annually that their register of interests and gifts/ hospitality is up to date, the website could then be updated to reflect this.

We acknowledge that the Council does an annual exercise to inform the related party disclosures in the financial statements, although again this is not integrated into other central or departmental registers. We have raised an improvement recommendation in relation to the Council's arrangements for maintaining a register of interest and gifts/ hospitality for senior managers and officers.

Our work has identified that at the end of March 2021 not all declarations had been received by members. This gives rise to a risk that decisions are made by the Council without taking into account any conflict of interests.

Governance (Cont'd)

Budgetary Setting Process

There are good systems in place for oversight of the budget. The Finance Department engages at least monthly with budget holders. There is monitoring at a service, directorate and corporate level. There is stringent in year oversight of the budget at a high level, with quarterly budget monitoring reports taken to Cabinet. These reports include outturn against budget and explanations for underspend/ overspends against budget at a directorate level. Any proposed revisions to the budget are also communicated through this report. There is clear reporting on the forecast outturn and the impact on useable reserves. An update is also provided against the Capital Programme, with revisions also communicated. We are satisfied that timely and accurate financial monitoring information is provided to budget holders.

The Council has an established process for developing its annual budget and Medium Term Financial Plan (MTFP). The development of the budget commences with the rolling forward of the Budget Model from the prior year. The model is updated to reflect any known permanent changes to funding, including new grants, latest Council Tax base data and Business Rates. Prior year assumptions are reviewed, including inflation rates and Council Tax base. Updates are then made to reflect new savings proposals, existing savings delivery, service pressures, changes to sources of funding announced within the spending review, changes to service fees and charges and the Council tax base.

The Council has arrangements in place to recognise, assess, and re-evaluate the impact of changes in expenditure drivers, including pay inflation. The MTFP sets out the range of key assumptions that the Council has made in developing its financial plans. These include inflation, pay increases, savings delivery and changes to sources of income. The Council engaged a third party to undertake a review of their income streams, assumptions and bases to ensure these remain up to date and accurate as possible. Risks are incorporated into the MTFP. There is a section entitled 'How will the Council Manage Financial Risk? This section of the MTFP discusses key risks to delivery of the MTFP and the actions to mitigate each risk identified. The MTFP was presented and discussed by Cabinet before presentation to Council February 2021.

We have made an improvement recommendation made as part of work on financial sustainability in relation to sensitivity analysis and scenario, undertaken on key assumptions and estimates, as part of the development of the annual budget and MTFP. This will provide transparency on the sector wide uncertainties the Council is subject to and the potential impact of these on its financial sustainability.

The Council consulted stakeholders on their draft budget for 2021/22. The consultation focused on whether or not Council Tax should be increased by 1.99%. The communication and engagement plan included a dedicated webpage and media release; communication to members and staff; communication with Trade Unions; engagement with Area Management Teams; posts on the internet; intranet and Your Cumbria news website and use of social media. The Council did not consult on savings. Given the limited engagement achieved, the Council should consider how it can enhance its stakeholder engagement and empowerment to ensure this is a meaningful process, which supports the development of the budget, MTFP and savings.

Budgetary control

There are good systems in place for oversight of the budget. The Finance Department engages at least monthly with budget holders. There is monitoring at a service, directorate and corporate level. There is stringent in year oversight of the budget at a high level, with quarterly budget monitoring reports taken to Cabinet. These reports include outturn against budget and explanations for underspend/ overspends against budget at a directorate level. Any proposed revisions to the budget are also communicated through this report. There is clear reporting on the forecast outturn and the impact on useable reserves. An update is also provided against the Capital Programme, with revisions also communicated.

On a monthly basis Accountants meet with Budget Managers, and Service Accountants meet with Assistant Directors to discuss service budgets and forecasts. The Finance Team, in consultation with budget managers, review budgets monthly and look in detail at cost centres and nominal codes. The Council's Cabinet receives quarterly monthly financial monitoring reports.

Financial monitoring reports and minutes demonstrate that in year forecast variances are being picked up promptly, and budget holders are being held to account for delivering to budget. Covid-19 has had a large impact on the finances of the Council. The 2020/21 outturn included COVID-19 related pressure of £4.4million, which was partly off-set by specific grant funding of £2.2 million. This was clearly reported via in year monitoring and year end outturn report. Review of budget detail indicates it is appropriate to allow for effective review at Cabinet. Accrued financial information is received quarterly by cabinet, which is appropriate. We are satisfied that, the Council has robust financial planning arrangements and there is evidence of it being well scrutinised at Cabinet, Council and Audit and Standards Committee.

Conclusion

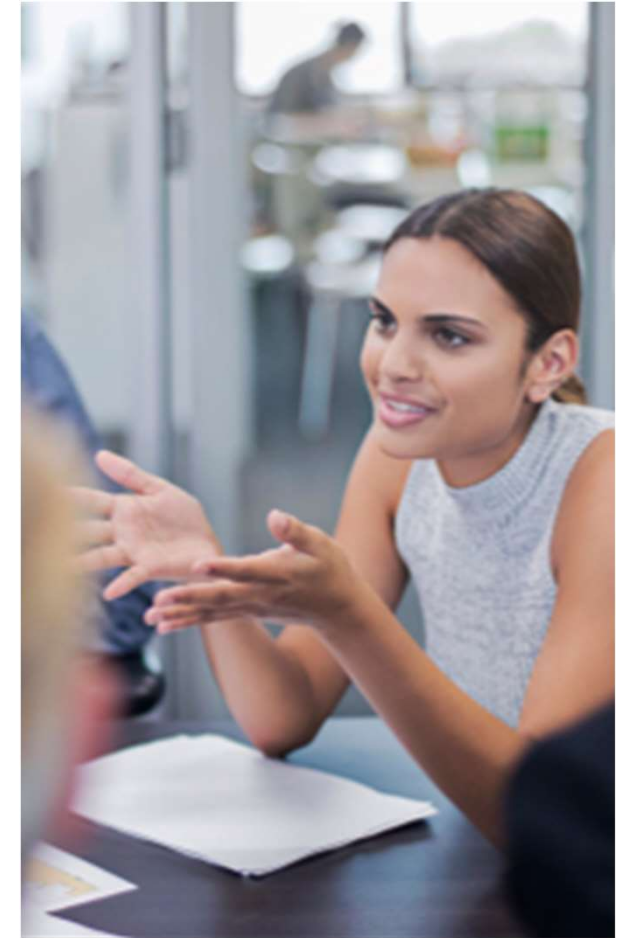
Overall, we found no evidence of significant weaknesses in the Council's arrangements for ensuring that it makes informed decisions and properly manages its risks. We have identified some opportunities for further improvement, set out overleaf.

Improvement recommendation



Governance

Recommendation 4	<p>Develop the Council's risk maturity and duality of risk by formally documenting consideration of opportunities to exploit, as well as a focus, on downside risks to build on how the Council is currently managing risk.</p> <p>Review the Strategic Performance Monitoring report to see if it can be streamlined.</p>
Why/impact	<p>A fully updated risk register will provide a clear reference point of the principle risks, opportunities and associated mitigations facing each directorate/ service. Ensuring operational risk registers inform the corporate risk register is important so that the Council can track emerging risk themes in the directorates or services that need to be escalated as potential corporate risks.</p>
Auditor judgement	<p>Including the duality of risks within risk registers can help to consider opportunities to exploit alongside downside risks.</p> <p>Real time risk management has taken place at all levels of the Council throughout 2020/21. In this context it is important that risks, opportunities and mitigations are clearly documented and regularly refreshed.</p>
Summary findings	<p>There is scope to increase the Council's risk maturity and duality of risk by formally considering opportunities to exploit, as well as a focus on, downside risks. The Strategic Performance Monitoring Report includes a description of actions that the Council undertook and performance measures which provide an indication of how well the Council is performing against its priorities. The Council should consider whether it can streamline this report to provide more summarised and integrated performance, finance and risk reporting, this would build on existing arrangements which include meetings between respective finance, performance and risk management teams to discuss their reporting to Cabinet</p>
Management comment	<p>The Strategic Performance Monitoring Report is produced monthly for each of the three reporting areas, with an accompanying high-level finance report. The process will be reviewed and assessed going forward.</p>



The range of recommendations that external auditors can make is explained in Appendix B.

Improvement recommendation



Governance

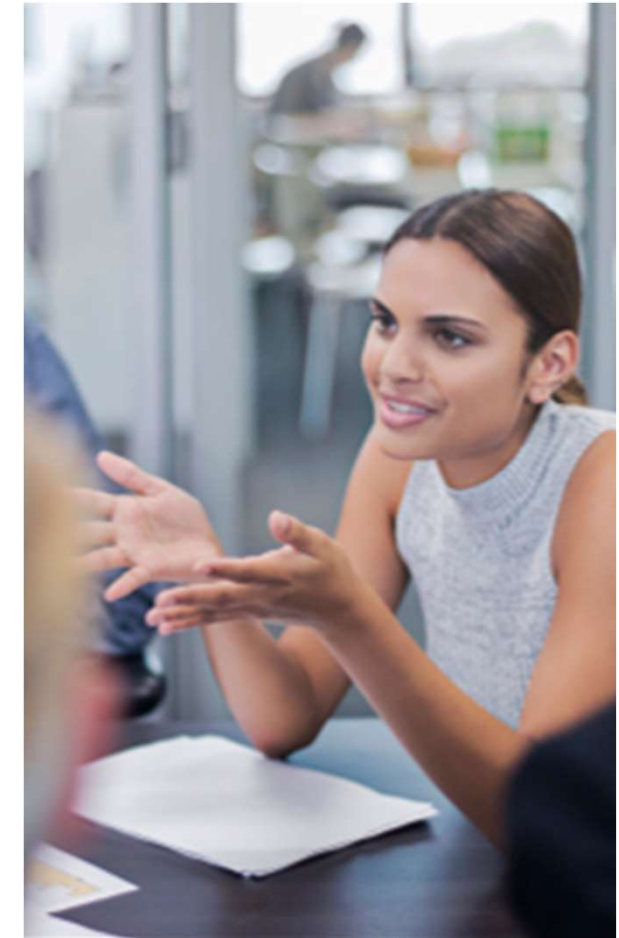
Recommendation 5 Ensure that a Register of Interest and Gifts/Hospitality is maintained and regularly updated for all Directors, Assistant Directors and Senior Managers.

Why/impact Review of the existing register of interest and gifts and hospitality register creates the impression that member and senior manager declarations are out of date.

Auditor judgement The current register of interest and gifts and hospitality register for both members and senior managers does not demonstrate appropriate safeguards being in place to protect against real and perceived threats to independence, integrity and objectivity.

Summary findings The Council maintains a record of Member Interests and Gifts and Hospitality on its website. There is a requirement for members to reconfirm their interest within 28 days of becoming a member or on re-election/ re-appointment to office. The constitution is also clear that member must ensure that their register of interests is kept up-to-date and updates should be notified within 28 days of becoming aware of any new interest. Whilst compliant with the Council's constitution, the process could be strengthened by requesting members to confirm regularly that their register of interests and gifts/ hospitality is up to date, the website could then be updated to reflect this.

Management comment The Register of Gifts and Hospitality for Members is regularly updated and published on the Council's website. Declarations of Interest for Members are included as part of monthly Cabinet. Management agrees to the principle of the recommendation for senior managers and consider it a proportionate and appropriate thing to do. However, to implement the recommendation will take a little time as it will require amendments to the Council's Code of Conduct for Employees which, in turn, will involve discussions with the recognised Trades Unions.



The range of recommendations that external auditors can make is explained in Appendix B.

Improving economy, efficiency and effectiveness



We considered how the Council:

- uses financial and performance information to assess performance to identify areas for improvement
- evaluates the services it provides to assess performance and identify areas for improvement
- ensures it delivers its role within significant partnerships, engages with stakeholders, monitors performance against expectations and ensures action is taken where necessary to improve
- ensures that it commissions or procures services in accordance with relevant legislation, professional standards and internal policies, and assesses whether it is realising the expected benefits.

Performance review, monitoring and assessment

The Council's performance against the Council Delivery Plan is reported on a quarterly basis to Cabinet and Council. The quarterly Strategic Performance reports show the latest assessment of the Council's performance indicators using a Red, Amber or Green rating. The Council's performance outturn for 2020/21 is reported in the Quarter 4 Strategic Performance Report. This report was presented to the Cabinet in May 2021.

The Corporate Performance Monitoring Report includes a description of actions that the Council undertook and performance measures which provide an indication of how well the Council is performing against its priorities. The Council should consider whether it can streamline this report to provide more summarised and integrated performance, finance and risk reporting, this would build on existing arrangements.

At the end of Quarter 4 (2020/21), 30 of the 19 performance indicators within the Strategic Performance Report, reported by exception with performance being on or around target / good performance benchmark unless otherwise stated in this summary. Commentary details actions undertaken for 10 red and 23 amber risk action points and rated amber. Performance details 7 (37%) indicators are risk rated red and 1 (5%) - these included:-

- Short term return to work interview compliance is 78.21% against the 90 – 100% target range within 3 days. The rolling average days to complete all short-term return to work interviews is currently 3.60 days.
- Delivering Our Future monitoring is 58% (56% last quarter) against the 80% target at the end of March 2021. Many issues are linked to the impact of the Covid-19 pandemic
- Annual Development Reviews completed is 92% (90% last quarter) against the 100% target at the end of March 2020/21
- Health and Safety Monitoring is 76% against the 80% target at the end of March 2021. In line with Government guidelines on essential travel only, compounded by a Covid-19 outbreak in
- Independent Living Units in December 2020 and buildings not being occupied, many scheduled inspections were curtailed.

Some slippage against these measures is to be expected given the impacts of the pandemic throughout the 2020/21 financial year. However, as the Council returns to business as usual, it is important that performance continues to be monitored closely and there is a renewed focus on delivery of Council Plan priorities.

Improving economy, efficiency and effectiveness (Cont'd)

Partnership working

The Council's Constitution sets out how it engages with stakeholders and partners through joint working arrangements, partnership boards and annual appointments to external organisations. This engagement has been increased significantly during the pandemic.

Effective partnerships at different levels are important to the council and it is focused on maintaining and nurturing these. This includes powerful examples of working closely with community groups to unlock funding and deliver community outcomes, for example in meeting health and wellbeing priorities where the council has provided support to the Bedworth Cricket Club and the Pringles Stadium in Nuneaton. Relationships with Warwickshire County Council (WCC) and NBBC's neighbours are positive and productive. For instance, the shared service arrangements with neighbouring North Warwickshire Borough Council (NWBC), including Private Sector Housing and Revenues & Benefits services, is noted as a particularly beneficial relationship in delivering shared aims, where NBBC is seen as a partner of choice. Additionally, following changes in political leadership at NBBC,

Our work highlighted relationships with WCC have improved and the council is an area which the County want to continue to work closely with, including on the delivery of the Transforming Nuneaton programme. Nuneaton and Bedworth Community Enterprises Ltd (NABCEL) is the council's wholly owned delivery body which manages a portfolio of properties, temporary accommodation for homeless people and undertakes housing maintenance work.

The Council is an active member of key economic partnerships including Coventry & Warwickshire Local Enterprise Partnership.

Significant partners are set out in the Council Plan, so there is transparency. Regular reporting to committees and Cabinet ensures transparency. The Council developed new joint working and partnership arrangements to respond to the pandemic and ensure that the needs of service users continue to be met. The Council's pandemic response has involved close working with both Clinical Commissioning Groups and Foundation Trusts in the County along with NHS England and wider partners.

Stakeholder Engagement

The Council consulted stakeholders on their draft budget for 2020/21. The consultation focused on whether or not Council Tax should be increased by 1.99%. The Council did not consult on savings. Given the limited engagement achieved in 2020/21, the Council should consider how it can enhance its stakeholder engagement and empowerment to ensure this is a meaningful process, which supports the development of the budget, MTFP and savings. Key stakeholders are consulted as appropriate for example during the development of the council Sport, Recreation and Community Facilities Strategy: 2016 - 2031.

Council business is conducted in public unless legislation deems it appropriate for it to be considered in private. Key decisions of officers are published on the Council's website. The Council carries out a wide range of public consultation.

The Council has an Employment Committee. Senior managers are engaged through regular meetings of the Leadership Team and management development conferences. These meetings have continued during the pandemic with the Extended Leadership Team meetings and management development conferences being held virtually. New forms of engagement have been put in place during the pandemic, the Council should continue to adopt these engagement activities which have worked effectively during the pandemic.

The Council has received a significant amount of funding for projects to be delivered over the next few years. The Council have set up boards for the Towns Fund and the Future High Street Fund which enables engagement of key stakeholders.

Improving economy, efficiency and effectiveness (Cont'd)

Benchmarking

Our review of the Council's Strategic Performance monitoring reports indicates that currently the Council does not measure its performance with reference to national benchmarks. We are aware of a Peer review undertaken by the Local Government Association in September 2021. Ten key recommendations were made in relation to:

- Continue to capitalise on the positive progress made with Cabinet member and senior management relationships, and embed across the organisation to develop positive relations more widely.
- Progress plans to meet the future financial challenges including the development of the 3 year MTFP and plans for income, savings and investments.
- Finalise the new corporate plan and ensure this supports the priorities of the council, is widely consulted on with partners and communicated for clarity across the council.
- Ensure staff recruitment and retention is linked to the People Strategy and underlying policies.
- Provide clarity on the council's future direction re: Covid-19 recovery e.g. next steps for agile working versus on site in the Town Hall.
- Complete the development of some of the key strategies e.g. Economic Development Strategy and Town Centre Strategy.
- Ensure key projects have a clear purpose i.e. maximise income generation opportunities, social value etc.
- Consider the effective and consistent use of appropriate data to inform decision making.
- Undertake a Residents' Survey.
- Review the internal and external approach to communications to ensure this supports priorities and ambitions.

Procurement

The Council has a detailed Procurement Strategy which covers the period 2017-22. The aims of the policy are to support the Council's long term financial sustainability and drive efficiencies, support local economic growth whilst responding to commissioning requirements and to optimise the opportunities for delivering social value opportunities through procurement. The Council currently spends approximately £23m per year on procurement of supplies, services and works, using a large number suppliers. The Council is continually improving its procurement processes and procedures to achieve maximum efficiency. Examples include Cabinet approval (sept 2020) for NBBC – Leisure Procurement Strategy Arts and Leisure Portfolio to support its future development and delivery of leisure facilities working with Sports England, its Project Management and Design & Cost Consultants and partners.

The Procurement team is supported by Finance and Legal to ensure compliance with relevant legislation, professional standards and internal policies. The Council maintains a detailed Commissioning and Procurement Pipeline register which effectively summarises key contract dates, values and terms. The procurement strategy ensures procurement considered in terms of 6 principal aims of the strategy- to Provide services that represent good value for money including:

- Identify best practice in procurement and challenge current methods
- Maximise local Social Value and Environmental Sustainability
- Deliver efficiency savings both cashable and non-cashable
- Be open to and seek opportunities for partnership or collaborative work with other authorities
- Ensure Procurement is conducted within EU/UK legislation and is compliant

Regulatory Reports

Our work found no reports from regulators in 2020/21 which identify significant weakness and no specific areas requiring improvement recommendations. Officers are subject to Continuous Professional Development (CPD) requirements and undertake training within their professional discipline. Reports are submitted to management Team in connection with any significant legislative changes as well as to Cabinet and Council. The statutory officers receive all reports in draft and have the opportunity to comment upon them and to sense check the recommendations. In terms of behaviours, the Council has a set of values that it expects officers to adhere to which form part of the recruitment and appraisal processes. Regular staff bulletins are issued to employees, which will re-enforce expected behaviour and conduct and a copy of the Annual Report from Standards Committee is circulated for reference. In addition, staff receive an annual reminder in connection with the Gifts & Hospitality policy.

Conclusion

Overall, we are satisfied the Council has appropriate arrangements in place to ensure it manages risks to its oversight in ensuring economy, efficiency and effectiveness in its use of resources.

COVID-19 arrangements



Since March 2020 COVID-19 has had a significant impact on the population as a whole and how Council services are delivered.

We have considered how the Council's arrangements have adapted to respond to the new risks they are facing.

Financial sustainability

Finance officers established procedures to identify and record Covid-19 related expenditure, and this, along with the overall financial impact on the Council and MTFS, has been regularly reported to Members.

The financial statements explain the impact that Covid-19 has had on Council finances in various areas.

The financial statements also explain the additional funding the Council have received due to the pandemic. The Council also discloses the delays to the business rates retention and fairer funding reviews as a result of the pandemic.

The financial statements identify that “It is evident from both the financial and non-financial performance over the last 12 months that the Council continues to achieve its corporate priorities with reduced resources. However, as referred to previously, the long-term implications to the Council’s finances and the overall community of Nuneaton and Bedworth from Covid-19 will require the Council to consider a “new normal” when formulating budgets and remodelling it’s Medium Term Financial Plan.”

Governance

As a result of the Covid-19 pandemic internal controls and processes did not need to adapt significantly, as systems were already in place for remote working. Over time we have seen that officers have been provided with improved technology, for example, Microsoft Teams.

The Council has also administered the distribution of around £28.5 million for the various grant support schemes in which the Council has operated as an agent.

Internal Audit has played a key role in the reviewing of grant applications, particularly from local businesses. Internal audit did identify a small amount of claims being paid incorrectly due to duplications of payment though these are for a limited number for an insignificant value and the amounts have been repaid.

Improving economy, efficiency and effectiveness

The Council has an opportunity to build on some of the positive changes that have resulted from the pandemic. For example, more flexible working, with appropriate use of technology, to support staff with their work / life balance and also to reduce the office space required. There is also scope to keep services on-line where these have worked well, with reduced face to face contact with service users.

Looking ahead, the Council has been able to generate a significant amount of extra funding to deliver projects within the town such as the Abbey Street regeneration. Our review of these projects will be completed as part of the 2021/22 Value for Money audit.

Appendices

Appendix A - An explanatory note on recommendations

A range of different recommendations can be raised by the Council's auditors as follows:

Type of recommendation	Background	Raised within this report	Page reference
Statutory	Written recommendations to the Council under Section 24 (Schedule 7) of the Local Audit and Accountability Act 2014. A recommendation under schedule 7 requires the Council to discuss and respond publicly to the report.	No	
Key	The NAO Code of Audit Practice requires that where auditors identify significant weaknesses as part of their arrangements to secure value for money they should make recommendations setting out the actions that should be taken by the Council. We have defined these recommendations as 'key recommendations'.	No	
Improvement	These recommendations, if implemented should improve the arrangements in place at the Council, but are not a result of identifying significant weaknesses in the Council's arrangements.	Yes	6, 13, 14, 19 and 20

Appendix B - Responsibilities of the Council



Role of the Director of Finance:

- Preparation of the statement of accounts
- Assessing the Council's ability to continue to operate as a going concern

Public bodies spending taxpayers' money are accountable for their stewardship of the resources entrusted to them. They should account properly for their use of resources and manage themselves well so that the public can be confident.

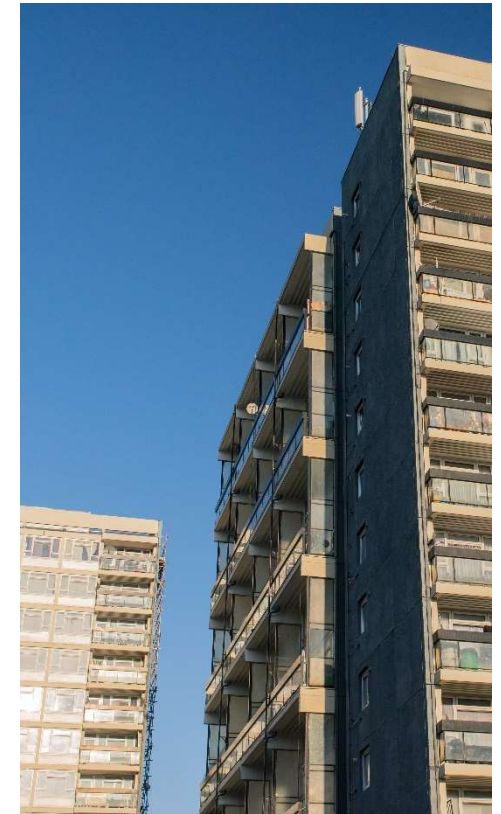
Financial statements are the main way in which local public bodies account for how they use their resources. Local public bodies are required to prepare and publish financial statements setting out their financial performance for the year. To do this, bodies need to maintain proper accounting records and ensure they have effective systems of internal control.

All local public bodies are responsible for putting in place proper arrangements to secure economy, efficiency and effectiveness from their resources. This includes taking properly informed decisions and managing key operational and financial risks so that they can deliver their objectives and safeguard public money. Local public bodies report on their arrangements, and the effectiveness with which the arrangements are operating, as part of their annual governance statement.

The Chief Financial Officer (or equivalent) is responsible for the preparation of the financial statements and for being satisfied that they give a true and fair view, and for such internal control as the Chief Financial Officer (or equivalent) determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

The Chief Financial Officer (or equivalent) or equivalent is required to prepare the financial statements in accordance with proper practices as set out in the CIPFA/LASAAC code of practice on local authority accounting in the United Kingdom. In preparing the financial statements, the Chief Financial Officer (or equivalent) is responsible for assessing the Council's ability to continue as a going concern and use the going concern basis of accounting unless there is an intention by government that the services provided by the Council will no longer be provided.

The Council is responsible for putting in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources, to ensure proper stewardship and governance, and to review regularly the adequacy and effectiveness of these arrangements.



Appendix C - Use of formal auditor's powers

We bring the following matters to your attention:

Statutory recommendations

Under Schedule 7 of the Local Audit and Accountability Act 2014, auditors can make written recommendations to the audited body which need to be considered by the body and responded to publicly

We did not issue any statutory recommendations under Schedule 7 of the Local Audit and Accountability Act 2014

Public interest report

Under Schedule 7 of the Local Audit and Accountability Act 2014, auditors have the power to make a report if they consider a matter is sufficiently important to be brought to the attention of the audited body or the public as a matter of urgency, including matters which may already be known to the public, but where it is in the public interest for the auditor to publish their independent view.

We did not issue a public issue report under Schedule 7 of the Local Audit and Accountability Act 2014.

Application to the Court

Under Section 28 of the Local Audit and Accountability Act 2014, if auditors think that an item of account is contrary to law, they may apply to the court for a declaration to that effect.

We did not apply to court under Schedule 28 of the Local Audit and Accountability Act 2014.

Advisory notice

Under Section 29 of the Local Audit and Accountability Act 2014, auditors may issue an advisory notice if the auditor thinks that the authority or an officer of the authority:

- is about to make or has made a decision which involves or would involve the authority incurring unlawful expenditure,
- is about to take or has begun to take a course of action which, if followed to its conclusion, would be unlawful and likely to cause a loss or deficiency, or
- is about to enter an item of account, the entry of which is unlawful.

We did not issue an advisory notice under Section 31 of the Local Audit and Accountability Act 2014.

Judicial review

Under Section 31 of the Local Audit and Accountability Act 2014, auditors may make an application for judicial review of a decision of an authority, or of a failure by an authority to act, which it is reasonable to believe would have an effect on the accounts of that body.

We did not make an application for judicial review under Section 31 of the Local Audit and Accountability Act 2014.



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