



**AGENDA
for
MEETING OF
THE COUNCIL**

to be held on

Wednesday, 13th July, 2022

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Date: 5th July 2022

Our Ref: KB

To: All Members of the Borough Council

A MEETING OF THE COUNCIL will be held on **Wednesday, 13th July, 2022**
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 Virgin Money Bank (formerly the Yorkshire 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 Annual Council meeting held on 18th May 2022 (**Page 6**)
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 26**). 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 33**) and this is not subject to debate.
7. QUESTIONS BY MEMBERS - (Council Procedure Rule 10). A copy of Procedure Rule 10 is attached. (**Page 34**) and this is not subject to debate.
8. SPECIAL URGENCY DECISIONS - (Access to Information Procedure Rule 4B.16)
None
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. CHANGE TO NABCEL SHAREHOLDER COMMITTEE MEMBERSHIP
Following the Annual Council meeting in May 2022, where the Committee Membership was agreed, it is now necessary to remove Councillor C. Watkins from the committee due to him being a member of the NABCEL board and replace with Councillor J. Sheppard.

It is therefore RECOMMENDED that Councillor C. Watkins be removed, and Councillor J. Sheppard be added to the NABCEL Shareholder Committee

11. RECOMMENDATIONS FROM CABINET OR OTHER COMMITTEES

Planning Applications Committee 24th May, 2022

a) Member Call In Procedure (Copy of the report attached (Page 36))

At its meeting on the 24th May 2022, the following recommendation was agreed by the Planning Applications Committee for Council approval:

It be recommended to Council that the revised Member Call in Procedure as at Appendix A of the report be adopted.

Cabinet – 25th May 2022

b) Arbury Design Code (copy of the report attached (Page 40)). A copy of the Arbury Design Code is available online via the link below:

<https://www.nuneatonandbedworth.gov.uk/meetings/meeting/2494/cabinet> and a copy is available to view in the Members Group Rooms)

At its meeting on the 25th May 2022, the following recommendation was agreed by Cabinet for Council approval:

It be recommended to Council that the Arbury Design Code be adopted.

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 Mayor's 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 been 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

ANNUAL COUNCIL

18th May 2022

The meeting of the Nuneaton and Bedworth Borough Council was held on Wednesday, 18th May 2022 and live streamed.

Present

The Mayor (Councillor R. Tromans)
The Deputy Mayor (Councillor J. Clarke)

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

Apologies were received for Councillor S. Markham

CL1 Election of Chair (The Mayor)

It was proposed by Councillor K. Wilson and seconded by Councillor R. Tromans that Councillor J. Clarke be appointed Chair of the Borough Council of Nuneaton and Bedworth (to be styled Mayor) for the ensuing municipal year.

It was **RESOLVED** that Councillor J. Clarke be elected Chair of the Borough Council of Nuneaton and Bedworth (to be styled Mayor) for the ensuing municipal year.

Councillor R. Tromans then vacated the Chair and invested the newly elected Mayor with the Chain of office.

Having accepted the appointment, Councillor J. Clarke, made and subscribed the declaration of acceptance of office and thanked the Council for the honour conferred upon him in electing him to the office of Mayor.

THE MAYOR (COUNCILLOR J. CLARKE) IN THE CHAIR

CL2 Vote of Thanks

It was **RESOLVED** that the best thanks of this Council be tendered to Councillor Robert Tromans and Mayoress for the able and courteous manner in which they fulfilled the duties of Mayor and Mayoress during the past Municipal Year.

CL3 **Election of Vice-Chair (The Deputy Mayor)**

It was proposed by Councillor K. Evans and seconded by Councillor D. Brown that Councillor M. Walsh be appointed Vice-Chair of the Borough Council of Nuneaton and Bedworth (to be styled Deputy Mayor) for the ensuing municipal year.

It was **RESOLVED** that Councillor M. Walsh be appointed Vice-Chair of Nuneaton and Bedworth Borough Council (to be styled Deputy Mayor) for the ensuing Municipal Year.

The Mayor then invested the Deputy Mayor with the Deputy Mayor's badge. Having accepted the appointment, Councillor M. Walsh made and subscribed the declaration of acceptance of the office and thanked the Council for the honour conferred upon him in appointing him to the office of Deputy Mayor.

CL4 **Minutes**

RESOLVED that the minutes of the Ordinary Council meeting held on 20th April 2022, were confirmed, and signed by the Mayor.

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

CL5 **Declarations of Interests**

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

CL6 **Announcements**

The Mayor made the announcement that the Mayor's Appeal for 2022/2023 will be announced next week.

Councillor K. Wilson, Leader of the Council, wished to place on record councils thanks to all staff and officers who were involved with running the election, it was run professionally and courteously.

CL7 **Returning Officers Report**

NOTED that the composition of the Council is as follows:

Conservative Members	27
Labour Members	5
Green Members	2

CL8 Election of Leader

Councillor K. Wilson was elected as Leader of the Council in May 2021 for a term of four years therefore this item was not considered.

CL9 Composition and Membership of Committees and Appointments to Outside Bodies for 2022/2023

It was **RESOLVED** that

- a) The Leader’s appointments to and allocation of responsibilities for the Cabinet Portfolios, as given below, be noted:

A vote of hands was taken, and this was carried.

Portfolio Holder	Member Appointed
Leader (Business and Regeneration)	Councillor Kris Wilson
Deputy Leader (Housing and Communities)	Councillor Clare Golby
Finance and Corporate	Councillor Sam Croft
Public Services	Councillor Sue Markham
Planning and Regulation	Councillor Richard Smith
Health and Environment	Councillor Julian Gutteridge

- b) The composition of Committees and Overview and Scrutiny Panels were presented to Council as below:

Committee Size	Seats to Allocate	Conservative	Labour	Green		Total Membership
Cabinet	6	6				
Business, Regeneration & Planning OSP	9	7	1	1		9
Finance & Public Services OSP	9	7	1	1		9
Housing, Environment & Health OSP	9	7	1	1		9
Employment	5	4	1	0		5
Audit & Standards (Excl co-optees)	11	9	2	0		11
Planning	11	9	2	0		11
Licensing	11	9	2	0		11
Appeals	10	8	1	1		10

NABCEL	6	5	1	0		6
Borough Plan	9	7	1	1		9
Total	90	72	13	5		90

Councillor K. Kondakor proposed the following amendment:

‘That this table is amended such that planning committee numbers are changes to 12 members, 9 Conservatives, 2 Labour and 1 Green and that appeals panel is changed to 10 members, 9 Conservative, 1 Labour and zero greens. The effect of the change is to give the Conservatives one more seat on the appeals panel and provides better cross-party representation on the planning committee.’

Councillor M. Wright seconded the amendment.

A vote was taken on the amendment

The amendment was lost.

A vote was taken on the substantive recommendation.

The vote was carried:

The composition of Committees and Overview and Scrutiny Panels as presented in the table be noted.

- c) i) the Membership of Committees and Overview and Scrutiny Panels for 2022/2023 be approved as shown below; and
- ii) delegated authority be given to the Chief Executive to appoint a Green Party Member to Appeals Committee upon completion of the relevant training.

Appeals (10)

Councillors: B. Beetham, K. Evans, M. Green, C. Golby, S. Markham, R. Smith, T. Sheppard, M. Tromans, M. Walsh and Green Party Member to be confirmed.

Notes:

1. 5 members will be selected from the pool as required.
2. The Chair will be appointed at each particular meeting.

Audit and Standards Committee (11)

Councillor R. Baxter-Payne (Chair),
Councillor J. Sheppard (Vice-chair)

Councillors: B. Beetham, T. Cooper, L. Cvetkovic, L. Downs, M. Green, J. Hartshorn, J. Kennaugh, N. Phillips and R. Tromans

Licensing (11)

Councillor R. Tromans (Chair),
Councillor T. Sheppard (Vice-Chair)

Councillors: J. Clarke, S. Croft, J. Gutteridge, J. Coventry-Moreton, G. Moreton, B. Pandher, N. Phillips, J. Singh, and M. Tromans.

Planning Applications (11)

Councillor L. Cvetkovic (Chair),
Councillor J. Sheppard (Vice-Chair)

Councillors: C. Cape, M. Green, B. Hammersley, J. Hartshorn, S. Markham
B. Pandher, E. Shiers, R. Smith, and K. Wilson

Business, Regeneration and Planning Overview and Scrutiny (9)

Councillor M. Walsh (Chair)
Councillor N. Phillips (Vice-Chair)

Councillors: D. Brown, C. Cape, J. Coventry-Moreton, K. Evans, J. Hartshorn, K. Kondakor and G. Moreton

Finance & Public Services Overview and Scrutiny (9)

Councillor D. Brown (Chair)
Councillor C. Watkins (Vice-Chair)

Councillors: J. Clarke, L. Downs, B. Hammersley, S. Harbison, J. Kennaugh,
M. Tromans, and M. Wright

Housing, Environment & Health Overview and Scrutiny (9)

Councillor K. Evans (Chair)
Councillor E. Shiers (Vice-Chair)

Councillors: B. Beetham, C. Cape, T. Cooper, S. Harbison, J. Kennaugh, J. Singh and M. Wright

Borough Plan (9)

Councillor R. Smith (Chair)

Councillors: R. Baxter-Payne, L. Cvetkovic, J. Kennaugh, K. Kondakor, N. Phillips, J. Singh, R. Tromans and M. Walsh.

Employment Committee

Councillor S. Croft (Chair)

Councillors: D. Brown, M. Green, T. Sheppard and M. Tromans

Nuneaton and Bedworth Community Enterprise Limited Shareholder Committee (NABCEL) (6)

Councillor J. Gutteridge (Chair)

Councillors: J. Clarke, L. Downs, B. Hammersley, S. Harbison and C. Watkins

- d) The representatives on Outside Bodies Schedule A, B and C were amended and approved as attached to these minutes.
- e) The appointment of the following co-opted members for a period of four years, is as follows:

Audit and Standards Committee

Vacancy

Finance & Public Services Overview and Scrutiny Panel

Mrs D. Ross

Business, Regeneration and Planning Overview and Scrutiny Panel

Vacancy

Housing, Environment & Health Overview and Scrutiny Panel

Mr. I Sheikh

CL10 **Scheme of Delegation**

RESOLVED that the Scheme of Delegation for the Executive functions, as set out in item 12 of the agenda as determined by the by the Leader be noted; and the Council functions, as set out in item 12 of the agenda, be approved.

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	
	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"> • Exhall Education Foundation; • Warwickshire Joint Overview and Scrutiny Committee; • NBBC Biodiversity Champion 	
	C. Cape	Director of Capability Coaching and Consultancy Ltd.		
	J. Clarke	Employed by Marcus Jones MP	County Councillor W.C.C. Nuneaton Conservative Association; Deputy Chairman	
	T. Cooper	None	Member on the following Outside Bodies:	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			<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	NBBC representative on the Armed Forces Covenant Meeting 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 Warwickshire Conservative Association Membership of Other Bodies: West Midlands Combined Authority Audit Committee. Executive Officer – North Warwickshire Conservative Association; Member of the Conservative and Unionist Party;	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
	C. Golby		<p>Member of Warwickshire County Council</p> <hr/> <p>Member of the following Outside Bodies:</p> <ul style="list-style-type: none"> • Coventry, Warwickshire and Hinckley and Bosworth Joint Committee • District Leaders • Local Enterprise Partnership • Nuneaton and Bedworth Community Enterprises Ltd. (NABCEL) • Nuneaton and Bedworth Home Improvement Agency • NBBC representative on the George Eliot Hospital NHS Trust – Public/User Board • NBBC representative on George Eliot Hospital NHS Foundation Trust Governors 	
	M. Green	Employed by Horiba Mira – Calibration Technician	<p>Chair of Education Standards Committee – St Thomas More School</p> <p>Executive Member – Nuneaton Conservatives.</p> <p>Secretary – St Vincent De Paul Society at Our Lady of the Angels Church.</p> <p>Our Lady of the Angels Church.</p>	
	J. Gutteridge		<p>Representative on the following Outside Bodies:</p> <ul style="list-style-type: none"> • Warwickshire Health and Wellbeing Board • Age UK (Warwickshire Branch) <hr/> <p>Member of NABCEL</p>	
	B. Hammersley	County Councillor – W.C.C.	<p>Member on the following Outside Bodies:</p> <ul style="list-style-type: none"> • Hammersley, Smith and Orton Charity 	
	S. Harbison	Employed by Meridian c/o Hello Fresh, 1 St Georges Way, Nuneaton	<p>Member on the following Outside Bodies:</p> <ul style="list-style-type: none"> • Poor's Piece Charity • Astley Charity 	
	J. Hartshorn	Employed by	Member of Nuneaton	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
		Nuneaton Library – Digital Inclusion – WCC (Senior Customer Service Assistant) COVID Community Testing – WCC – Team Leader (Casual)	Conservatives	
	J. Kennaugh	County Councillor W.C.C. Employed by UK Flooring Direct Ltd.	Member of the W.C.C. Regulatory Committee Member of the Conservative Party Member of UNITE the Union Nuneaton and Bedworth representative for the Equality and Inclusion Partnership NBBC Representative on Warwickshire Race Equality Partnership	
	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.	Member of the following Outside Bodies: <ul style="list-style-type: none"> • Bedworth Neighbourhood Watch • Governor at Ash Green School • Sherbourne Asset Co Shareholder Committee; • Nuneaton and Bedworth Sports Forum; • Warwickshire Direct Partnership; • Warwickshire Waste Partnership; 	
	G. Moreton	Member of School Appeals Panels at Warwickshire County Council	Share in rental dwellings at Sealand Drive, Bedworth and Tresillian Road, Exhall.	
	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	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			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.	Dispensation to speak and vote on any matters of Borough Plan that relate to the Directorship of Wembrook Community Centre
			Director of Wembrook Community Centre.	
			Member of the Management Committee at the Mental Health Drop in.	
	T. Sheppard	Employee of Dairy Crest		
	E. Shiers	Employed by and Director of Cannon Enterprise Ltd. Director of The Fresh Dessert Company	The Labour Party Coventry East Credit Union	
	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 	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			<ul style="list-style-type: none"> • Representative on the Nuneaton and Bedworth Older Peoples Forum • Digital Infrastructure Board 	
	M. Tromans	RTC Ltd, Nuneaton; WCC, Warwick	Nuneaton Acorns WI	
	R. Tromans	RTC, Nuneaton AFL, Wellingborough	<p>W.C.C. Warwick</p> <p>Member of the following Outside Bodies:</p> <ul style="list-style-type: none"> • Nuneaton Neighbourhood Watch Committee • Nuneaton Festival of Arts 	
	M. Walsh	Employed by MacInnes Tooling Ltd. – UK Sales Manager		
	C.M. Watkins	Employee of Nutri Pack	<p>Representative on the following outside bodies:</p> <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	<p>Nuneaton Conservative Association</p> <p>Corporate Tenancies: properties are leased by NBBC to Nuneaton and Bedworth Community Enterprises Ltd, of which I am a Council appointed Director.</p> <p>Representative on the following:</p> <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 • Deputy Chairman – Nuneaton Conservative Association 	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			<ul style="list-style-type: none"> • District Council Network • Local Government Association 	
	M. Wright			

SCHEDULE 'A'**APPOINTMENTS BY OFFICE (Period of Office 12 Months Commencing in May, 2022)**

<u>Body</u>	<u>Present Representative</u>	<u>Number of Representatives</u>	<u>Travel and Subsistence</u>	<u>Indemnity</u>
A5 Member partnership	Cabinet Member for Planning and Regulation	1	Yes	Indemnity Applies
Champion for Safeguarding (Children and Adults)	Cabinet Member for Finance and Corporate	1	Yes	Indemnity Applies
Coventry, Warwickshire and Hinckley and Bosworth Joint Committee	Leader (Deputy Leader as substitute)	1	Yes	Indemnity Applies
District Leaders	Leader (Deputy Leader as substitute)	1	Yes	Indemnity Applies
Local Government Association	Leader (Cabinet Member as Substitute)	1	Yes	Indemnity Applies
Local Enterprise Partnership	Leader (Deputy Leader as Substitute)	1	Yes	Indemnity Applies
Local Government Superannuation Scheme Consultative Board	Cabinet Member for Finance and Corporate	1	Yes	Indemnity Applies

Nuneaton and Bedworth Home Improvement Agency	Cabinet Member for Housing and Communities	1	Yes	Indemnity Applies
Nuneaton and Bedworth Safer and Stronger Communities Partnership	Cabinet Member for Housing and Communities	1	Yes	Indemnity Applies
Nuneaton and Bedworth Community Enterprises Ltd	Leader, Deputy Leader and Leader of the Opposition or his/her representative	1	Yes	Indemnity Applies
Sherbourne Asset Co Shareholder Committee	Cabinet Member for Public Services	1	Yes	
Nuneaton and Bedworth Sports Forum	Cabinet Member for Public Services	1	Yes	No indemnity – Member decision
Nuneaton Festival of Arts	The Mayor	1	Yes	No Indemnity – Member decision
PATROL (Parking and Traffic Regulations Outside of London) Joint Committee Services	Cabinet Member for Planning and Regulation	1	Yes	Indemnity Applies
Safer Warwickshire Partnership Board	Cabinet Member for Housing and Communities	1	No	No Indemnity – Member Decision
Warwickshire Direct Partnership	Cabinet Member for Public Services	1	Yes	Indemnity Applies
Warwickshire Health and Wellbeing Board	Cabinet Member for Health and Environment	1	Yes	Indemnity Applies
Warwickshire Housing Support Partnership	Cabinet Member for Housing and Communities	1	Yes	Indemnity Applies

Warwickshire Police and Crime Panel	Cabinet Member for Housing and Communities	1	Yes	Indemnity Applies
Warwickshire Waste Partnership	Cabinet Member for Public Services	1	Yes	Indemnity Applies
West Midlands Combined Authority Board	Leader (Cabinet Member as Substitute)	1	Yes	Indemnity Applies
West Midlands Employers	Cabinet Member for Finance and Corporate	1	Yes	No Indemnity - Member Decision
Warwickshire Adult Social Care and Health Overview and Scrutiny Committee	Chair of Housing, Environment and Health OSP Sub – Cllr Richard Baxter Payne	1	Yes	No Indemnity - Member Decision

SCHEDULE 'B'

APPOINTMENTS NOT NECESSARILY BY OFFICE

Body	Representation	Terms of Office	Present Representative (s)	Travel and Subsistence	Indemnity
Age UK (Warwickshire Branch)	1 Councillor	1 Yr	Councillor J. Gutteridge	No	No indemnity - Member decision
Armed Forces Covenant Meeting	1 Councillor	1 Yr	Councillor C. Cape	No	No indemnity Member decision
Astley Charity	1 Councillor	1 Yr	Councillor S. Harbison	No	No indemnity Member decision
Biodiversity Champion	1 Councillor	1 Yr	Councillor D. Brown	Yes	Indemnity Applies
Building Control Partnership Steering Group	Cabinet Member for Planning and Regulation plus 1 Councillor	1 Yr	Cabinet Member for Planning and Regulation, Councillor R. Smith, and Councillor L. Cvetkovic	Yes	Indemnity Applies
Bulkington Village Centre Project	1 Representative (not necessarily a Councillor)	1 Yr	Councillor R. Smith	Yes	No Indemnity – Member Decision
Camp Hill Urban Village: Pride in Camp Hill Board	1 Councillor	1Yr	Councillors T. Cooper and B. Beetham	Yes	Indemnity applies
Committee of Management of Hartshill and Nuneaton Recreation Ground	Portfolio Holder for Health and Environment + 2 Councillors	1 Yr	Councillors J. Gutteridge, T. Cooper and B. Beetham	No	No Indemnity – Member Decision

Exhall Education Foundation	Trustee (not necessarily a Councillor and preferably from Exhall Parish)	1 Yr	Councillor D. Brown	No	No Indemnity – Member Decision
Friendship Project for Children	1 Councillor	1 Yr	Councillor M. Green	No	No Indemnity – Member decision
George Eliot Hospital NHS Trust – Public/User Board	1 Councillor	1 Yr	Councillor C. Golby	Yes	Indemnity Applies
George Elliot Hospital NHS Foundation Trust Governors	1 councillor	1 Yr	Councillor C. Golby	Yes	Indemnity Applies
Nuneaton and Bedworth Older People’s Forum	1 Councillor	1 Yr	Councillor R. Smith	Yes	Indemnity Applies
Nuneaton Neighbour Watch Committee	1 Councillor	1 Yr	Councillor R. Tromans	No	No Indemnity – Member decision
Bedworth Neighbourhood Watch Committee	1 Councillor	1 Yr	Councillor G. Moreton	No	No Indemnity – Member decision
Warwickshire Joint Overview and Scrutiny Committee	1 Councillor	1 Yr	Councillor D. Brown	Yes	Indemnity Applies
EQuIP:	1 Councillor	1 Yr	Councillor J. Kennaugh	No	No Indemnity

Equality and Inclusion Partnership					– Member decision
West Midlands Combined Audit, Risk and Assurance Committee	1 Councillor (plus 1 substitute)	1 Yr	Councillors R Baxter-Payne and K. Evans (Sub)	Yes	Indemnity Applies
West Midlands Combined Authority Housing and Land Delivery Board	1 Councillor	1 Yr	Councillor R. Smith		
West Midlands Combined Authority Wellbeing Board	1 Councillor	1 Yr	Councillor J. Gutteridge		
Foleshill Charity Trustee – Proffitt’s Charity	1 Trustee (not necessarily a Councillor)		Councillor B. Pandher	No	No indemnity – Member decision
NABCEL – Appointment of Executive Directors	2 Officer Representatives		Deputy Chief Executive – Tom Shardlow Director for Housing & Regeneration – Dawn Dawson		
Hospice Charity	1 Representative (not necessarily a Councillor)	4 Yrs to May 2026	Councillor R. Tromans	No	No indemnity – Member decision
Nicholas Chamberlaine’s School Foundation Nicholas Chamberlaine’s Hospital and Sermon Charity	1 Representative (Not necessarily a Councillor)	4 Yrs to May 2026	Vacancy	Yes	No Indemnity – Member decision

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SCHEDULE 'C'

TERMS OF OFFICE NOT YET EXPIRED

<u>Body</u>	<u>Representation</u>	<u>Term of Office</u>	<u>Present Representative (s)</u>	<u>Travel and Subsis tence</u>	<u>Indemnity</u>
Hammersley Smith and Orton Charity	2 Representatives (not necessarily Councillors)	4 Yrs to Oct 2025	Councillor B. Hammersley and Councillor L. Downs	Yes	No indemnity – Member decision
Hammersley Smith and Orton Charity	2 Representatives (not necessarily Councillors)	4 Yrs to Oct 2022	Mr R. G. Copland and Mr J. Hunt	Yes	No indemnity – Member decision

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 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 Warwickshire Conservative Association	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			<p>Membership of Other Bodies:</p> <ul style="list-style-type: none"> • West Midlands Combined Audit, Risk and Assurance Committee (substitute) <p>Executive Officer – North Warwickshire Conservative Association; Member of the Conservative and Unionist Party.</p>	
	C. Golby		<p>Member of Warwickshire County Council</p> <p>Membership of Other Bodies:</p> <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	<p>Chair of Education Standards Committee – St Thomas More School Executive Member – Nuneaton Conservatives. Secretary – St Vincent De Paul Society at Our Lady of the Angels Church. Our Lady of the Angels Church.</p> <p>Member on the following Outside Bodies:</p> <ul style="list-style-type: none"> • Friendship Project for 	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			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	Employed by Meridian c/o Hello Fresh, 1 St Georges Way, Nuneaton	Member on the following Outside Bodies: <ul style="list-style-type: none"> • Astley Charity 	
	J. Hartshorn	Employed by Nuneaton Library – Digital Inclusion – WCC (Senior Customer Service Assistant) COVID Community Testing – WCC – Team Leader (Casual)	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"> • EQulP 	
	K.A. Kondakor	Electronic Design Engineer (self-employed); 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 	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			Partnership <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		

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
	E. Shiers	Employed by and Director of Cannon Enterprise Ltd. Director of The Fresh Dessert Company	The Labour Party Coventry East Credit Union	
	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		
	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) 	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
	K.D. Wilson	Acting Delivery Manager, Nuneaton and Warwick County Courts, HMCTS, Warwickshire Justice Centre, Nuneaton	<p>Deputy Chairman – Nuneaton Conservative Association</p> <p>Corporate Tenancies: properties are leased by NBBC to Nuneaton and Bedworth Community Enterprises Ltd, of which I am a Council appointed Director.</p> <p>Representative on the following Outside Bodies:</p> <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			

AGENDA ITEM No.6

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 Managing Director no later than 12 noon on the day before the meeting of the Council.

9.3 Scope of questions and statements

The Managing Director 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 Managing Director 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: Planning Application Committee

From: Head of Planning and Building Control

Subject: Member Call in procedure

1. Purpose of Report

- 1.1 To request Planning Application Committee review and revise the Planning Application call in procedure to ensure appropriate use of Call in powers by elected members

2. Recommendations

- 2.1 To recommend to Full Council that the revised Call in procedure (Appendix A) be adopted.

3. Background

- 3.1 The current call in process is set out within the Council's Constitution at 3E.8.iv. This states:

Where a Member requests that an application should be dealt with by the Planning Applications Committee, and that request has been made to the Head of Development Control in writing, by e-mail or telephone message within 28 days of the date of the relevant weekly list of planning applications (or 14 days in the case of a non-material amendment or proposals submitted to other authorities).

- 3.2 A revised and more rigorous Call in procedure has been drafted (Appendix A). This has been prepared to avoid the risk of severe impact to the day to day business of the Council due to inappropriate use of call in powers by Elected Members.
- 3.3 The revised procedure requires approval at Full Council. In the interim, the Member Call-in has been suspended via a delegated decision.

4. Appendices

4.1 Appendix A – Revised Planning Application Committee Member call in procedure

5. Background Papers

5.1 Delegated Decision - [DO/63/2022 \(BD\)](#)

Nuneaton and Bedworth Borough Council	Planning Application Committee Call-in request
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Requested By:	Date:	Planning App. No:
Case Officer	Date application listed on weekly list: (NB - within 28 days of the date of the relevant weekly list of planning applications (or 14 days in the case of a non-material amendment or proposals submitted to other authorities))	
Call in notes	<ol style="list-style-type: none"> 1. A <u>ward</u> Councillor can request that a <u>minor in that ward</u> be called in for determination by the Committee 2. 3 Councillors need to request a major; 3. In both cases sufficient and rational reasons need to be given for the call in to be determined by Head of Planning and Building Control, in consultation with the chair of Planning Application Committee. 	
<p>Confirmation that a discussion with the case officer has been held. If the case officer is on leave please contact Head of Planning and Building Control.</p> <p>Please provide details.</p>		

Please provide valid Planning reasons which could include the following:

The principle of the development, the impact on the character and appearance of the area, the impact on residential amenity, the design, appearance or layout of the proposed development, highway considerations, flood risk, noise, disturbance or smell, historic buildings or conservation area issues, trees and landscape, planning policies (local, regional and/or national)

You may choose one or more of these and then expand to exemplify the call-in requirement.

Reason(s) for call in:

Please describe the relevance to your ward:

What action do you wish the planning officer to take to address your concerns?

Please indicate if you will remove your request for the item to be determined by committee if the officer is recommending refusal for the scheme or has met your concerns through negotiation and amended plans.

Please submit call in request to case officer, Head of Planning and Building Control and Chair of Planning Committee.

Cabinet

Report Summary Sheet

Date: 25th May 2022

Subject: Arbury Design Code

Portfolio: Cabinet Member for Planning and Regulation

From: Director – Planning and Regulation

Summary: To brief members on the responses to the Arbury Design Code consultation and the consequential amendments to the code.

Recommendations: That the committee notes the responses and amendments, in addition to recommending the design code for adoption by Full Council.

That delegated authority be given to the Head of Planning and Building Control in consultation with the Cabinet Member for Planning and Regulation to make any minor amendments to the design code prior to consideration at Full Council.

Options:

- To endorse the recommendations.
- To recommend further alterations to the Arbury Design Code.
- Not to endorse the recommendations.

Reasons: Nuneaton and Bedworth Borough Council were awarded pilot status by the Ministry of Housing, Communities and Local Government (now the Department for

Levelling Up, Housing and Communities) to test the new National Model Design Code. Following the conclusion of the pilot, the council consulted on the Arbury Design Code between 31st January and 28th March 2022 to propose its adoption as a supplementary planning document. This report provides the consultation responses, along with the amendments made in light of the consultation responses.

Consultation undertaken with Members/Officers/Stakeholders: Eight weeks public consultation held between 31st January 2022 and 28th March 2022.

Subject to call-in: Yes

Ward relevance: Arbury

Forward plan: No

Building a Better Borough Aim: Live

Building a Better Borough Priority: Enable appropriate housing development

Relevant statutes or policy: National Planning Policy Framework

Equalities Implications: None

Human resources implications: None

Financial implications: The council were awarded £50,000 grant funding to deliver the design code as part of a national pilot project.

Health Inequalities Implications: n/a

Section 17 Crime & Disorder Implications: n/a

Risk management implications: None

Environmental implications: n/a

Legal implications: None

Contact details:

Ashley Baldwin

Head of Planning and Building Control

024 7637 6506

Ashley.baldwin@nuneatonandbedworth.gov.uk

AGENDA ITEM NO.11b

NUNEATON AND BEDWORTH BOROUGH COUNCIL

Report to: Cabinet - 25th May 2022

From: Director – Planning and Regulation

Subject: Arbury Design Code

Portfolio: Planning and Regulation (R. Smith)

Building a Better Borough Aim: Live

Building a Better Borough Priority: Enable appropriate housing development

1. Purpose of Report

1.1 To brief members on the responses to the Arbury Design Code consultation and the consequential amendments to the code.

2. Recommendations

2.1 That the committee notes the responses and amendments, in addition to recommending the design code for adoption by Full Council.

2.2 That delegated authority be given to the Head of Planning and Building Control in consultation with the Cabinet Member for Planning and Regulation to make any minor amendments to the design code prior to consideration at Full Council.

3. Background

3.1 Nuneaton and Bedworth Borough Council were awarded pilot status by the Ministry of Housing, Communities and Local Government (now the Department for Levelling Up, Housing and Communities) to test the new National Model Design Code. Following the conclusion of the pilot, the council consulted on the Arbury Design Code between 31st January and 28th March 2022 to propose its adoption as a supplementary planning document. This report provides the consultation responses, along with the amendments made in light of the consultation responses.

4. Arbury Design Code consultation responses and amendments

4.1 The council received a total of 11 responses from the following respondents: Deeley, Historic England, National Highways, Natural England, Savills, Sport England, The British Horse Society, The Coal

Authority, Warwickshire County Council Flood Risk Management team, Warwickshire County Council Strategic Growth and Infrastructure team and one resident.

4.2 The table below provides a summary of the comments from each of the respondents.

Respondent	Summary of comments
Deeley	Deeley have an interest in several properties within and adjacent to the Arbury site, including Hazell Way Industrial Estate and Bermuda Community Park. Deeley are keen to ensure that their land and connections to their land are considered, including ensuring their land creates a gateway into the existing Bermuda Park estate which they developed.
Historic England	Historic England are supportive of the Design Code, and welcomed the consideration of heritage within the code, particularly in relation to Arbury Hall.
National Highways	National Highways stated that they had no comments to make, therefore there was no objection from them.
Natural England	Natural England suggested aspects which could be added to the Design Code.
Savills	Savills are the landowner of the Arbury site, and made various comments. For details, please see the officer responses appended to this report.
Sport England	Sport England are supportive of the Design Code, as many of the principles match their Active Design Guidance.
The British Horse Society	The British Horse Society requested all walking and cycling routes are expanded upon to serve horses.
The Coal Authority	The Coal Authority had no specific comments to make, and therefore do not object to the code.
Warwickshire County Council Flood Risk Management team	The Flood Risk Management team suggested additional wording in relation to SUDS and permeable surfaces.
Warwickshire County Council	The Strategic Growth and

Strategic Growth and Infrastructure team	Infrastructure team made comments on aspects such as electric vehicle charging points, inclusive design and affordable housing.
John Robinson (resident)	Requested landscape buffer in Concept Plan is extended, however the Concept Plan is an adopted document, and was not the subject of this consultation.

4.3 In relation to the changes to the Arbury Design Code document, these are set out in the bulleted list below.

- Relevant text to be added in relation to manors and halls.
- Landscape guiding principles will refer to the need for a strong landscape buffer between the site and Arbury Hall.
- Text changed to set out the appropriate application stage at which to submit a detailed design code for the site.
- Text added to maximise ability for wildlife to cross vehicular routes
- Text changed from requiring all existing drainage ditches to be retained, so that reference is made to retain them where appropriate.
- Reference to new bodies required for swimming changed to being required for fishing.
- Change to 10% net gain for biodiversity to be requirement once enacted through the Environment Act.
- Requirement for public art will be changed to an aspiration.
- Reserved matters to be set out as the most appropriate stage for a detailed street tree strategy.
- Description of primary street amended to reflect function of this street type.
- Width of grass verges amended in line with Warwickshire County Council standards.
- Updating of text to refer to Warwickshire Design Guide, which sets out higher standards for parking than the Parking Standards Supplementary Planning Document.
- Reference added to drainage hierarchy.
- Text added to set out that depth of SUDS needs to be agreed at the application stage.
- Text amended to consider people with various types of disabilities when designing paths.

5. Conclusion

5.1 The responses to the Arbury Design Code consultation provided useful information which has resulted in amendments to the final version of the code. It is proposed that the committee recommend the code for adoption as a supplementary planning document. This is in order to establish a clear set of rules and standards for the Arbury strategic

housing site, which will ensure high-quality proposals are received that meet the vision and aspirations for the strategic allocation.

6. Appendices

- Appendix A – Arbury Design Code consultation responses and officer responses
- Appendix B – Arbury Design Code (2022)

7. Background Papers

None

Ref	First name	Last name	Organisation	Comments	Officer response
1.01	Dean	Weldon	Deeley Group Limited	The plan for this area currently identifies a section of our existing building (currently occupied by IFCO) and its identified extension land as 'Proposed Formal Open Space' and we will therefore need this designation to be altered accordingly.	The land identified as proposed formal open space is from the adopted Concept Plan SPD, not the Design Code SPD, so this cannot be changed.
1.02	Dean	Weldon	Deeley Group Limited	An area identified in the diagram as 'Local Wildlife Area' currently has a planning designation as brownfield 'Commercial Extension Land' to the building currently occupied by IFCO, which was secured during the original planning consent. As this does not hold a local wildlife designation, the proposed 'wildlife corridor' would need to be located outside of this area.	The area is designated as a potential local wildlife site, and therefore is required to be in this location.
1.03	Dean	Weldon	Deeley Group Limited	Why has the local community park for the Bermuda Phoenix Centre not been included in this section? There are several public sports pitches, a MUGA and formal play equipment available which have not been identified on the diagram. We would encourage the inclusion of these facilities as they are extremely popular with the residents of Bermuda Park (over 2000 visitors a week) and would be extended to include the new residents of the scheme. This open space will be very well connected to the cycle network implemented on the new 'Connectivity Road' which will make it more accessible to the wider community as well as the new one.	The Bermuda Phoenix Centre is located outside of the HSG2 allocation, therefore reference to it is not considered necessary within the Design Code SPD.
1.04	Dean	Weldon	Deeley Group Limited	As mentioned above there is an excellent opportunity to create a gateway space at the Bermuda Road/ Hazell Way Industrial Estate to connect into the wider Bermuda Park neighbourhood and promote integration with the existing facilities. We also own the freehold of Harefield Lane, which is currently very-well used by pedestrians and cyclists and represents an opportunity to integrate these existing pieces of infrastructure into the new development.	The gateway from HSG2 into Bermuda Road / Hazell Way will be assessed at the application stage.
1.05	Dean	Weldon	Deeley Group Limited	Further emphasis on promoting connectivity to the surrounding areas and existing infrastructure - particularly the soon-to-be implemented Bermuda Connectivity Road, which would connect the new site to the A444 island as well as the Bermuda Park Train Station.	The gateway from HSG2 into Bermuda Road / Hazell Way will be assessed at the application stage.
1.06	Dean	Weldon	Deeley Group Limited	Again highlighting our willingness to engage on connectivity to Bermuda Road and Hazell Way Industrial Estate. As the owners of Harefield Lane also we are keen to work with the council and applicant to deliver a holistic and integrated solution to integrate the scheme with the wider community.	Noted.
1.07	Dean	Weldon	Deeley Group Limited	Additional play and sports facilities located at Bermuda Phoenix Community Centre which should be identified on the diagram. A physical connection between the new site and these existing facilities will be vital.	The plans reflect the HSG2 allocation which the Design Code focuses on, however linkages to the Bermuda Phoenix Community Centre can be considered at the application stage.

1.08	Dean	Weldon	Deeley Group Limited	There is an existing bus route and specific stops which pass through the Bermuda Park and stops immediately adjacent to the Hazell Way Industrial Estate and Bermuda Phoenix Community Centre. An access or connectivity to the estate from this point would allow a sustainable public transport link to the new site on an existing bus route.	Noted.
1.09	Dean	Weldon	Deeley Group Limited	As above, a connection with Hazell Way Industrial Estate and the Bermuda Connectivity Road would provide several opportunities to connect the site with the existing transport infrastructure (pedestrian & cycle paths, bus routes, train station) with minimal additional works required to the network. Again emphasising our ownership of Harefield Lane and we are keen to engage to integrate this well used public footpath into the development proposals.	Noted.
1.10	Dean	Weldon	Deeley Group Limited	The implementation of a new connection into the existing Bermuda Estate would allow for any new local centre on this edge of the development to provide additional facilities for the existing community as well as the new. We are also willing to engage over additional uses to be provided and whether the existing Hazell Way Estate is optimised in terms of use given the wider development proposals.	Noted.
2.01	Elizabeth	Boden	Historic England	Historic England welcomes that the built form design principles (p.58) include the requirement to ensure that the masterplan is responsive to the local context and heritage of Nuneaton.	Noted.
2.02	Elizabeth	Boden	Historic England	We also welcome references within the document to the historic environment, particularly within the "Character Narrative" at section 5. However, we note that the "Character Inspiration" text at 5.4.1 under 5.4 "Manors and Halls" repeats that of the text at 5.3.1 under 5.3 "Farmland Heritage".	Noted. Section 5.4.1, Character Inspiration, will be amended as follows: "The Farmland Heritage character area draws upon the farmstead buildings common within the agricultural land and countryside within and around the Arbury Estate. Within the site itself two farmsteads are also present. This character includes the informal and organic nature of the landscape and the simple built forms and colour palettes. The images below form the inspiration for the design themes underlying the Farmland Heritage character area. The Manor and Halls character area draws upon the range of grand historic buildings across Nuneaton and in particular Arbury Hall within the Arbury Estate itself. The character includes elevational approaches, architectural elements and materials that contribute to a sense of grandeur, similar to those exhibited on manors and halls. The images below form the inspiration for the design themes underlying the Manors and Halls character area."

2.03	Elizabeth	Boden	Historic England	Previously, in relation to the Nuneaton and Bedworth Borough Plan (2011-2031), Historic England welcomed the measures proposed to minimise harm from allocation HSG2 to the significance of the Grade I Arbury Hall, it's Grade II* Registered Park and Garden and associated heritage assets, and their settings. These measures encompassed a landscape buffer along the southwestern boundary of the allocation, towards the Arbury Estate, as shown on the HSG2 Concept Plan and included in Policy HSG2 at point 14. However, we note the lack of reference to this in the Arbury Design Guide SPD and consider that the 'Landscape Guiding Principles' (Section 2.1.2 p.22) should reference the need for a strong landscape buffer, to ensure sufficient separation in order to mitigate harm to the historic environment (potentially from lighting, incidental noise, traffic etc).	Agreed. Landscape Guiding Principles (Section 2.1.2 p.22) will be amended to add the following to the bullet points: " <u>Create a strong landscape buffer to the south and west of the site, to ensure sufficient separation in order to mitigate harm to the historic environment, e.g. from lighting, incidental noise, traffic, etc.</u> "
2.04	Elizabeth	Boden	Historic England	We are also pleased to see the requirement for street trees referenced at several points throughout the document, in line with the NPPF, as over time these will buffer views to Arbury Hall and the other heritage assets within the surrounding area.	Noted.
2.05	Elizabeth	Boden	Historic England	Historic England also notes that Policy HSG2 refers in its Key Development Principles to an "asset management plan for The Arbury Estate which includes measures to be taken and commitments to the repair and maintenance of the Park Farmhouse and the Tea House". These historic assets are both Grade II* Listed and are included on the 'Heritage at Risk' register and Historic England therefore looks forward to further discussion on the management of these heritage assets at risk as the Arbury strategic allocation progresses.	Noted.
3.01	Catherine	Townend	National Highways	We can advise that we have no comments to make.	Noted.
4.01	Sharon	Jenkins	Natural England	This SPD could consider making provision for Green Infrastructure (GI) within development. This should be in line with any GI strategy covering your area.	We have an Open Space and Green Infrastructure SPD which covers green infrastructure provision.
4.02	Sharon	Jenkins	Natural England	This SPD could consider incorporating features which are beneficial to wildlife within development, in line with paragraph 118 of the National Planning Policy Framework. You may wish to consider providing guidance on, for example, the level of bat roost or bird box provision within the built structure, or other measures to enhance biodiversity in the urban environment. An example of good practice includes the Exeter Residential Design Guide SPD, which advises (amongst other matters) a ratio of one nest/roost box per residential unit.	We have an Open Space and Green Infrastructure SPD which covers wildlife considerations.

4.03	Sharon	Jenkins	Natural England	<p>The SPD may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green infrastructure provision and access to and contact with nature. Landscape characterisation and townscape assessments, and associated sensitivity and capacity assessments provide tools for planners and developers to consider how new development might makes a positive contribution to the character and functions of the landscape through sensitive siting and good design and avoid unacceptable impacts.</p> <p>For example, it may be appropriate to seek that, where viable, trees should be of a species capable of growth to exceed building height and managed so to do, and where mature trees are retained on site, provision is made for succession planting so that new trees will be well established by the time mature trees die.</p>	We have an Open Space and Green Infrastructure SPD which covers these aspects of planning.
4.04	Sharon	Jenkins	Natural England	The NPPF includes a number of design principles which could be considered, including the impacts of lighting on landscape and biodiversity (para 180).	This is covered in the Open Space and Green Infrastrucutre SPD.
4.05	Sharon	Jenkins	Natural England	A SPD requires a Strategic Environmental Assessment only in exceptional circumstances as set out in the Planning Practice Guidance here. While SPDs are unlikely to give rise to likely significant effects on European Sites, they should be considered as a plan under the Habitats Regulations in the same way as any other plan or project. If your SPD requires a Strategic Environmental Assessment or Habitats Regulation Assessment, you are required to consult us at certain stages as set out in the Planning Practice Guidance.	A Strategic Environmental Assessment was undertaken as part of the adoption of the Borough Plan, which included the Arbury site.
5.01	Joseph	Cramphorn	Savills	1.1.1: Annex 2 of the NPPF sets out the definition of SPDs and what should be included in them. The SPD needs to be clear which policies contained within the adopted Nuneaton and Bedworth Borough Plan it is supplementary to.	The Design Code SPD specifically references Policy HSG2 of the Borough Plan at section 1.1.3.
5.02	Joseph	Cramphorn	Savills	1.4.2: We note that: 'It is anticipated that a planning condition would be included within any outline planning permission requiring that a subsequent Detailed Design Code for the new neighbourhood is approved prior to permission being granted for reserved matters applications.' This would require the parameters established by the outline application to be expanded in greater detail, however we note that in the diagram at the bottom of the page, the future detailed design code is stated as being 'required with any outline application'. We consider that it would be more beneficial for this to come prior to reserved matters rather than at outline, so that it is directly representative of the intentions of the developers of the scheme, so would ask that this is clarified for the final version.	<p>Agreed. Section 1.4.2, Future Design Codes, will be amended as follows: "It is anticipated that a planning condition would be included within any outline planning permission requiring that a subsequent Detailed Design Code for the new neighbourhood is approved prior to permission being granted for reserved matters applicationsA detailed design code for the new neighbourhood will be established as part of either a full or reserved matters application."</p> <p>"Role of this design code diagram" will also be amended as follows: "Future Detailed Design Code (required with any outlinefull or reserved matters application)"</p>
5.03	Joseph	Cramphorn	Savills	1.6: Guiding fundamentals require evidence and justification for prescription. The desire lines are undeliverable and not realistic if taking on board delivering workable development plots. Such detail should be removed from the code.	Desire lines are intended to guide future applications. There is no evidence to show that desire lines are undeliverable and unrealistic. It is reasonable for an applicant to justify alternative desire lines.

5.04	Joseph	Cramphorn	Savills	1.3.1: We support the principle of advisory coding principles. Mandatory coding principles undermine Section 38 (6) of the 2004 Planning and Compulsory Purchase Act, which relates to the primacy of Development Plans. The overall SPD requirement to “ensure the design character of Arbury” has not been tested at examination. We consider that the emphasis on coding principles should be amended to remove the requirement for them to be mandatory.	The development plan has primacy over the Design Code SPD, however the mandatory coding principles are supplementary to the development plan, and do not conflict with it, therefore it is appropriate that they are mandatory.
5.05	Joseph	Cramphorn	Savills	1.3.1: We seek a lesser emphasis on the document’s requirement for: “more “visionary” elements...”. Rather than it being essential, wording should reference that it: “should be explored”.	The site should contain visionary elements. This is considered appropriate given its release from the Green Belt.
5.06	Joseph	Cramphorn	Savills	2.2.1: We question whether any account has been taken of existing local provision, and how requirements in this SPD compare against what is required in Concept Plan SPD. The document mentions the green space is to be “economical” to maintain, however it is not clear what this means in reality, for example, in relation to the economics associated with an appointed management company	<p>Economical to maintain means that the green space should be able to be maintained in a practical way, e.g. with commercial landscape maintenance machinery. Green space design should exclude aspects such as unmowable slopes, wildflower meadows which require annual mowing, etc.</p> <p>Additionally, durability in design detail/materials should be considered, so that fencing for example does not decay quickly, e.g. when using low specification timber. Good quality boundaries in metal or brick have longevity that makes them economical to maintain for many years, which reduces the annual cost of repairs.</p> <p>High quality horticultural designs requiring labour intensive maintenance should be avoided also, as this would have a particularly high annual maintenance cost. This does not mean that the landscape design should be of low or poor quality, simply that the design should be pragmatic in terms of practicality and economics of maintenance.</p>
5.07	Joseph	Cramphorn	Savills	2.2.1: We note the minimum figures for each publicly accessible greenspace space typology. The requirement for 6.794ha per 1000 population appears very large, equating to 16.78 acres per 1000 population, which is significantly (280%) larger than the Six Acre Standard. Some concern that the areas indicated for some of the specific typologies may be skewed to be overly large by virtue of the significant scale of the site. For example, 0.89ha of allotments is a substantial area, which may not be the best use of this land if demand is not sufficient. We would request that some openness to flexibility around these figures be shown in the event that this is the case. The design code should consider the quality of open space as well as the quantity.	Noted. The Design Code offers guidance to how the development should be delivered, however an application can propose an alternative if it can be justified.
5.08	Joseph	Cramphorn	Savills	The overall area of open space designated within the HSG2 Arbury Concept Plan is approximately 25ha of the overall site area of 86ha. This therefore reduces the net developable area to 61 ha, meaning that 1,830 dwellings would be deliverable if 30 dwellings per hectare were brought forward on the 61ha of land. However this calculation is made even before any other constraints or non-residential provision such as a local centre and primary school has been provided. Consideration should also be given to the extent to which existing provision at nearby location such as Bermuda Lake, Stockingford Recreation Ground and Lingmoor Park.	The allocation is for 1,525, not 1,830, therefore there should be space to provide both the local centre and primary school. If it is considered that there is insufficient space to deliver the open space set out in the Design Code, this will need justifying at the application stage.

5.09	Joseph	Cramphorn	Savills	2.3.1: We object to a 100m buffer being required to Ensor's Pool. The document notes that further ecological work is required. Therefore, until this work has been undertaken it is premature to calculate the most appropriate buffer to Ensor's Pool.	This is a policy requirement of Policy HSG2 in the Borough Plan. Objections should have been made during the Examination in Public.
5.10	Joseph	Cramphorn	Savills	2.3.1: There are a number of aspirational requirements, of which there is no evidence for. For example, there is a requirement to provide green links to Heath End Farm Meadows and Bermuda claypits, but they are both only potential Local Wildlife Sites. Furthermore, the link between the two would cross one of the main access points into the site. It is not clear whether the requirements of this SPD match those set out in the Open Space SPD.	<p>Bermuda Claypits is a local wildlife site, not a potential local wildlife site.</p> <p>Increasing wildlife habitat and corridor connectivity is good practice, which will soon become further embedded in the planning process by the Nature Recovery Strategy enactment of the Environment Bill, in addition to changes to national agricultural policy.</p> <p>Additionally, the enactment of the Environment Bill will require biodiversity 10 % net gain, further increasing the need for habitat provision and enhancement.</p> <p>This link is also one of the key ecological links within the site, linking a series of local wildlife sites south of the access point to the SAC/SSSI/LWS at Ensors Pool, in addition to the other local wildlife sites.</p> <p>A main access point crossing the link does not preclude the retention and enhancement of an ecological link. The access point will simply mean that good design will be required to maximise the ability of wildlife to go above, across, and under the access point.</p> <p>Section 2.3.1, Ecological Features, will have the following bullet point added: "<u>Maximise the ability of wildlife to go above, across and under access points crossing green links</u>"</p>
5.11	Joseph	Cramphorn	Savills	2.3.2: Mature trees are not recognised in NPPF, therefore the Council must be clear how they are defined. Conversely veteran trees and ancient trees are defined in annex 2 of NPPF and it is these trees that we consider the Design Code should be seeking to protect.	<p>Mature trees are defined as follows: "A mature specimen with limited potential for any significant increase in size but with a reasonable safe useful life expectancy."</p> <p>The Design Code is correct in seeking to protect mature trees, in addition to veteran and ancient trees.</p>
5.12	Joseph	Cramphorn	Savills	2.3.2: This section notes that all retained hedgerows and associated trees are to be protected in accordance with BS5837:2012. We take this to mean that hedgerows and trees identified as being suitable for retention (following a BS5837:2012 standard tree survey and constraints plan) are to be protected. Whilst we support the retention of existing landscape and landform features wherever possible, the retention of all hedgerows, irrespective of their value, may be to the detriment of the creation of a high quality, cohesive development.	<p>Agreed. Text will be amended to state that species poor hedgerows do not necessarily have to be retained, as long as no net loss happens overall.</p> <p>If all new informal semi-natural hedgerows are species rich and no net loss occurs in length overall, then this would be suitable for the medium to long term.</p> <p>The only caveat to the above, is that if a very species poor hedgerow provided connectivity between one valued habitat and another, we'd recommend retention and enhancement / species diversification. In essence, the two factors to consider are species diversity and importance in habitat connectivity. Additionally, new species rich hedgerows should seek to create new and enhanced habitat connectivity.</p>

5.13	Joseph	Cramphorn	Savills	2.4.1: The Open Space SPD should be cross referenced in this section. We object to a requirement for at least one "circular" dual use cycle path around the park. It is not clear what the rationale is for this requirement is	The Open Space and Green Infrastructure SPD specifically includes the requirement for a circular dual use cycle path around the park. The justification for this is set out in the SPD, and is backed by NPPF and Borough Plan policies relating to health / health inequalities and active lifestyle promotion. In addition to the justification within the Open Space and Green Infrastructure SPD, a circular / oval loop path works well in park design terms, as it allows paths approaching from multiple entrance points to be linked to the range of park facilities, and therefore for the facilities to be joined to one another. A circular path also simplifies and rationalises the path network, rather than complicating it.
5.14	Joseph	Cramphorn	Savills	2.4.2: No consideration has been given to the main vehicular / cycle access in the South East corner of the site. The document should be amended to reflect provision of this access.	The proximity of the main vehicular access point should not cause any problems with the delivery of a community park, whilst the cycle access will fit in well with the community park.
5.15	Joseph	Cramphorn	Savills	2.4.2: We note the proposed location of a community park adjacent to Ensor's Pool and request flexibility over the location of this park if the design development process leads to a more suitable location elsewhere in the site and mitigation is still provided to Ensor's Pool.	If an alternative location is considered to be more suitable, this would need to be justified at the application stage.
5.16	Joseph	Cramphorn	Savills	2.4.3: Reference is made to the heritage status of the existing Coton Farm buildings and associated gardens, however it is not clear what heritage value they have, if any, and whether this status is supported by a suitable heritage assessment.	If it is not clear what heritage value the existing Coton Farm buildings and associated gardens have, this should be addressed through a heritage assessment at the application stage.
5.17	Joseph	Cramphorn	Savills	2.4.4: Sports pitch provision has not been mentioned. This should be considered as part of this document and factored in to the overall open space provision.	Policy HSG2 of the Borough Plan states that the site needs to deliver financial contributions towards sport and physical activity, it is not considered necessary to repeat this in a design code.
5.18	Joseph	Cramphorn	Savills	2.6.1: Existing drainage ditches should only be retained where appropriate. We acknowledge that drainage features should respect the site drainage patterns and seeks to protect, restore and enhance natural wet areas. However this is only justifiable where appropriate or the subject of detailed drainage reports. The document should be updated to reflect this.	Section 2.6.1, SUDS overview, will be amended as follows: "Existing drainage ditches across the site will be retained and enhanced <u>where appropriate</u> "
5.19	Joseph	Cramphorn	Savills	2.6.1: In relation to ASUDS, it should be noted that although we fully support the idea of ensuring a permanent level of water from a design and landscape perspective, this will be subject to detailed technical guidance from drainage consultants regarding deliverability.	Noted.

5.20	Joseph	Cramphorn	Savills	<p>2.6.2: The SPD should clarify whether the Council intend to manage open spaces. Reference is made to mitigating pressures for recreational swimming and providing pond dipping opportunities. It should be evidenced what the rationale is for making provision for this and encouraging it whilst seeking to buffer the pool from development?</p>	<p>Management of open spaces will be considered during the application stage, however we would be keen to adopt the required community park and other areas adjoining Ensors Pool / Bermuda Claypits, along with any local park play provision required. We may also wish to adopt other key recreational and ecological corridors.</p> <p>The reference to recreational swimming and pond dipping is a mistake, and should be a reference to fishing. This is in order to relieve fishing around Ensors Pool local wildlife site.</p> <p>Section 2.6.2, ASUDS, will be amended as follows: "To mitigate the recreational pressures of swimmingfishing at Ensor's Pool, creation of features which are permanently wet are encouraged to allow for pond-dippingfishing outside of Ensors Pool. Where such features are provided a timber decked area should be provided to enhance visitor experience, along with signage and lifebelts."</p>
5.21	Joseph	Cramphorn	Savills	<p>2.7.1: The proposed requirement for allotments seems quite large and without any clear evidence of need. It is not clear where the justification for this level of allotment provision comes from, and how allotments provided are proposed to be managed. We request clarity on these points.</p>	<p>We do not agree that anticipating 20 households out of 1,000 households needing an allotment plot is excessive.</p> <p>The requirement for plots is set out in our adopted Allotment Strategy, which in turn comes from the most current, nationally recognised and referenced standard for allotment provision, The National Society of Allotment and Leisure Gardeners' minimum standard of 20 plots per 1,000 households. The standard is also included in the Open Space and Green Infrastructure SPD, which gives further details on the requirements.</p> <p>Some local authority allotment strategies reference the 1969 Thorpe Report, however this was produced at a time of significantly declining allotment demand and usage, and suggested a minimum of 15 plots per 1,000 households. Since this time, it is estimated that some 30 % of the then available allotment land has been lost irrevocably. Hence, the National Society of Allotment and Leisure Gardeners currently recommends that the irreducible minimum provision today should be 20 standard (300 sq yd) plots per 1,000 households.</p> <p>Allotment occupancy and demand was on a longstanding upward trend nationally, pre-COVID, and has typically accelerated during that time.</p> <p>In terms of management, we would be willing to adopt the allotment site, and would usually then lease such a site to the Nuneaton Allotment Federation. The federation would then sub-lease the site to an individual allotment association, once one was established through adequate membership, with suitable governance structure, documentation and</p>
5.22	Joseph	Cramphorn	Savills	<p>2.9.1: Pocket parks should be careful designed to ensure they are appropriate for quiet residential streets.</p>	<p>Noted.</p>
5.23	Joseph	Cramphorn	Savills	<p>2.9.2: Meanwhile uses are not appropriate for all developments. They need to be well planned and maintained.</p>	<p>Noted.</p>

5.24	Joseph	Cramphorn	Savills	2.11.1: A 10% gain is not in required by policies in the adopted plan, and therefore not justified. It is not appropriate to bring forward such policy in an SPD, as SPD's cannot bring forward new policies.	The 10 % net gain will be enforceable once the Environment Act is enacted. Section 2.11.1, Net Gain, will be amended as follows: "A net biodiversity gain of 10% must be achieved for the whole development <u>once this requirement is enacted by the Environment Act</u> "
5.25	Joseph	Cramphorn	Savills	2.12.2: The requirement for public art should be removed. Policy ENV 30 was not saved or replaced – so there is no public art policy in the adopted Borough Plan. We consider that the arts and heritage reference associated with the planned investment in the Tea House and Parkhouse Farm to be sufficient.	Public art will add value to the site, however the text will be amended to state that this is aspirational rather than a requirement. Section 2.12.2, Public Art, will be amended as follows: "The public art must should be integral to the Arbury masterplan, helping create a sense of place and a distinct identity. In conjunction with the local authority, a Public Art Strategy for the site must should be developed alongside future applications"
5.26	Joseph	Cramphorn	Savills	3.1.3: We note and agree the importance of not taking vehicle access from, or nearby North Drive, such that it would detract from its prominence. Consideration will however be needed to the treatment of pedestrian connections, given the existing public right of way that crosses North Drive into the site.	Noted.
5.27	Joseph	Cramphorn	Savills	3.3.1: We agree with the principles of the design code which states that: 'Where leisure routes and pedestrian / cycle routes within green corridors cross primary and secondary vehicular routes these transition points and crossings must maintain the character of the green corridors continuing across the intersections. Pedestrian / cycle movements should be given priority over vehicle traffic at this point' we note that there may be challenges in agreeing this with County Council highways team. It would be useful to understand if this has been discussed and agreed with them.	Warwickshire County Council's Highways team fed into the drafting of the Design Code.
5.28	Joseph	Cramphorn	Savills	3.2.6: There is a requirement identified for a detailed street tree strategy and agreement to tree species at application stage. Clarity required regarding what stage of the planning process this will be required. Suggest reserved matters is most appropriate.	Agreed. Section 3.2.6, Street Trees, will be amended as follows: "Developers must include a detailed street tree strategy at <u>reserved matters</u> application stage which outlines the relationship of street trees to services and a maintenance strategy"
5.29	Joseph	Cramphorn	Savills	3.3.4 Reference is made to reflecting local context. We note and agree the need for incorporation and consideration of impacts upon Centenary Way by new development However there may be a need for flexibility for this approach in terms of its alignment should the design process suggest that backing onto adjacent development to the north would be most beneficial (reducing number of roads, creating a soft and defensible boundary to north etc).	Noted.
5.30	Joseph	Cramphorn	Savills	3.4.4: requirement for electric charging points need to be considered in relation to housebuilders' acceptance of these standards.	Noted.
5.31	Joseph	Cramphorn	Savills	4.1.1: What is local context? – it is mixed and there is not a single local vernacular.	Any application for the site should include an assessment of the local context.

5.32	Joseph	Cramphorn	Savills	4.2.1: Note comment regarding: 'Rear court parking must be minimised with on-street and side of property parking preferred'. This may be challenging in parts of the development, given the lack of direct access to any dwellings along the primary street types and along parts of the secondary streets (where bus routes are provided). Opportunities may exist to provide mews type streets with overlooking properties integrated with some rear parking to achieve overall design aspirations.	Noted. Any deviation from the Design Code can be proposed at the application stage.
5.33	Joseph	Cramphorn	Savills	4.3.1: We request clarification on how the Council intends for this to sit alongside the diagonal cycle / pedestrian connection (see page 7 of the design code). There seems to be a conflict between provision of both.	Perimeter / back-to-back block types would not need to conflict with the diagonal cycle/pedestrian connection, as the connection is a conceptual indication of the direction that a cycle/pedestrian connection needs to take, rather than being a definitive route which must be adhered to.
5.34	Joseph	Cramphorn	Savills	4.3.4: We note that the use of apartment block typologies to wrap a perimeter will be subject to local needs assessment. Terraced house types could however, be utilised to provide the same result.	Noted.
5.35	Joseph	Cramphorn	Savills	4.5.2: We support the principles set out in terms of Building Heights, Marker Buildings, Gateways and Marker Buildings at intersections.	Noted.
5.36	Joseph	Cramphorn	Savills	4.6.1: In terms of back to edge conditions, it is noted that: 'The general approach is to close existing 'open' back gardens of properties by abutting the backs of new properties against them to improve security and privacy.' We agree this principle, but note the potential conflict with the re-provision of Centenary Way along the existing alignment. We therefore request flexibility in the approach as set out above, subject to the design development process.	Noted.
5.37	Joseph	Cramphorn	Savills	4.7.1: This section mentions 'design to achieve Building for a Healthy Life 12 Accreditation'. Will this require formal assessment? A suggested approach is the inclusion of a self-assessment within the design and access statement at the outline application stage and formal assessment at reserved matters if so.	A self-assessment will be sufficient.
5.38	Joseph	Cramphorn	Savills	4.7.2: This section covers affordable housing. Although we recognise the benefit of pepper potting and small clusters in delivering diverse and inclusive communities, this approach is not always popular with social housing providers for operational reasons. Therefore some flexibility may be required whilst delivering the same overall aims.	Clusters are set out in the Affordable Housing SPD as this is what we have found is required by social housing providers.
5.39	Joseph	Cramphorn	Savills	4.7.3: No allowance is made for three storey townhouses – this should be considered as a potential option.	We do not consider three storey townhouses appropriate for the site.
5.40	Joseph	Cramphorn	Savills	4.7.7: Is it appropriate to reference the vernacular of Arbury Hall as a "local built form reference"?	Yes.
5.41	Joseph	Cramphorn	Savills	4.8.1: National Space Standards need to be reviewed against housebuilders' standards to ensure that this does not preclude standard house types. Many of the example schemes are from more affluent housing markets and viability will need to be considered in tandem with the design aspirations.	National Space Standards are a requirement of the Sustainable Design and Construction SPD. Additionally, the space standards are set out as a minimum, therefore we consider these are reasonable to request.

5.42	Joseph	Cramphorn	Savills	4.8.5: Secured by design states 'Applications are to include a statement demonstrating where the principles of Secured by Design have been incorporated into the design.' We assume that a self-assessment relative to the key principles will be sufficient at outline application stage.	Yes, a self-assessment will be sufficient.
5.43	Joseph	Cramphorn	Savills	4.8.4: Reference is made to certain roof pitches and orientation. Optimal roof pitches, separation distances and dwelling orientation is not always possible or appropriate to deliver for every dwelling.	Noted. If alternative roof pitches and orientation are considered necessary, this will need to be justified at the application stage.
5.44	Joseph	Cramphorn	Savills	4.9.1: Reference is made to density being "in accordance with the SPD" We seek clarification on whether this is in reference to the Arbury Concept Plan SPD?	Yes, it is in reference to the HSG2 Concept Plan SPD.
5.45	Joseph	Cramphorn	Savills	4.9.2: There is a requirement for: "minimum 75% of homes to have dedicated 2x2m working space". What evidence is this requirement based on and has consideration been given as to how this can be achieved in the smaller house types?	Text will be changed from "Minimum 75 % of homes to have dedicated 2m2 working space with natural light and ventilation" to "Where possible, homes to have dedicated 2m2 working space with natural light and ventilation".
5.46	Joseph	Cramphorn	Savills	4.10.3: The location of the local centre should take account of existing community and facilities available. The text of this section is written as though the local centre comes before the school. It is highly likely the school will come first. The text should be amended to reflect this.	The text is not written as though the local centre should be delivered before the school.
5.47	Joseph	Cramphorn	Savills	4.11.1: We support consideration of viability in the formulation of parking typologies	Noted.
5.48	Joseph	Cramphorn	Savills	4.11.1: This section relates to parking and the built form states: 'Bus travel, walking and cycling must be the priority modes of travel; this must be reflected in the amount of parking provision'. This statement is agreed with, however it is suggested that the parking standards identified conflict with this statement.	The parking standards do not conflict with this statement, as they are based on evidenced needs. This does not preclude the priority modes of travel being bus travel, walking and cycling.
5.49	Joseph	Cramphorn	Savills	4.11.2: There is a requirement for a 6 metre set back from highway for garages. It is not clear where this requirement has come from. We understand that the average length of a car is circa 4.7m and therefore 5m could be an acceptable length for some driveways.	6m allows for garage doors to be opened with a car on the driveway, and for some larger cars with tow brackets to still sit within the private drive and not present an obstruction to the partially sighted who could be walking on the footway.
5.50	Joseph	Cramphorn	Savills	5.1: We welcome the concept of utilising heritage as the prevailing narrative for the creation of character areas, however we note that some flexibility in turn may be required subject to the detailed contextual analysis and heritage assessment that will take place to inform the development of the design.	Noted.
5.51	Joseph	Cramphorn	Savills	5.1.1: The document refers to the "character of Nuneaton" – what is this? It is not clear how heritage of the area is required to be brought through in the design of modern housing.	Warwickshire County Council's Historic Environment Record produced a historic character assessment for Nuneaton, which can be used to understand the character of Nuneaton. This is available on request from the Historic Environment Record.
5.52	Joseph	Cramphorn	Savills	5.1.1: Why is the site required to consider Nuneaton Town Centre? The site is suburban in nature and not a major town centre context.	Nuneaton town centre provides the best examples of buildings which have designs which are specific to Nuneaton, namely buildings designed by Reginald Stanley, who had a considerable influence on architecture within the borough.
5.53	Joseph	Cramphorn	Savills	5.1.1 Why is the site required to consider Ansley Common? It is located 4km away from the site.	Ansley Common provides local context in relation to architectural design of houses, therefore this should be considered.
5.54	Joseph	Cramphorn	Savills	5.1.1 Coton Farm is listed as being a heritage asset, but it is not as far as we are aware. The document should be updated to reflect the correct status of Coton Farm.	Coton Farm is a heritage asset, and this is set out in the Heritage Assessment (2016), which forms part of the evidence base of the Borough Plan.

5.55	Joseph	Cramphorn	Savills	5.2.1: The document states in relation to industrial heritage that: "The principles of the character should be weaved through the site, in particular considering marker and gateway buildings within the site". It is not clear how this should be delivered by development?	The delivery of this should be set out at the application stage.
5.56	Joseph	Cramphorn	Savills	5.2.1: This section is related to industrial heritage. Delivery of the principle of 'tall elements articulate the skyline' to be subject to the Heritage and landscape impact assessment process.	Noted.
5.57	Joseph	Cramphorn	Savills	5.6.1: The document states that: "architecture in Nuneaton's town centre should be drawn upon to develop the architectural character and response within the local centre and immediate surrounds." It is unclear what the rationale for this requirement is and is not supported.	Nuneaton town centre provides the most distinctive architecture in the borough, therefore it should be used to inform future developments in order to create places which have a local identity. For example, buildings built by Reginald Stanley have a strong local identity, and can be used to influence the design of new buildings so that they reflect the specific characteristics of Nuneaton.
5.58	Joseph	Cramphorn	Savills	5.7.1: The document states that: "Specific material palettes are not prescribed within this code." We support this.	Noted.
5.59	Joseph	Cramphorn	Savills	The design guide should be broad on what specific access points have been selected. The Borough Plan sets out a range, but they are yet to be confirmed and or refined.	The final decision on access points will be made at application stage in consultation with Warwickshire County Council's Highways team.
5.60	Joseph	Cramphorn	Savills	The design code includes the following text when discussing a primary street: "key function of the primary road is to alleviate traffic on the existing network and provide connectivity through the site to the A444." This wording should be adjusted to state: "The primary function of this street type is vehicle movement". The current wording presents the road as being a by-pass road rather than a residential street.	Section 3.2.1, Primary Street, will be amended as follows: " A key function of the primary road is to alleviate traffic on the existing network and provide connectivity through the site towards the A444. <u>The primary function of this street type is vehicle movement of all types and providing an appropriate standard to facilitate future connectivity between Heath End Road and the A444.</u> "
5.61	Joseph	Cramphorn	Savills	Reference is made at page 52 to a requirement for the provision of a "Neighbourhood Path" to be 3m with a 1.5m grass verge either side. This adds up to 6m, but is listed as 5.5m on the Arbury design code so should be amended to reflect this.	Section 3.3.2, Accessible Green Network Paths, will be amended as follows under the key design requirements: "A 1.5m grass verge is required on either side of a neighbourhood path providing an overall width of 5.5m "

5.62	Joseph	Cramphorn	Savills	<p>A strategic path is listed as having a 2m additional footway and 2m grass verge either side, adding to a total of 8m. This seems excessive when government cycle infrastructure guidance (LTN1/20) indicates a requirement for 3m (less than 300 users per hour) or 4m if more users are expected. The guide should be clear where the requirement for extra verge has come from, or remove it. It should be noted that access to the site will likely link to standard, comparatively narrower existing carriageway, consideration should be given for how this will be delivered in practice. Our concern on the path widths that have been put forward is that no consideration has been given to the impact that these could have on the overall delivery of housing numbers on the site which could in turn have significant implications for the site-wide viability.</p>	<p>Verges are helpful, i.e. between the carriageway and cycleway they provide a margin to protect cyclists from traffic; allow two cyclists to pass/overtake; protect cyclists from opening vehicle doors; provide somewhere for cyclists to dismount or use to avoid pedestrians if necessary; and ensure pedestrian dropped kerbs don't encroach into the cycle lane.</p> <p>Warwickshire County Council's minimum separation accepted is 1 m, therefore the verges can be 1 m rather than 2 m.</p> <p>In view of LTN1/20, Warwickshire County Council seek segregated cycle/footway routes along strategic cycling routes, where a 3 m cycle and 2 m footway would be the norm, with a verge in place to reflect the speed limit. Therefore, along a 30/40 mph road this would mean a 6 m overall width, rather than the 8 m originally set out in the document.</p> <p>Section 3.3.2, Accessible Green Network Paths, will be amended as follows to take account of both of these points: "A <u>2</u>1m grass verge is required on either side of the path therefore providing an overall path width of <u>8</u>6m"</p> <p>A clear hierarchy for pedestrians and cyclists will need to be agreed for the development at the application stage.</p>
5.63	Joseph	Cramphorn	Savills	<p>The design guide should be amended to make reference to the adopted Transport Demand Matters – Parking Standards SPD. Reference is made in this document to parking standards being required to be seen as a starting point for determining parking space provision for new developments. It goes onto state that the advice of Warwickshire County Council, as the relevant highway and transport authority for the Borough, and if necessary Highways England (responsible for the strategic road network) will inform judgments on the acceptability of the proposed amount of car parking, particularly in relation to meeting 15% modal shift target as specified in Policy HS2. Reference should be made to this within the design code to ensure a suitable level of flexibility.</p>	<p>The Parking Standards SPD is referred to at 3.4.1.</p>
5.64	Joseph	Cramphorn	Savills	<p>There are slight discrepancies in the figures provided as parking standards in the Arbury design code and WCC highways Design guidance. The minimum standards for a single car parking space is 2.5m x 5m, compared to 2.5m x 5.5m in the WCC guidance. For single garages there is a variation between the 3.5m x 5.5m sizing proposed in the Arbury design guide and 3.5m x 6m set out in the Warwickshire highways design guidance. We consider that the document should comply with adopted Warwickshire design guidance.</p>	<p>The Design Code used the Parking Standards SPD when drafting the document, however the Warwickshire Design Guide has now superseded the Parking Standards SPD in these respects, therefore the document will be updated in line with the Warwickshire Design Guide.</p> <p>Section 3.4.2, Parking Space Sizes, will be amended as follows: "Standard car parking spaces will be a minimum of 2.5m x <u>5.5</u>m" and "A garage or carport should be minimum 3.5m wide and <u>5.5</u>6m long"</p>

6.01	Rajvir	Bahey	Sport England	<p>Landscape Guiding Principles</p> <p>Sport England are supportive of the principles set out with it reflecting a number of elements of Sport England's Active Design Guidance</p> <p>The developments set out for the provision of a network of functional open spaces and corridors, which are safe, well connected and offers the opportunity for informal physical activity.</p>	Noted.				
6.02	Rajvir	Bahey	Sport England	<p>Parks and Greenspace Provision</p> <p>The document sets out the open space requirements for the site based on the Open Space SPD.</p> <p>Sport England seeks clarity as to whether the land for active recreation typology excludes playing pitches, which the LPA have previously highlighted would be the case.</p> <p>Suggested alternation: Clarity that sports provision doesn't form part of the open space typologies.</p>	Provision of formal/organised sport does not form part of the open space typologies, or as it is referred to in the design code, the active recreation typology.				
6.03	Rajvir	Bahey	Sport England	<p>Sustainable Transport</p> <p>Sport England are supportive of the principles set out with it reflecting a number of elements of Sport England's Active Design Guidance, namely Walkable communities; Connected walking & cycling routes; and Appropriate infrastructure.</p>	Noted.				
6.04	Rajvir	Bahey	Sport England	<p>Community Facilities</p> <p>Sport England are supportive of the principles set out with it reflecting elements of Sport England's Active Design Guidance, namely Co-location of community facilities.</p>	Noted.				
7.01	Wendy	Bannerman	The British Horse Society	<p>New development plans provide opportunities to improve and extend the bridleway and byway network for the shared enjoyment of equestrians, cyclists and pedestrians. The Landscape Guiding Principles in section 2.1.2 emphasise provision for 'people of all ages', encouraging 'active recreation' and 'inclusivity' however only cycling and walking are included in the design code. 'Horse riding induces physiologically positive effects such as muscle strength, balance...and psychologically positive changes' (Sung et al, 2015). According to BETA two-thirds of equestrians are women and Church et al (2010) found 37% of women who are horse riders are over 45 years of age and over a third would pursue no other physical activity. The therapeutic and physical benefits of horse riding and carriage driving have been proven for people with disabilities (Favali and Milton, 2010).</p>	There is not sufficient evidence to show that this change is necessary. However engagement at application stage is recommended.				

7.02	Wendy	Bannerman	The British Horse Society	Horse riding is included in the Active Travel definition. Jesse Norman MP, Parliamentary Under –Secretary of State for Transport in a House of Commons debate on Road Safety, 5 November 2018 (1) stated: “We should be clear that the cycling and walking strategy may have that name but is absolutely targeted at vulnerable road users, including horse-riders.....Horse riders are vulnerable road users—there is no doubt about that, and there never has been—and they have been included in the work we are doing.”	Noted.
7.03	Wendy	Bannerman	The British Horse Society	Policy 2.1.2 highlights walkers and cyclists however there is a missed opportunity here to share routes with equestrians to avoid horses and riders/handlers being forced to be sandwiched between fast moving MPV traffic on the roads and cyclists on cycling/walking routes. Designing equestrians into development plans will enhance equestrian access and activity, reaping benefits for safety, health and wellbeing. Likewise, section 2.5 on Accessible Green Network Corridors includes pedestrians and cyclists but makes no mention of equestrians who could share the access. There are many successful examples of shared/ multi-user/non MPV routes for example the Lias Line in Warwickshire and the Monsal Trail in Derbyshire.	There is not sufficient evidence to show that this change is necessary. However engagement at application stage is recommended.
7.04	Wendy	Bannerman	The British Horse Society	Section 3.1 on Access again includes pedestrians and cyclists but not equestrians explicitly. Riders from local livery yards use the network of, currently, quiet lanes in the vicinity but as there will be an increase in motorised traffic in the area, equestrians, as vulnerable road users, should be afforded safe access also via shared off-road paths and maintained verges for refuge, for example. The hierarchy of road users in the revisions to the Highway Code equate horse riders/carriage drivers and cyclists, therefore equestrians must be considered in this design code and the development proposals in future.	There is not sufficient evidence to show that this change is necessary. However engagement at application stage is recommended.
7.05	Wendy	Bannerman	The British Horse Society	Section 3.3 identifies the need for ‘leisure routes’ although should include equestrians as well as pedestrians and cyclists, the majority of whom will be moving for leisure. The principles include ‘priority’ for pedestrians and cyclists, however, the Highway Code revisions mentioned above should be adhered to and equestrians included here. Both the neighbourhood and strategic path concepts have sufficient width and variety of surface material to include horses. Enhancement to PRoW suggested could be upgrading to Public Bridleway to be inclusive of equestrians, cyclists, pedestrians, motorised wheelchair users and mobility scooter users.	There is not sufficient evidence to show that this change is necessary. However engagement at application stage is recommended.
7.06	Wendy	Bannerman	The British Horse Society	Cycle crossings referred to in 3.3.5 should be inclusive of equestrians through the instalment of a light control button set back 4m from the road and raised to an appropriate height for horse riders to reach when mounted.	There is not sufficient evidence to show that this change is necessary. However engagement at application stage is recommended.
8.01	Melanie	Lindsley	The Coal Authority	I can confirm that the Planning team at the Coal Authority have no specific comments to make on this consultation document.	Noted.

9.01	Dan	Lamb	Warwickshire County Council (Flood Risk Management)	<p>Section 2.6 – SUDS / ASUDS</p> <p>1. We recommend reference to the drainage hierarchy for managing surface water runoff from the development. This includes the re-use and infiltration of water before consideration is given to discharge to watercourses. These are considered more sustainable options for water management and recommend they form part of the set of principles.</p> <p>2. We support the principle of using a variety of SuDS features across the development. We recommend strengthening this principle by adding that water will be stored throughout the site for the benefit of water quality, amenity and biodiversity. This approach also spreads the attenuation requirement across the development and reducing the risk of undesirable deep storage features.</p> <p>3. In the key principles for ASUDS, no reference is made to the depth of SUDS features. Ponds/basins/swales etc should be designed to be shallow features so that their benefits to amenity and biodiversity can be maximised. Furthermore this limits the likelihood of any undesirable fencing or need for life-saving devices.</p>	<p>1. Agreed. Section 2.6.1, SUDS overview, and section 2.6.2, ASUDS, will be amended as follows to add bullet points stating: "<u>The drainage hierarchy for managing surface water runoff should be used, considering re-use and infiltration of water before consideration is given to discharge to watercourses</u>"</p> <p>2. Noted.</p> <p>3. The depth of ASUDS will be established at the application stage. Section 2.6.2, ASUDS will be amended to add a bullet point under the key principles stating: "<u>The depth of ASUDS needs to be agreed at the application stage</u>"</p>
9.02	Dan	Lamb	Warwickshire County Council (Flood Risk Management)	<p>Section 3.2 – Street Types</p> <p>4. We would encourage the use of green and blue infrastructure within the street environment. Features such as tree pits, rain gardens, over-the-edge drainage, 'gapped' kerbs etc can be effective at managing runoff arising from the highway/footway and also be effective at treating pollutants from such surfaces. As such we would welcome a strengthening of the principles set out in this section.</p> <p>5. Permeable paving should be considered for shared parking areas and other non-WCC adopted surfaces. Whilst this is referenced in Section 2.6, it may also be appropriate to reference this in Section 3.2.</p>	<p>4. Noted.</p> <p>5. Reference in section 3.2 would require repetition for each street type, so we feel section 2.6 is more appropriate, however we acknowledge the importance of permeable paving.</p>
9.03	Dan	Lamb	Warwickshire County Council (Flood Risk Management)	<p>Section 4.7.8 – Mixed-use block</p> <p>6. Similarly to point 5 above, permeable paving should be considered for shared parking areas, in this case within the local centre and other non-residential aspects. We would welcome a point to this effect within Section 4.7.8 (or similar section).</p>	<p>6. We consider that the reference at 3.2 within the design code is more appropriate, as section 4.7.8 relates to the building itself, rather than its surroundings.</p>

10.01	Janet	Neale	Warwickshire County Council (Strategic Growth and Infrastructure)	<p>In respect of Electric Vehicle Charging points -</p> <ul style="list-style-type: none"> 1 charger per allocated space - if this includes driveways I can't imagine we are asking them to provide 2 charge points in the case of double driveways? - for allocated spaces that don't take the form of a traditional drive, how will charging points be provided? We can't have cables trailing over the footway. - will a proper charge point be provided or just a 3 pin plug? <p>unallocated spaces</p> <p>1 per 10 spaces - we know from our initial investigations concerning the on street trial that this is unlikely to be enough,.</p> <ul style="list-style-type: none"> - method of charging provision? - option to create a charging hub in the development? <p>Cabling for future provision</p> <p>To what extent is this required - how many - to unallocated parking?</p>	Electric vehicle charging points are covered in more detail in our Parking Standards SPD. Detailed design in relation to charging points will be considered at the application stage.
10.02	Janet	Neale	Warwickshire County Council (Strategic Growth and Infrastructure)	2.4.4 states 'including wheelchairs' which provides a very narrow view of what a disability can be and what inclusive design is about. This needs to be broadened. A walkway that is suitable for wheelchairs can, for example, be unsuitable for someone reliant on a stick etc.	Section 2.4.4, Active Recreation, will be amended as follows under the second bullet point: "Measured pathways and routes, including for wheelchairs people with various types of disabilities , potentially providing the opportunity for Park Runs and charity events
10.03	Janet	Neale	Warwickshire County Council (Strategic Growth and Infrastructure)	2.7.1 – some allotments should be accessible.	Noted.
10.04	Janet	Neale	Warwickshire County Council (Strategic Growth and Infrastructure)	2.7.2 community gardens should be accessible and culturally inclusive	Noted.
10.05	Janet	Neale	Warwickshire County Council (Strategic Growth and Infrastructure)	2.10.1 there should be restrictions on how steeply sloped/ terraced private gardens can be. I have seen some shockers! Which become completely unusable to people with any frailties, or physical disabilities, and not great for anyone else, costing significant amounts to landscape into anything remotely useable.	How steeply sloped private gardens are, or the use of terracing, depends on the constraints of the site, and in some instances, this is necessary.
10.06	Janet	Neale	Warwickshire County Council (Strategic Growth and Infrastructure)	3.2.5 good to see reference to car free streets as something to be considered. This is hard to make successful as an approach on it's own – but can work very well as part of a wider community ethos e.g. it works well at the Community Led Housing scheme at Marmalade Lane in Cambridge. Inclusion of CLH can also help achieve other outcomes e.g. accessible housing, housing for families with SEND, PD, multigenerational housing etc.	Noted.

10.07	Janet	Neale	Warwickshire County Council (Strategic Growth and Infrastructure)	4.1.1. are there any limits on how many affordable / social rent homes/ private can be clustered together to ensure tenures are integrated? 4.7.2 states 'generally small clusters of no more than 10 to 15' but this is quite vague. A proportional amount would be clearer, with a max and min number. E.g. can any areas of site be delivered with no affordable? This should be avoided. Local needs for 5+ bed affordable houses should be considered and 5 beds shouldn't only be delivered for the luxury market.	The Affordable Housing SPD sets out specific limits on clusters depending on the size of the application site. In relation to whether any areas of the site can be delivered with no affordable housing, this will only be allowed where the application is for 14 dwellings or less, as set out in the Borough Plan. With regard to 5+ bed affordable houses, the housing mix for these is set out in the Affordable Housing SPD.
10.08	Janet	Neale	Warwickshire County Council (Strategic Growth and Infrastructure)	4.8.5 Good secure by design section but this should also include night time safety as a specific consideration.	As night time safety is a consideration of Secured by Design, this aspect is already covered.
10.09	Janet	Neale	Warwickshire County Council (Strategic Growth and Infrastructure)	4.9.2 good to see inclusion of workspace in the high density living section – this should also include natural light and ventilation too.	Natural light and ventilation requirements are set out in our Sustainable Design and Construction SPD.
10.10	Janet	Neale	Warwickshire County Council (Strategic Growth and Infrastructure)	Having some sections as advisory only gives significant opportunity for the brief to be watered down. Some threshold on the advisories would be interesting, to ensure the right balance between VfM and design standards. 50% of the advisory guidance overall must be met but the developed can apply this to achieve best value (I'm not suggesting 50% is the appropriate level – that would need more careful consideration).	The Design Code cannot prescribe a percentage that must be met.
10.11	Janet	Neale	Warwickshire County Council (Strategic Growth and Infrastructure)	4.10.1 Community facilities and Primary school need to be DDA compliant and have disabled parking. Consideration for clinical space/ elbow operated taps etc. should be considered for Community centre and discussed with CCG colleagues. Community centre should provide a range of flexible use spaces, e.g. small meeting rooms, large hall, kitchen, etc.	Noted.
10.12	Janet	Neale	Warwickshire County Council (Strategic Growth and Infrastructure)	4.11.1 clusters of older peoples housing (e.g. extra care scheme/ sheltered housing should include a designated ambulance/ minibus parking space close to the entrance. Also electric scooter charging facilities.	This will be decided upon by Warwickshire County Council's Highways team at the application stage.
10.13	Janet	Neale	Warwickshire County Council (Strategic Growth and Infrastructure)	The picture depicting local wayfinding (page 53), falls a long way short of 'accessible wayfinding'. It needs to be clear, unobstructed, clean, unambiguous etc.	Noted.
10.14	Janet	Neale	Warwickshire County Council (Strategic Growth and Infrastructure)	I can't see any reference to requirements of older people's housing/ specialist housing/ care.	This will be achieved through the housing mix set out in the Borough Plan.

11.01	Jonathan	Gibson	<p>PG 7:1.1.6 - HSG2 CONCEPT PLAN SPD</p> <p>Please find attached letter outlining changes to planned housing proposals.</p> <p>1) Landscape buffer to be added behind 394 to 420 Heath End Road or 2) Allotment to be added behind 394 to 420 Heath End Road 3) Much more in depth housing plan as regards proposed street layout and type of property to be built (e.g 3 storey flat or social housing) as well as direction of housing and proposed garden locations.</p> <p>It may be a well designed Design Code SPD but I feel it does not take into consideration the horrendous amount of traffic there already is and will be by the end of this development and I feel this planned solution will have a massively detrimental effect on both traffic volumes, road surfaces and house prices in the area. I believe this will have the reverse effect of the building work and actually force people out of the town.</p>	<p>The Concept Plan is an adopted document, and is not the subject of this consultation.</p> <p>The Borough Plan has already considered the effect of traffic from the site through a Strategic Transport Assessment, which showed that traffic volumes will be acceptable.</p>
11.02	Jonathan	Gibson	<p>I am writing regarding the 3,000 houses due to be built behind my house. I live on Heath End Road, which is already a very busy road and where the road surface and noise pollution is terrible.</p>	<p>The site is allocated for 1,525 houses, not 3,000.</p>
11.03	Jonathan	Gibson	<p>Although the proposed houses will probably go ahead, I feel the proposed distance for the new development from the back of our property is far too close. I feel the proposed cycle path is a security issue as we have a very low wall at the bottom of our garden to enjoy the current views.</p>	<p>Noted.</p>
11.04	Jonathan	Gibson	<p>The current proposals have a landscape buffer around the section of new housing which will back onto fields. I feel this a very bizarre thing to have and ask whether it would be possible to have the landscape buffer all around the new development? This is because the sole reason we moved here was because of the views. Although you will probably say we do not own the views, it is a massive determining factor in the house price and had we known that this development would be built, we would not have bought the house.</p>	<p>The landscape buffer is designed to protect the setting of the listed buildings at Arbury Hall.</p> <p>In relation to whether the landscape buffer can be amended to extend around all of the new development, the Concept Plan is an adopted document, and is not the subject of this consultation.</p>
11.05	Jonathan	Gibson	<p>If this is not possible to add the landscape buffer, another option we would be ok with is to have the allotments that currently go behind Atholl Crescent to be spread across all of the houses that currently back onto the Arbury Hall fields.</p>	<p>The proposed size of the allotments do not need to be increased, however the Concept Plan is an adopted document, and is not the subject of this consultation.</p>
11.06	Jonathan	Gibson	<p>All of the other houses that currently back onto the fields have either a landscape buffer or allotments placed behind the houses. I would like to know why the section we live in has not had this same consideration?</p>	<p>The Concept Plan gives a conceptual idea of how the site should be brought forward, it is not definitive, therefore a landscape buffer could be proposed at the application stage.</p>

11.07	Jonathan	Gibson		<p>There is also the issue of traffic and road surface of Heath End Road. The road has gridlock traffic 80 percent of the time as it is and council traffic meters have been recorded during school holidays when there is less traffic giving a drastically false reading. Due to the amount of heavy haulage that drives past our house, the house shakes when articulated lorries drive past which I feel is undermining the structure of my property as hairline cracks have appeared in the walls and plaster. Increased building traffic and development work will have a catastrophic effect on the already overloaded road surface and my property. Is there any insurance we can claim based on the fact that the building work will cause emotional distress to myself and family as well as dust and noise pollution and also increased stress to the property foundations? Is there also any legal aid available based on the fact that I believe the building work will have a drastically negative impact on my house value?</p>	<p>A construction management plan will need to be agreed upon with the developer to ensure any effects on the road surface will not be detrimental. Additionally, a construction management plan would cover issues such as dust and noise pollution, to ensure these are kept to an acceptable level.</p> <p>With regard to claiming insurance on any stress to your property's foundations, you would need to contact your insurer.</p> <p>In relation to the value of your house, you would not be able to claim any legal aid, as any effect on houses prices is not a consideration in planning.</p>
11.08	Jonathan	Gibson		<p>Is it possible to please also have a much more in depth plan of the proposed house layouts, including where flats or council properties may be placed? The fact that this is omitted does not help us to give an informed decision on what will be directly behind our property and will further lower a resale house value should a three storey block of flats or social housing be built behind us.</p>	<p>The purpose of the Design Code is not to set out an in depth plan of proposed house layouts.</p>