



**AGENDA
for
MEETING OF
THE COUNCIL**

to be held on

Wednesday, 16th September 2020

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Date: 8th September 2020

Our Ref: KB

To: All Members of the Borough Council

A MEETING OF THE COUNCIL will be held on **Wednesday, 16th September, 2020 at 6.00 p.m.**

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

Due to Government guidance on social-distancing and the Covid-19 virus this meeting will be held **VIRTUALLY AND LIVE STREAMED**.
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. **MEETING PROTOCOL**
To advise the meeting participants of the procedure that will be followed by the Members of the committee.
2. **APOLOGIES** - to receive apologies for absence from the meeting.
3. **MINUTES** - to confirm the minutes of the meeting held on 15th July, 2020
(Page 7)
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 Executive Director.
6. PUBLIC PARTICIPATION - (maximum 20 minutes). Public participation will be by written submissions or orally through invitation to the meeting either via the internet, or by telephone, utilising MS Teams. Public participation will be arranged by Committee Services.

Members of the public wishing to ask a question or a statement must submit this electronically by emailing brent.davis@nuneatonandbedworth.gov.uk and a copy to member.services@nuneatonandbedworth.gov.uk by no later than 12 noon on the working day before the date of the meeting. All written and oral questions/statements should take no longer than 3 minutes to present. If you are submitting a statement to be read out this will be by an officer of the Council. **Council Procedure Rule 9 is attached (Page 32)** This is not subject to debate.

7. SPECIAL URGENCY DECISIONS - (Access to Information Procedure Rule)
Due to the COVID-19 virus it has been necessary to use special urgency decisions and the Executive Director's emergency powers to ensure that the business of the Council could continue and support provided to the community. The following special urgency delegated authority decisions have been taken:

Date	Decision Reference	Title
21/07/2020	DO11/2020 (SH)	Leisure Management Contract Variation and Reopening of Leisure Facilities
28/07/2020	DO13/2020 (SH)	COVID-19 Business Support Grants Phase 2 – Local Authority Discretionary Policy
29/07/2020	DO14/2020 (BD)	Revised Membership of Audit and Standards Committee

8. 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.
9. DEVOLUTION WHITE PAPER AND REVIEW OF LOCAL GOVERNMENT IN WARWICKSHIRE
The Council will be asked to consider the above report and any recommendations made at Cabinet due to be held on 9th September 2020. **(copy of Cabinet report attached page 36)**
10. RECOMMENDATIONS FROM CABINET OR OTHER COMMITTEES
 - a) General Fund, Housing Revenue Account (HRA) and Capital Programme Outturn 2019/20

Cabinet at its meeting held on 22nd July 2020 considered the above item and **recommended that** the updated General Fund and HRA Capital Programmes for 2020/21 as attached at Appendix E of the report be recommended to Council for approval. **(Appendix E of the report attached only page 39)**

b) Annual Treasury Management Report 2019/20

The Council will be asked to consider recommendations made at Cabinet due to be held on Wednesday 9th September 2020. A copy of the report is attached **(Page 43)**

c) General Fund and Housing Revenue Account Quarterly Budget Monitoring Report Q1 2020/21

The Council will be asked to consider recommendations made at Cabinet due to be held on Wednesday 9th September 2020. A copy of the report is attached **(Page 61)**

d) Updated Statement of Community Involvement (SCI) – Adoption

The Council will be asked to consider recommendations made at Cabinet due to be held on Wednesday 9th September 2020. A copy of the report is attached **(Page 81)**

e) Local Development Scheme (LDS) update

The Council will be asked to consider recommendations made at Cabinet due to be held on Wednesday 9th September 2020. **(report to follow after Cabinet meeting)**

11. QUESTIONS BY MEMBERS - (Council Procedure Rule 10). A copy of Procedure Rule 10 is attached. **(Page)** and this is not subject to debate.

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

COUNCIL

15th July 2020

The meeting of the Nuneaton and Bedworth Borough Council was held on Wednesday, 15th July 2020. Due to government guidance during the COVID-19 pandemic this meeting was held virtually at various remote locations and live streamed.

Present

The Mayor (Councillor J. Tandy)
The Deputy Mayor (Councillor W.J. Hancox)

Councillors J.B Beaumont, K. Brindley-Edwards, D. Brown, S. Croft, G. Daffern, S. Doughty, P.M. Elliott, K. Evans, J. Glass, C. Golby, S. Gran, J. Gutteridge, L. Hocking, J.A. Jackson, K.A. Kondakor, A. Llewellyn-Nash, I.K. Lloyd, B. Longden, B. Pandher, N.J.P. Phillips, G.D. Pomfrett, M. Rudkin, A. Sargeant, J. Sargeant, J. Sheppard, T. Sheppard, R. Smith, R. Tromans, H. Walmsley, C. Watkins and K.D. Wilson.

Apologies for absence were received from Councillor D. Gissane.

CL1 **Minutes**

RESOLVED that the minutes of the meeting held on 17th February 2020, were approved and signed by the Mayor.

CL2 **Declarations of Interests**

RESOLVED that the Declarations of Interests for this meeting are as set out in the schedule attached to these minutes. In addition, the following declaration was made:

Councillor J. Gutteridge declared a disclosable pecuniary interest in agenda item 14 by way of ownership of land at Leyland Road. It was confirmed by the Legal officer that dispensation had been given on this interest therefore Councillor Gutteridge could speak and vote on this item.

CL3 **Announcements**

The Mayor announced that she would write on behalf of the Borough to the Chief Executives at George Elliot Hospital, University Coventry Hospital Warwickshire and West Midlands Ambulance Service to thank them for their dedicated service during the current pandemic.

In addition the Mayor wished to register her thanks to the Borough residents for keeping services functioning these included but not limited to carers, emergency services such as doctors, ambulance staff and nurses and council staff.

CL4 Business deferred from Council – 17th February 2020

a) Review of Polling Districts and Polling Places

A report from the Returning Officer was submitted at the 17th February 2020 Full Council meeting to review comments received arising from the Polling Station Review. The recommendations put forward in the report were as part of the Electoral Commission's best guidance practice that a survey be undertaken on the 7th May 2020, polling day, to obtain customer feedback on potential improvements, location/site highlighted in the consultation. However due to the COVID-19 pandemic the election has been postponed till May 2021.

RESOLVED that the review of the Polling Districts and Polling Places report be brought back to Council for consideration at the September 2021 Full Council meeting when the survey data has been collected and analysed.

b) Questions from Members

A question remained from the meeting held on 17th February 2020 from Councillor K. Evans to the Leader of the Council who in the interim sent a written reply. A copy of the question and answer are noted below:

"Nuneaton & Bedworth Borough Council as a district Council in Warwickshire has the statutory right to sit and vote on the Warwickshire Police & Crime Panel; however, since the start of the municipal year the Borough has not had representation on the Panel for over half of the meetings. The Panel has a crucial role in scrutinising the work of the Police & Crime Commissioner and policing in Warwickshire. Can the Leader of the Council please inform me why our representative has only attended two meetings since May, why a substitute has not been sent in his place, and will she consider appointing another Councillor amongst us this evening who will actually turn up?"

The Leader of the Council, Councillor Julie Jackson replied as follows:

"Thank you for your question.

All Councillors do their utmost to attend meetings but on occasion we do sometimes get ill at short notice. I confirm that I will not be replacing Councillor Watkins on the Warwickshire Police and Crime Panel."

CL5 Public Participation

Question/Statement 1

Mrs Michele Kondakor submitted the following statement:

“We are experiencing the most serious health crisis in a generation and, aside from this, Nuneaton and Bedworth has the worst health outcomes of any of the districts in Warwickshire so it was most concerning to see, on the minutes of the last four meetings of the Adult Social Care and Health Overview and Scrutiny Committee at Warwickshire County Council, that there has been no representative present from Nuneaton and Bedworth Borough Council; in fact, there were not even apologies given for 3 of the 4 meetings. We need to have a strong advocate for the Borough at these meetings so, assuming the minutes are correct, the Leader should ensure that we are represented. There are numerous people within the Borough who are passionate about improving the health of the population.

Please consider co-opting one of these passionate advocates for our health if the Council is unable to reliably send a Cabinet member or Scrutiny Chair to this committee.”

No reply was given

Councillor Evans moved the follow motion:

“that the content of Michele Kondakor’s statement be referred to the External Overview and Scrutiny Panel for further discussion”

Councillor Wilson seconded the motion

A vote was taken

The motion was lost.

Question/Statement 2

Mr Karl Mayer submitted the following statement:

“Here we are again watching the ruling Labour group play games of smoke and mirrors with residents regards a promised review of the local plan housing numbers. What is it that residents have to do to make the elected councillors act on their behalf instead of greedy developers? Obviously not a borough wide petition of over six thousand signatures!

Why the portfolio holder councillor Neil Phillips cannot grasp his promised immediate review from over 12 months ago and the implications of sites gaining planning permission before a review takes place is a complete mystery. Will he actually in the end be shutting the planning stable door once the review horse has bolted? It’s absolutely bizarre.

Councillors, especially from Bedworth who tonight vote against an immediate review will be completely letting down Bedworth residents

and their valued green spaces. Especially councillors John Glass, Georgina Daffern and Sara Doherty who all represent residents losing green spaces because of their party's cruel decision to accept four thousand houses of Coventry's unmet need on top of our borough's actual need.

Having watched recently a couple of planning committee meetings on video, it could be alleged that they seem very biased towards developers demands and again as seems the norm with this council, ignorant of anything residents do or say. This could be confirmed at a recent planning committee meeting when one councillor said "I'm fed up with this, let's go straight to the vote."

Another concern is the vote tonight regarding SPDs especially for HSG4, which was originally sent out as a public consultation in the form of concept plans and contains many mistakes and contradiction. Surely all councillors have read and fully understand something that they are willing to raise their right arm and vote for. I fully appreciate planning is a very difficult topic for some councillors to grasp and understand, but ignoring the residents who democratically elected you is not, and just letting officers use you as alleged ventriloquists and voting fodder is unforgivable.

It really is time this harmful local plan is reviewed immediately and put to a level reflecting local need, minus the ridiculous 4000 overspill from Coventry.

I personally would like to pay tribute to the late Richard Chattaway. I will miss our conversations on the phone and that rare attribute he possessed - morals. RIP Richard."

No reply was given

Question/Statement 3

Mr Jeff Langbridge submitted the following question to Councillor Neil Phillips Portfolio Holder for Planning, Development and Health:

"Could the portfolio holder for planning councillor Neil Phillips answer whether as previously stated, that he thinks an entrance to proposed development within HSG4 from Judd close is dangerous?... Yes or No"

Councillor Neil Phillips, Portfolio Holder for Planning, Development and Health gave the following reply:

"Yes"

Question/Statement 4

Mr Ian Castledine submitted the following statement:

“BRV made a formal complaint on the 19th May about a Cabinet minute that appeared to give Officers authority to make further changes to the already approved Concept Plans.

The Council replied that "*Minor changes as suggested in the Cabinet report are such things as correcting spelling or numbering mistakes only.*" We accepted the Council's assurance.

Now we learn that tonight's Full Council is being asked to approve Concept Plans that have been changed since Cabinet approval. HSG8 is an example of this, with a different plan and different words. Sadly, this is a continuation of the Nuneaton & Bedworth style transparency and high handed action that residents have become used to through the Borough Plan process. We had hoped all this was past.

Local residents need to be properly consulted with opportunities to give their views where changes are being proposed to the Concept Plans. Anything less makes a mockery of the planning process. It is particularly concerning that as reported tonight changes have been made to bring Concept Plans in line with submitted planning applications. At public consultation stage, residents were led to believe that the Concept Plans are supposed to guide planning applications. Perhaps, it is time to ask whose Borough this is. Certainly not residents, it seems.

The situation is no better with the Borough Plan. We were told without a Plan, the Borough would be at the mercy of developers, and there would be no control over what could be built. The approved Plan has been in force for a year, and nothing seems to have changed. All we hear is that clear requirements in the Borough Plan are being set aside because it might go to appeal. It is a poor state of affairs when the Council has so little confidence in its own Plan that it cannot defend and enforce it. Yet apparently this is where we are.

Contrary to the written assurance to residents, the Concept Plan for HSG8 before Council tonight is not the Plan approved by Cabinet. Council should not approve the HSG8 Concept Plan SPD because it has been changed and no longer keeps to the policies and key principles in the Borough Plan."

No reply was given

Question/Statement 5

Mr Lubs Cvetkovic made the following statement:

“The Borough Council has gone back on its word by not reviewing the Borough Plan upon adoption. Councillors will hopefully remember the petition of over 6,500 signatories which led to Full Council voting for an immediate review of the Borough Plan upon adoption.

Since the plan has been adopted one review meeting has happened. We had to wait over 6 months after adoption for this meeting. Even

then the only item discussed was traveller pitches, no detailed timetable or schedule was ever agreed. Since then no further meetings have happened. Now you might think this is due to COVID-19 but in the same lock down period the Council has managed to hold two meetings of Planning Committee.

So while no meetings for the Borough Plan review happen in the same time period developers keep coming forward with half formed plans and SPD's. The planning committee members who represent the Labour group seem happy to push these half formed ideas through without fully worked up concept plans or checking the accuracy of SPD's which have been submitted. You would not buy a house without viewing it first and doing all the legal searches. Yet many Labour members of the Planning Committee are happy to build entire estates across the Borough without fully checking the details. From where I and many others are sat it certainly looks like the Council has a bias that favours the developers over it's own residents.

The Council needs to check SPD's as there are still many errors appearing in these documents. Further consultation with the public is needed. Finally give us our promised review we do not need 4000 overspill houses from Coventry. The projections are way out and Coventry's plan is beginning to unravel as it is built upon a foundation of over inflated numbers. Please avoid making the same mistake tonight!"

No reply was given

CL5 Special Urgency Decisions

The Chair reported that the Executive Director – Operations and Executive Director - Resources had exercised their delegated authority, pursuant to Regulation 13 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 & the Openness of Local Government Bodies Regulations 2014, due to urgency, between 24th March 2020 and 27th May 2020 in order to continue the business of the Council and provide financial support to the community during the COVID-19 virus pandemic.

RESOLVED that the Special Urgency Decisions taken under delegated officer authority by the Executive Director – Operations, and Executive Director – Resources on 24th March 2020 and 27th May 2020, as detailed in the agenda, be noted.

Councillor Evans moved a procedural motion in accordance with section 4A.12 Motions without Notice of the constitution to move agenda item 15 to be considered before item 10.

Councillor Walmsley seconded the motion

A vote was taken

The motion was lost.

CL6 Urgent Decisions

The OSC Procedure Rule 15(h) states that the provisions relating to call-in and urgency shall be monitored annually and a report submitted to Council. A list of urgent decisions taken during the municipal year 2019/2020 shown at agenda item 10

RESOLVED that the report be noted.

CL7 Cabinet

The Leader of the Council submitted her report on behalf of Cabinet. The report highlighted matters considered at the Cabinet meetings held on the 11th March, 27th May and 24th June 2020 and also details of reports from the West Midlands Combined Authority Board, which had a direct impact on NBBC, namely the Board meeting of 5th June, 2020.

Several questions were raised to which the Leader of the Council, or the appropriate Portfolio Holder, gave a response.

Councillor Walmsley moved the followed motion:

“That section 3a of the Cabinet report be referred to the Internal Overview and Scrutiny Panel”

Councillor Evans seconded the motion

A vote was taken.

The motion was lost.

RESOLVED that the report be noted.

CL8 Licensing Committee

The Director – Democracy, Planning and Public Protection submitted a report to Council to consider amending the arrangements for the Chairing of Licensing Committee.

Councillor Brown moved the following amendment:

“that Councillor Evans be appointment as Chair of the Licensing Committee for the remainder of the municipal year”

Councillor Gran seconded the amendment

A recorded vote was taken on the amendment as follows:

FOR: Councillors Brindley-Edwards, Brown, Croft, Evans, Golby, Gran, Gutteridge, Kondakor, Llewellyn-Nash, Pandher, A. Sargeant, J. Sargeant, Smith, Tromans, Walmsley, and Wilson

AGAINST: Councillors Beaumont, Daffern, Doughty, Elliott, Glass, Hancox, Hocking, Jackson, Lloyd, Longden, Phillips, Pomfrett, Rudkin, J. Sheppard, T. Sheppard, Tandy, and Watkins.

ABSTENTIONS: None

The amendment was lost

Councillor Kondakor moved the following amendment:

“That Councillor Kondakor be appointed as Chair of the Licensing Committee for the remainder of the municipal year”

Councillor J. Sargeant seconded the motion

A vote was taken

The amendment was lost.

Councillor Lloyd moved a procedural motion in accordance with section 4A.13 Motions without Notice of the constitution that the Council move straight to the vote.

Councillor Phillips seconded the motion

A vote was taken

The motion was carried.

A vote was then taken on the substantive motion

RESOLVED that

- a) Councillor Hancox be appointed as Chair of the Licensing Committee for the remainder of the municipal year; and
- b) proposals for the Licensing Committee be considered at the next Annual Council meeting in 2021.

CL9 Recommendations from Cabinet and other Committees

a) Supplementary Planning Documents

The Director – Democracy, Planning and Public Protection submitted a report to Council seeking approval to adopt the following Supplementary Planning Documents (SPDs):

- Affordable Housing SPD
- Air Quality SPD
- Concept Plans SPDs (for the Strategic Housing and Employment Sites)
- Planning for a Healthier Area – Hot Food Takeaways SPD

- Sustainable Design and Construction SPD

The SPDs had received Cabinet approval at the 24th June meeting prior to being submitted for Council approval.

Councillor Kondakor moved the following procedural motion in accordance with section 4A.12 Motions without Notice of the constitution to adjourn the meeting to allow officers to prepare separate reports for each concept plan therefore allowing members to vote on each plan separately.

Councillor Wilson seconded the procedural motion

A vote was taken

The procedural motion was lost.

The Chair moved in accordance with section 4A.21 of the constitution to suspend standing orders, as the maximum time for the meeting should not normally exceed 3 hours and that this amount of time has passed.

Councillor Gran seconded the motion

A vote was taken.

The motion was carried.

Councillor Walmsley moved the following amendment to the substantive motion:

“Insert the words “save those listed at 2.1a” after “Concept Plan SPDs (for the Strategic Housing and Employment Sites)”

Then at 2.1a The Following SPD’s not be approved:

**HSG 1
HSG 4
HSG 5
HSG 6
HSG 8
HSG 12
EMP 6
EMP 7**

Councillor Smith seconded the amendment

A recorded vote was taken on the amendment as follows:

FOR: Councillors Brindley-Edwards, Brown, Croft, Evans, Golby, Gran, Gutteridge, Kondakor, Llewellyn-Nash, Pandher, A. Sargeant, J. Sargeant, Smith, Tromans, Walmsley, and Wilson.

AGAINST: Councillors Beaumont, Daffern, Doughty, Elliott, Glass, Hancox, Hocking, Jackson, Lloyd, Longden, Phillips, Pomfrett, Rudkin, J. Sheppard, T. Sheppard, Tandy, and Watkins.

ABSTENTIONS: None

The amendment was lost.

A vote was then taken on the substantive motion

The motion was carried.

RESOLVED that

- i) The following Supplementary Planning Documents be adopted:
 - Affordable Housing SPD
 - Air Quality SPD
 - Concept Plans SPDs (for Strategic Housing and Employment Sites)
 - Planning for a Healthier Area – Hot Food Takeaways SPD
 - Sustainable Design and Construction SPD
- ii) As soon as reasonably practicable, Council make available in accordance with regulation 14 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) –
 - The supplementary planning documents; and
 - An adoption statement
- iii) Subject to consultation with the Cabinet member for Planning, Development and Health, minor modifications to the plan be made prior to final publication, where these modifications correct typographical errors, amendments to numbering or cross referencing.

b) Recommendation from Internal OSP

At the Internal OSP held on 11th June 2020 a report on the monitoring of the Borough Plan was submitted for panel consideration. From this the panel put forward the following recommendation to Council:

“It be recommended to Council that the following motion be adopted: “This Council resolves that the Portfolio Holder for Planning and Development requests the Head of the Planning Department to commence a review of the Borough Plan on Thursday 16th July 2020, in accordance with regulation 10A of the Town & Country Planning (Local Planning) (England) Regulations 2012 (as amended).””

For information purposes a report on the Local Plan Review was appended to the agenda from Local Plan Committee held on the 1st July 2020. This advised how the review was to be conducted in line with the Local Development Scheme timetable which is to be reported to Cabinet

by the end of September 2020 and the financial implications of abortive work.

Councillor Jackson moved in accordance with Section 4A.13 of the constitution the procedural motion to move straight to the vote.

Councillor Phillips seconded the motion

A vote was taken and the motion was carried.

A vote was then taken on the recommendation

RESOLVED that the motion put forward to Council from the Internal OSP as stated above be adopted.

CL10 **Questions by Members**

Question 1

Councillor Kondakor submitted the following question to the Portfolio Holder for Planning, Development and Health

“Climate change will be an even bigger disaster for this borough than the COVID-19 pandemic. The only thing this council is doing to increase the energy efficiency of new homes, above Government minimal requirements, is the requirement in our borough plan policy BE3 to design and align new homes for passive solar gain. In plain language that is, where possible, have bigger windows on the sunny side of homes and face the long side of buildings to the south, so that they need less energy to heat. It seems the borough council will not bother to enforce this simple but effective policy. Will the cabinet member tell me why we are the weakest council in Warwickshire on Climate Change?”

Councillor Phillips, Portfolio Holder for Planning, Development and Health responded as follows

Thank you Councillor Kondakor I was a bit disappointed in the fact that you said we were the most wasteful council in Warwickshire but in terms of Planning Policy, Paragraph 13.14 of the Borough Plan explains that national targets for energy efficiency and the progression towards zero carbon development are being taken forward through the tightening of Building Regulations. Due to changes in legislation, local authorities no longer have the power to request energy efficiency requirements over and above the Building Regulations.

Nonetheless, Borough Plan Policy BE3 – Sustainable Design and Construction – requires developments to be adaptable to, and to minimise the impact of, climate change, as well as being of high-quality design. This policy requires integration of passive solar design principles, installation of rainwater harvesting systems and pollution minimisation. The Government appointed Planning Inspector considered that the Council’s approach was sound, and

the Sustainable Design and Construction SPD tabled for adoption provides supplementary guidance to this policy.

I think the big thing is Keith, to keep matters a lot quicker, we do not have as much control over planning regulations anymore than what the government tell us we can do. Policy compliance will also be monitored as part of the Council's Authority Monitoring Report, which is due for publication in 2020. Further changes to legislation or government guidance would need to be considered as part of the Borough Plan Review process.

In regard to the Council being wasteful, the council includes within its capital budget a number of improvements to council owned houses, flats and bungalows to constantly improve the energy efficiency of its stock. I have checked with our Property Services team and between 2017 and 2021, it is predicted that there will have been:

- 624 external wall insulation upgrades
- 1,165 heating upgrades
- 1,642 window and door upgrades
- 18 communal lighting upgrade schemes

In regard to private sector housing the Council has also successfully supported private landlords and property owners to deliver improvements through a number of schemes and initiatives since 2012, such as loft and cavity wall insulation, boiler replacements and central heating installation.

Furthermore, the Council has successfully managed its buildings to significantly improve energy efficiency performance through introducing a variety of energy saving equipment across the borough's sites since 2001. This has included large scale combined heat and power (CHP), to Voltage Optimisation to Building computer control (BEMS) to LED Lighting to Gas saving boilers and these measures have continuous energy saving year on year. This is reflected in the latest Display Energy Certificates submitted to Government. For example, the Town Hall achieved an energy performance operational rating of 'B' and so is performing well.

The question was why we are the most wasteful council in Warwickshire, I do not think we are.

Question 2

Councillor Evans submitted the following question to the Portfolio Holder for Central Services and Refuse

"The Bedworth area office in the Town Centre is a vital asset to the Council and allows residents in Bedworth to walk into the office freely to make enquiries about Council related services. According to the Council's website the office is currently closed due to Coronavirus. Could I ask the Portfolio Holder the following, when COVID-19 comes to an end and the office re-opens, will the Council operate the office as it did before COVID-19, or will residents need to book appointments to meet Customer Service Advisers?"

Councillor J. Sheppard, Portfolio Holder for Central Services and Refuse gave the following reply:

The health and well-being of both our residents and our staff is our highest priority and whilst government advice on COVID-19 is to limit face to face contact wherever possible, all requests for Council services are being handled online or over the phone. Any resident needing a face to face meeting due to the nature of their enquiry has been and will be given an appointment with social distancing measures in place. The need for appointments is being monitored both in terms of the type of enquiry and the convenience of location. The location for any appointment is made in discussion with the resident and we are looking at the practicalities of utilising the Civic Hall whilst still maintaining current social distancing.

We moved the area office from High Street, Bedworth to Congreve Walk, Bedworth which allowed us to provide good quality emergency accommodation which from memory Councillor Hancox opened. My intention is to use the Bedworth Area Office as soon as is practically possible under government guidance.

Thank you, Councillor Evans for your question and I would also like to thank the Customer Services team for the excellent work they have been doing and ensuring residents have access the services they need.

Mayor

Council - Schedule of Declarations of Interests – 2019/2020

	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
	J. Beaumont		Board member of Bulkington Community Library CIC in addition to an unpaid Manager of the library. Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Nuneaton and Bedworth Older People's Forum 	
	K. Brindley-Edwards	Teacher and Head of 6 th Form at Beauchamp College	Representative on the following Outside Body: <ul style="list-style-type: none"> • King Edward VI College Foundation - Trustee 	
	D. Brown	Employed by H.M Land Registry		
	S. Croft	Employed at Holland & Barrett Retail Ltd	Treasurer of the Conservative Association	
	G. Daffern	Teacher at Finham Park 2	Member of NEU Staff Governor – Finham Park 2, Local Governing Body.	
	S. Doughty	People in Action Cherville Limited	Unite the Union	
	P. Elliott	Employee of CW Mind's Autism Support Service	Governor at Stockingford Nursery Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Friendship Project for Children 	
	K. Evans	UK Parliament	Executive Officer at the North Warwickshire & Bedworth Conservative Association	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			Association Representative of Warwickshire Conservative Area Association	
	J. Glass	None	None	
	D. Gissane	Self employed trading as Huxo Creative	Member of Warwickshire County Council	
	C. Golby	IPT Administration Manager	Member of Warwickshire County Council	
	S. Gran		Member of Warwickshire County Council	
	J. Gutteridge	Startin Tractors	Representative on the following Outside Bodies: <ul style="list-style-type: none"> Age UK (Warwickshire Branch) 	To speak and vote on any matters involving the Borough Plan related to land at Leyland Road Bulkington
	W.J. Hancox		Daughter holds employment position within NBBC Unite the Union Representative on the following Outside Bodies: <ul style="list-style-type: none"> Building Control Partnership Steering Group Hammersley Smith & Orton Charity 	
	L. Hocking	Employed by Openreach	Member of: <ul style="list-style-type: none"> Unite the Union Communication Workers Union Representative on the following Outside Bodies: <ul style="list-style-type: none"> Committee of Management of Hartshill and Nuneaton Recreation Ground 	
	J.A. Jackson	Any matter relating to the employment policies and procedures of Nuneaton & Bedworth Borough Council or any matter relating to the contractual arrangements with Sport & Leisure Management Ltd.	Unite the Union <ul style="list-style-type: none"> Non Executive Director with Nuneaton and Bedworth Community Enterprises Limited Director Coventry & Warwickshire Local Enterprise Partnership Representative on the following Outside Bodies: <ul style="list-style-type: none"> Coventry, Warwickshire & Hinckley and Bosworth Joint Committee District Leaders Local Government Association Local Enterprise 	Dispensation to speak and vote on matters that do not relate specifically to her husband's contract of employment. Dispensation to speak and vote

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			Partnership <ul style="list-style-type: none"> • West Midlands Combined Authority 	
	K.A. Kondakor		Member of Warwickshire County Council 100PERCENTRENEWABLEUK LTD	
	A. Llewellyn-Nash	Employee of BMI Healthcare	Treasurer of Exhall Multi-cultural Group Governor at Newdigate Primary and Nursery School, Bedworth	
	I. Lloyd		Non Executive Director with Nuneaton and Bedworth Community Enterprises Limited.	Dispensation to speak and vote
			Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Nuneaton & Bedworth Sports Forum • Camp Hill Urban Village and Pride in Camp Hill • Poor's Piece Charity • Committee of Management of Hartshill & Nuneaton Recreation Group 	
	B.J. Longden		Daughter and son-in-law work in the NHS	
			Member of the Stockingford Community Centre	
			Ex-Officiate of the Veterans Contact Point Board	
			Representative on the following Outside Bodies: <ul style="list-style-type: none"> • George Eliot Hospital NHS Trust – Public/User Board • George Eliot Hospital NHS Foundation Trust Governors • Armed Forces Covenant Meeting • Astley Charity 	
	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	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			Vice Chair Exhall Multicultural Group	
	G.D. Pomfrett	None	None	
	N. Phillips	Employee of DWP	<p>Member of:</p> <ul style="list-style-type: none"> • A5 Sterling Group (Council Representative) • Nuneaton Labour CLP • The Fabian Society • The George Eliot Society • The PCS Union • Nuneaton Credit Union <p>Non-Executive Director with Nuneaton and Bedworth Community Enterprises Limited.</p>	<p>NABCEL – to speak and vote on any matter where the Council or Cabinet is asked to approve any funding arrangement; grant; or other legal instrument with the company but this dispensation shall not apply where any Non-Executive Director benefits from the arrangements in a personal capacity.</p>
			<p>Representative on the following Outside Bodies:</p> <ul style="list-style-type: none"> • A5 Member Partnership • PATROL Joint Committee • Warwickshire Health & Wellbeing Board • Building Control Partnership Steering Group 	
	M. Rudkin	Employee of Coventry City Council	Unite the Union	
			<p>Representative on the following Outside Bodies:</p> <ul style="list-style-type: none"> • Bedworth Neighbourhood Watch Committee 	
	A. Sargeant		<p>Member of Warwickshire County Council Chairman of The Nook (Nuneaton) Residents Association. Chair of Attleborough Community Matters group. Chair of Attleborough Neighbourhood Watch Volunteer at Volunteer Friends Bulkington. Member of Nuneaton Carnival Committee</p>	
	J. Sargeant	Head of Retail – Life Charity	Board of Directors – Volunteer Friends, Bulkington	To speak and vote on any matters related to the Salvation Army Charity (SATCOL) or related bodies, unless the matter directly affects the contract of employment of the Councillor

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
	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. Champion for Safeguarding (Children & Adults) Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Local Government Superannuation Scheme Consultative Board • Warwickshire Direct Partnership • Warwickshire Waste Partnership • West Midland Employers • Nuneaton Neighbour Watch Committee 	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	Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Warwickshire Adult Social Care and Health Overview and Scrutiny Panel 	
	R. Smith		Chairman of Volunteer Friends, Bulkington; Board member of Bulkington Village Community and Conference Centre Trustee of Bulkington Sports and Social Club	
	J.A. Tandy		Partnership member of the Hill Top and Caldwell Big Local. Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Nuneaton Festival of Arts • Warwickshire Race Equality Partnership • Warwickshire Race Equality Partnership • West Midlands Combined Authority Audit Group 	
	R. Tromans	Director of RTC Ltd		
	H. Walmsley	Chief of Staff to Julian Knight MP	Chartered Institute of Public Relations	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
	C.M. Watkins	Landlord of a privately rented property	Representative on the following outside bodies: <ul style="list-style-type: none"> • Nuneaton and Bedworth Home Improvement Agency. • Nuneaton and Bedworth Safer and Stronger Communities Partnership. • Safer Warwickshire Partnership Board. • Warwickshire Housing Support Partnership. • Warwickshire Police and Crime Panel. 	
	K.D. Wilson	Employee of the Courts Service	Non Executive Director with Nuneaton and Bedworth Community Enterprises Limited	Dispensation to speak and vote

Council - Schedule of Declarations of Interests – 2020/2021

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	K.D. Wilson	Employee of the Courts Service	Non Executive Director with Nuneaton and Bedworth Community Enterprises Limited	Dispensation to speak and vote

Agenda Item No 5

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.

Cabinet/Individual Cabinet Member Decision

Report Summary Sheet

Date: 9th September 2020
Subject: Devolution White Paper and review of Local Government in Warwickshire
Portfolio: Finance and Civic Affairs
From: Executive Directors – Resources and Operations

Summary: This report updates Cabinet on the latest position regarding the government’s devolution agenda and the recent decision by Warwickshire County Council to submit a ‘Strategic Case for Change’ to MHCLG.
Recommendations: That Cabinet note the latest position regarding the devolution agenda in Warwickshire and the recent and planned actions of Warwickshire County Council, and consider any actions it may wish to take and any recommendations it may wish to make to Full Council for consideration. Given the timescales involved this item be marked not for call-in on the grounds of urgency.
Options: To accept the recommendations, to not accept the recommendations, or to propose an alternative.

Reasons: To ensure that Cabinet are aware of the latest information on devolution and can act accordingly.

Consultation undertaken with Members/Officers/Stakeholders

Leader of the Council

Subject to call-in:

No

Ward relevance: All

Forward plan: No

Delivering Our Future Theme: All

Delivering Our Future Priority: All

Relevant statutes or policy:

N/A

Equalities Implications:

N/A

Human resources implications:

None directly arising from the report but any proposals for local government reorganisation may have significant impact on the Councils employees

Financial implications:

None directly arising from the report although any proposals for local government reorganisation will have financial implications

Health Inequalities Implications:

N/A

Section 17 Crime & Disorder Implications:

N/A

Risk management implications:

N/A

Environmental implications:

N/A

Legal implications:

N/A

Contact details:

Simone Hines

Executive Director – Resources

Ext 6182

Brent Davis

Executive Director – Operations

Ext 6347

AGENDA ITEM NO. 9

NUNEATON AND BEDWORTH BOROUGH COUNCIL

Report to: Cabinet - 9th September 2020

From: Executive Director Resources and Executive Director – Operations

Subject: Devolution White Paper and review of Local Government in Warwickshire

Portfolio: All Portfolios

Delivering Our Future Theme: All

Delivering Our Future Priority: All

1. Purpose of Report

- 1.1 This report updates Cabinet on the latest developments regarding the Government's devolution agenda and the decision taken by Warwickshire County Council's Cabinet at their meeting held on 27th August to submit a 'Strategic Case for change' to MHCLG.

2. Recommendations

- 2.1 That Cabinet note the latest position regarding the devolution agenda in Warwickshire and the recent and planned actions of Warwickshire County Council, and consider any actions it may wish to take and any recommendations it may wish to make to Full Council for consideration.
- 2.2 Given the timescales involved this item be marked not for call-in on the grounds of urgency.

3. Background

- 3.1 Cabinet will be aware that the Government has announced its intention to publish a White Paper on Devolution and Local Recovery, which will include proposals for local government reorganisation. The exact timescales for the White Paper are not known and although it was originally anticipated in September, it is now expected in early October.

- 3.2 In anticipation of the White Paper, and for the Borough Council to be as prepared as possible for the proposals included in it, Cabinet agreed in July to jointly commission a review into all the options available for local government reorganisation in Warwickshire. Deloittes have been commissioned to do this on behalf of all of the district and boroughs in Warwickshire. The County Council had already commissioned Price Waterhouse Coopers to undertake a similar study, but only to include consideration of a single Warwickshire unitary rather than considering all alternatives.
- 3.3 The study being undertaken by Deloittes should be complete by the end of September. A structured and widespread public consultation exercise is also being carried out which should be completed by early October. At that point the Borough Council will be in a position to consider the results of both pieces of work and determine its next steps, alongside the other district and borough councils in Warwickshire.
- 3.4 Warwickshire County Council called an extraordinary Cabinet meeting, which took place on 27th August, to consider the results of the PWC study. A 'Strategic Case for Change' was put forward for discussion, which concludes that a newly formed, single unitary council for Warwickshire is the only option that meets the government aspirations (although in the absence of the White Paper it is difficult to be clear what these aspirations are). The papers from that meeting can be found here – <https://democracy.warwickshire.gov.uk/ieListDocuments.aspx?CId=146&MId=3179&Ver=4>
- 3.5 The County Council's Cabinet resolution from that meeting was as follows:
- 'That Cabinet approves the submission to Government of the Strategic Case for Change for a single unitary Council for Warwickshire so as to preserve the opportunity for Warwickshire to be considered in an early tranche of local government reform and that the Chief Executive is authorised in consultation with the Leader to make any amendments considered necessary in advance of submission'
- 3.6 In essence, this means that Warwickshire County Council have agreed to submit their 'Strategic Case for change' to MHCLG, proposing that a single unitary authority is the preferred way forward. The Government may then invite Warwickshire County Council to prepare a full business case in support of that proposal. It should be noted that the County Council have not undertaken any consultation with the public or other stakeholders.
- 3.7 It is understood that the County Council's Full Council meeting scheduled for 22nd September 2020, will give further consideration to the resolution made by their Cabinet.

4. Conclusion

- 4.1 Warwickshire County Council's Cabinet decision has potential significant, far reaching and long lasting implications for the residents of Nuneaton and Bedworth and the Borough Council itself. Given this and given that the County Council's plans for a single Unitary Authority have been drawn up without any consultation taking place with the residents of Warwickshire; the Borough and District Councils or other key stakeholder groups, Cabinet may wish to consider any action it may wish to take whilst it awaits the conclusion of the commission that Deloitte's are undertaking for all Warwickshire District and Boroughs, as well as the outcome of the public consultation. Given the overall timescales involved in respect of the County Council's Full Council meeting of 22nd September 2020, it may also be appropriate for Cabinet to consider actions it feels should be considered by the Borough Council's full Council.

5. Appendices None

6. Background Papers (if none, state none) Link to WCC Cabinet agenda above

General Fund Capital Programme – 2020/21 Updated

	2020/21 Base Programme Budget £	Additional amounts re- profiled from 2019/20 £	Other Adjustments £	Updated Programme 2020/21 £
<u>Arts, Leisure & Economic Development</u>				
Haunchwood Pavilion	5,000	-	(5,000)	-
Pauls Land Pavilion	10,500	-	-	10,500
Sandon Park/Jack Whetstone Pavilion	23,270	4,600	-	27,870
Target Hardening	100,000	-	-	100,000
Kersley Community Centre Car Park Improvements	-	1,400	-	1,400
Pingles Athletics Stadium - Upgrading Floodlights	-	24,600	-	24,600
Preliminary Works - Riversley Park Bridge	40,000	-	-	40,000
Pingles - Running Track Replacement	104,570	-	-	104,570
Tennis Courts - Miners Welfare Park	202,500	-	-	202,500
Leisure Strategy	1,160,000	-	-	1,160,000
<u>Central Services & Refuse</u>				
ICT Strategy Programme	125,000	41,800	-	166,800
Major Repairs	250,000	-	-	250,000
Vehicle & Plant Replacement	868,000	-	-	868,000
Sub-Regional Materials Recycling Facility	3,396,000	-	-	3,396,000
Civica APP (Flare)	-	73,200	-	73,200
<u>Finance & Civic Affairs</u>				
Camp Hill - Early final phase	2,369,235	39,000	-	2,408,235

	2020/21 Base Programme Budget £	Additional amounts re- profiled from 2019/20 £	Other Adjustments £	Updated Programme 2020/21 £
Purchase of Investment Properties (incl properties to lease)	3,460,000	-	-	3,460,000
Transforming Bedworth	100,000	-	-	100,000
<u>Housing, Health & Communities</u>				
HEART	6,150,600	845,000	-	6,995,600
Empty Homes & Works in Default	40,000	-	-	40,000
Empty Property Loans	100,000	-	-	100,000
Mobile Home Sites	212,100	5,400	-	217,500
Conversion of Council House	790,000	104,000	-	894,000
<u>Planning & Development</u>				
Replacement CCTV Cameras	9,700	-	-	9,700
CCTV - Wireless Technology	120,000	-	-	120,000
Miscellaneous Schemes	100,000	-	-	100,000
Total Capital Programme	19,736,475	1,139,000	(5,000)	20,870,475
Financed by:				
Capital Receipts	2,826,335			2,870,735
Earmarked Reserves	5,128,520			5,264,520
Grants & External Contributions	6,595,620			7,445,220
Prudential Borrowing	5,186,000			5,290,000
Total	19,736,475			20,870,475

Housing Revenue Account Capital Programme – 2020/21 Updated

	2020/21 Base Programme Budget	Additional amounts re- profiled from 2019/20	Updated Programme 2020/21
	£	£	£
Acquisition & New Build	11,235,620	(433,420)	10,802,200
Byford Court Regeneration	2,387,000	-	2,387,000
Aids & Adaptations	500,000	-	500,000
Central Heating	1,000,000	-	1,000,000
Decent Homes	2,500,000	-	2,500,000
District Heating - Smart Meters	-	262,500	262,500
District Heating Boilers	200,000	-	200,000
District Heating Works	50,000	-	50,000
Door Entry System	50,000	-	50,000
Environmental Works	25,000	-	25,000
Fire Damaged Properties	-	15,000	15,000
Fire Risk Assessments (General Purpose)	300,000	-	300,000
Fire Safety Works	2,250,000	666,000	2,916,000
Garages	25,000	-	25,000
Housing Management System	-	356,000	356,000
Large Scale Feasibility	100,000	60,000	160,000
Level Access Showers	500,000	37,500	537,500
Lift Renewal Works	100,000	-	100,000
PIR Electrical Works	300,000	145,000	445,000
Roof Coverings/ Modifications	850,000	-	850,000
Shed Door & Roof Renewals	25,000	-	25,000
Sheltered Alarm Call Systems	-	367,000	367,000
Shop Improvements	15,000	13,000	28,000

	2020/21 Base Programme Budget	Additional amounts re- profiled from 2019/20	Updated Programme 2020/21
	£	£	£
Slabs to Tarmac	200,000	-	200,000
Structural & Cladding / Concrete Repairs	2,000,000	-	2,000,000
Voids	450,000	-	450,000
Windows & Doors	700,000	-	700,000
Capital Salaries	439,170	-	439,170
Contingency	100,000	-	100,000
Total Capital Programme	26,301,790	1,488,580	27,790,370
<u>Financed by</u>			
Major Repairs Reserve	12,698,620	118,835	12,817,455
Earmarked Reserves/ Revenue	1,793,170	-	1,793,170
Capital Receipts	1,810,000	1,025,045	2,835,045
Capital Grants/ Contributions	1,500,000	-	1,500,000
Borrowing	8,500,000	344,700	8,844,700
Total	26,301,790	1,488,580	27,790,370

Cabinet

Report Summary Sheet

Date: 9 th September 2020
Subject: Annual Treasury Management Report 2019/20
Portfolio: Finance and Civic Affairs (Councillor J Jackson)
From: Executive Director - Resources
Summary: To report the results of the Council's Treasury Management activities for 2019/20 as required by the Prudential Code.
Recommendations: That it be recommended to Council that: <ul style="list-style-type: none">• The actual 2019/20 Treasury and Prudential Indicators detailed in this report and summarised in Appendix 1 be approved.• The Annual Treasury Management Report for 2019/20 be noted.
Options: None

Reasons:

It is a requirement of the CIPFA Prudential Code for the Treasury Outturn to be reported Council annually following review by the Cabinet

Consultation undertaken with Members/Officers/Stakeholders

Portfolio Holder

Subject to call-in:

No – Statutory requirement for report to be submitted to Cabinet and Council prior to end October.

Ward relevance: None directly

Forward plan:

Yes

Delivering our Future Themes & Priorities:

Theme 3 : Investment – making the most of what we have
Priority 3 : Managing our resources

Relevant statutes or policy:

Local Government Act 2003
CIPFA Code of Practice on Treasury Management
CIPFA Prudential Code for Capital Finance in Local Authorities

Equalities Implications:

None

Human resources implications:

None

Financial implications:

As detailed within the report

Health Inequalities Implications:

None

Section 17 Crime & Disorder Implications:

None

Risk management implications:

Investment and borrowing decisions have been based on the approved Treasury Strategy 2019/20 and with approved counterparties

Environmental implications:

None

Legal implications:

Statutory requirement to report to Council per the Local Government Act 2003 and the CIPFA Prudential Code

Contact details:

Craig Pugh – Head of Financial Services

02476 376104

NUNEATON AND BEDWORTH BOROUGH COUNCIL

Report to: Cabinet – 9th September 2020

From: Executive Director - Resources

Subject: Annual Treasury Management Report 2019/20

Portfolio: Finance and Civic Affairs (Councillor J Jackson)

Delivering our Future Theme: 3

Delivering our Future Priority: 3

1. Purpose of Report

- 1.1 This Council is required through regulations issued under the Local Government Act 2003 to produce an Annual Treasury Report reviewing the treasury management activities and the actual prudential and treasury indicators for 2019/20. This report meets the requirements of both the CIPFA Code of Practice on Treasury Management (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code).

2. Recommendations

- 2.1 That it be recommended to Council that:
- The actual 2019/20 Treasury and Prudential Indicators detailed in this report and summarised in Appendix 1 be approved.
 - The Annual Treasury Management Report for 2019/20 be noted.

3. Introduction

- 3.1 During 2019/20 the minimum reporting requirements were that the full Council should receive the following reports from the Cabinet:
- An annual treasury strategy in advance of the year (Cabinet 13 February 2019);
 - A mid year treasury update report (Cabinet 13 November 2019);
 - An annual review following the end of the year describing the activity compared to the strategy (this report)
- 3.2 Changes in the regulatory environment place a much greater onus on Members for the review and scrutiny of treasury management policy and activities. This report is important in that respect, as it provides details of the outturn position for treasury activities and highlights compliance with

the Council's policies previously approved by Members.

- 3.3 This Council also confirms that it has complied with the requirement under the Code to give prior scrutiny to all of the above treasury management reports by the Cabinet before they were reported to the full Council.
- 3.4 In addition, the Audit & Standards Committee received treasury management activity update reports on 3rd September 2019, 5th November 2019, 17th March 2020, and 30th July 2020.

4. The Economy and Interest Rates During 2019/20

- 4.1 The main issue in 2019 was the repeated battles in the House of Commons to agree on one way forward for the UK over the issue of Brexit. This resulted in the resignation of Teresa May as the leader of the Conservative minority Government and the election of Boris Johnson as the new leader, on a platform of taking the UK out of the EU on 31 October 2019. The House of Commons duly frustrated that renewed effort and so a general election in December settled the matter once and for all by a decisive victory for the Conservative Party: that then enabled the UK to leave the EU on 31 January 2020. However, this still leaves much uncertainty as to whether there will be a reasonable trade deal achieved by the target deadline of the end of 2020. It is also unclear as to whether the coronavirus outbreak may yet impact on this deadline; however, the second and third rounds of negotiations have already had to be cancelled due to the virus.
- 4.2 Economic growth in 2019 has been very volatile with quarter 1 unexpectedly strong at 0.5%, quarter 2 down at -0.2%, quarter 3 bouncing back up to +0.5% and quarter 4 flat at 0.0%, +1.1% y/y. 2020 started with optimistic business surveys pointing to an upswing in growth after the ending of political uncertainty as a result of the decisive result of the general election in December settled the Brexit issue. However, the three monthly GDP statistics in January were disappointing, being stuck at 0.0% growth. Since then, the whole world has changed as a result of the coronavirus outbreak. It now looks likely that the closedown of whole sections of the economy will result in a fall in GDP of at least 15% in quarter two. What is uncertain, however, is the extent of the damage that will be done to businesses by the end of the lock down period, whether there could be a second wave of the outbreak, how soon a vaccine will be created and then how quickly it can be administered to the population. This leaves huge uncertainties as to how quickly the economy will recover.
- 4.3 After the Monetary Policy Committee raised Bank Rate from 0.5% to 0.75% in August 2018, Brexit uncertainty caused the MPC to sit on its hands and to do nothing until March 2020; at this point it was abundantly clear that the coronavirus outbreak posed a huge threat to the economy of the UK. Two emergency cuts in Bank Rate from 0.75% occurred in

March, first to 0.25% and then to 0.10%. These cuts were accompanied by an increase in quantitative easing of £200bn. The Government and the Bank were also very concerned to stop people losing their jobs during this lock down period. Accordingly, the Government introduced various schemes to subsidise both employed and self-employed jobs while the country was locked down. It also put in place a raft of other measures to help businesses access loans from their banks, (with the Government providing guarantees to the banks against losses), to tide them over the lock down period when some firms may have little or no income. However, this leaves open a question as to whether some firms will be solvent, even if they take out such loans, and some may also choose to close as there is, and will be, insufficient demand for their services. The measures to support jobs and businesses already taken by the Government will result in a huge increase in the annual budget deficit in 2020/21 from 2%, to nearly 11%. The ratio of debt to GDP is also likely to increase from 80% to around 105%.

- 4.4 Inflation has posed little concern for the MPC during the last year, being mainly between 1.5 – 2.0%. It is also not going to be an issue for the near future as the world economy will be heading into a recession which is already causing a glut in the supply of oil which has fallen sharply in price. Other prices will also be under downward pressure while wage inflation has also been on a downward path over the last half year and is likely to continue that trend in the current environment. While inflation could even turn negative in the Eurozone, this is currently not likely in the UK.
- 4.5 Employment had been growing healthily through the last year but it is obviously heading for a big hit as the economic recession bites and the furlough scheme ends. The good news over the last year is that wage inflation has been significantly higher than CPI inflation which means that consumer real spending power had been increasing and so will have provided support to GDP growth. However, while people could not leave their homes to do non-food shopping, retail sales would also take a big hit.

5. Treasury Position as at 31 March 2020.

5.1 At the beginning and the end of 2019/20 the Council's treasury position is as follows:

	31 March 2019	Rate/Return	Avg Remaining Life (yrs)	31 March 2020	Rate/Return	Avg Remaining Life (yrs)
Total External Debt	£80.713m	3.15%	8.6	£77.205m	3.17%	8.0
Capital Financing Requirement (CFR)	£90.286m			£92.813m		
Over / (under) Borrowing	(£9.573m)			(£15.608m)		
Total Investments (all internally managed)	£36.376m	1.15%	0.5	£30.318m	1.16%	0.5
Net Debt	£44.337m			£46.887m		

5.2 This Council operates separate loan pools for the General Fund and the Housing Revenue Account since the commencement of HRA Self Financing in April 2012. The following table details the debt positions for both funds as at 31 March 2020, with prior year information as a comparative, and their corresponding Capital Financing Requirement (CFR) to demonstrate that the gross borrowing position by fund is either equal to or lower than the borrowing need (CFR):

General Fund	31 st March 2019			31 st March 2020		
	Amt	Rate	Avg Life (yrs)	Amt	Rate	Avg Life (yrs)
PWLB Loans	£7.750m	4.67%	16.2	£7.750m	4.67%	15.2
Market Loans	£2.000m	4.10%	59.3	£2.000m	4.10%	58.2
Interest Free Loans	£0.008m	0.00%	0.3	<i>nil</i>		-
Total External Debt	£9.758m	4.55%	25.0	£9.750m	4.55%	24.0
Capital Financing Requirement (CFR)	£13.626m			£14.498m		
Over / (under) borrowing	(£3.868m)			(£4.748m)		

Housing Revenue Account	31 st March 2019			31 st March 2020		
	Amt	Rate	Avg Life (yrs)	Amt	Rate	Avg Life (yrs)
PWLB Loans	£70.955m	2.96%	6.3	£67.455m	2.97%	5.6
Total External Debt	£70.955m	2.96%	6.3	£67.455m	2.97%	5.6
Capital Financing Requirement (CFR)	£76.660m			£78.315m		
Over / (under) borrowing	(£5.705m)			(£10.86m)		

- 5.3 At each year end it is possible to analyse the Council's balance sheet to identify how the investment balances are derived and the following table shows the composition of cash resources that make up the investment portfolio total. Total resources available for investment purposes were almost £46m and almost identical to prior year but the internal decision to utilise some of these resources for internal borrowing decisions due to interest rates reduced the amounts available to approximately £30m.

	31 March 2019	31 March 2020	Change
General Fund Balances (incl' minimum working balances)	£1.66m	£1.35m	(£0.31m)
General Fund Earmarked Reserves	£8.99m	£10.80m	£1.81m
HRA Balances (incl' minimum working balances)	£12.17m	£6.76m	(£5.41m)
HRA Earmarked Reserves	£7.01m	£4.53m	(£2.48m)
HRA Major Repairs Reserve	£0.38m	£4.36m	£3.98m
Capital Receipts	£4.10m	£3.59m	(£0.51m)
Ringfenced grants and contributions	£7.26m	£7.89m	£0.63m
Working Capital (i.e. money owed to others less money owed to us)	£4.38m	£6.65m	£2.27m
Total Resources Available for Investment	£45.95m	£45.93m	(£0.02m)
Less amounts utilised for internal borrowing decisions	(£9.57m)	(£15.61m)	£6.04m
Actual Investments	£36.38m	£30.32m	(£6.06m)

6. The Strategy for 2019/20

- 6.1 The expectation for interest rates within the treasury management strategy for 2018/19 anticipated Bank Rate remaining low for the year and slow increases over the medium term.
- 6.2 On this basis, the Investment Strategy was to continue to keep the majority of investments relatively short dated in the low interest rate environment and whilst the impact of Brexit negotiations continued to affect the volatility of investment markets.
- 6.3 The borrowing strategy was to maintain an under-borrowed position while cash balances were sufficient to manage the position. The internal policy to avoid new external borrowing by utilising spare cash balances (internal borrowing) has served well over the last few years. However, this is continually under review to avoid incurring higher borrowing costs in the future when the Council may not be able to avoid new borrowing to finance capital expenditure and/or refinancing of maturing debt.

7. The Borrowing Requirement and Debt

- 7.1 The Council's underlying need to borrow to finance capital expenditure is termed the Capital Financing Requirement (CFR).
- 7.2 The following table details the movements in the CFR for the General Fund and the HRA:

CFR	31 March 2019 Actual	Add new prudential borrowing	Deduct MRP/VRP	31 March 2020 Actual
General Fund	£13.626m	£1.290m	(£0.418m)	£14.498m
Housing Revenue Account	£76.660m	£1.655m	-	£78.315m
Total CFR	£90.286m	£2.945m	(£0.418m)	£92.813m

8. Borrowing Outturn for 2019/20

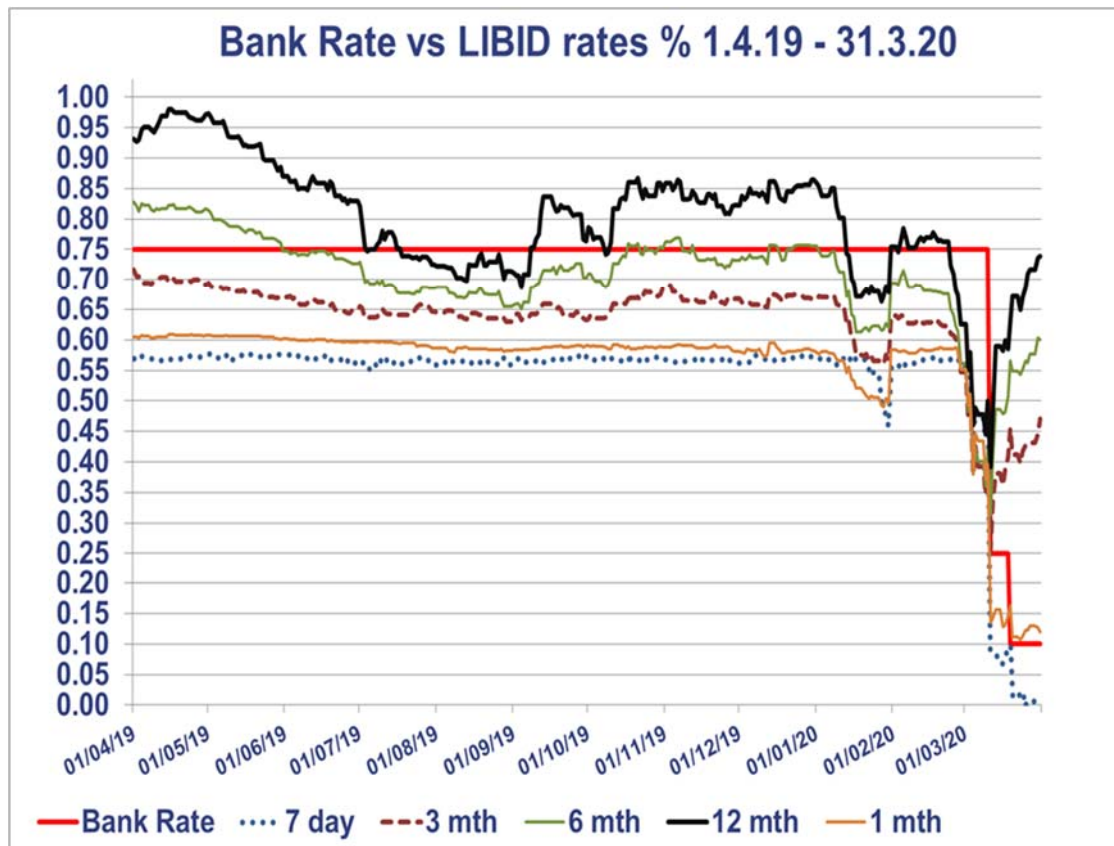
- 8.1 During 2019-20, the Council maintained an under-borrowed position. This meant that the capital borrowing need, (the Capital Financing Requirement), was not fully funded with loan debt, as cash supporting the Council's reserves, balances and cash flow was used as an interim measure. This strategy was prudent as investment returns were low and minimising counterparty risk on placing investments also needed to be considered.

- 8.2 A cost of carry remained during the year on any new long-term borrowing that was not immediately used to finance capital expenditure, as it would have caused a temporary increase in cash balances; this would have incurred a revenue cost – the difference between (higher) borrowing costs and (lower) investment returns.
- 8.3 The policy of avoiding new borrowing by running down spare cash balances, has served well over the last few years. However, this was kept under review to avoid incurring higher borrowing costs in the future when this authority may not be able to avoid new borrowing to finance capital expenditure and/or the refinancing of maturing debt.
- 8.4 No new debt was taken during the year (to avoid the cost of carry implications) and no debt rescheduling was undertaken due to significant premium charges that would have been incurred, rendering it unaffordable. A number of loans were repaid during the year as their natural maturities were reached.

9. Investment Outturn for 2019/20

- 9.1 Investment returns remained low during 2019/20. The expectation for interest rates within the treasury management strategy for 2019/20 was that Bank Rate would stay at 0.75% during 2019/20 as it was not expected that the MPC would be able to deliver on an increase in Bank Rate until the Brexit issue was finally settled. However, there was an expectation that Bank Rate would rise after that issue was settled, but would only rise to 1.0% during 2020.
- 9.2 Rising concerns over the possibility that the UK could leave the EU at the end of October 2019 caused longer term investment rates to be on a falling trend for most of April to September. They then rose after the end of October deadline was rejected by the Commons but fell back again in January before recovering again after the 31 January departure of the UK from the EU. When the coronavirus outbreak hit the UK in February/March, rates initially plunged but then rose sharply back up again due to a shortage of liquidity in financial markets.
- 9.3 While the Council has taken a cautious approach to investing, it is also fully appreciative of changes to regulatory requirements for financial institutions in terms of additional capital and liquidity that came about in the aftermath of the financial crisis. These requirements have provided a far stronger basis for financial institutions, with annual stress tests by regulators evidencing how institutions are now far more able to cope with extreme stressed market and economic conditions.
- 9.4 Investment balances have been kept to a minimum through the agreed strategy of using reserves and balances to support internal borrowing, rather than borrowing externally from the financial markets. External borrowing would have incurred an additional cost, due to the differential

between borrowing and investment rates as illustrated in the charts shown above and below. Such an approach has also provided benefits in terms of reducing the counterparty risk exposure, by having fewer investments placed in the financial markets.



- 9.5 **Investment Policy** – the Council’s investment policy is governed by CLG guidance, which has been implemented in the annual investment strategy approved by Council in February 2018. This policy sets out the approach for choosing investment counterparties, and is based on credit ratings provided by the three main credit rating agencies supplemented by additional market data such as rating outlooks, credit default swaps and bank share prices.
- 9.6 The investment activity during the year conformed to the approved strategy, and the Council had no liquidity difficulties.
- 9.7 The treasury section managed an average investment balance of £40.84m (£45.35m – 2018/19). These funds earned an average rate of return of 1.11% (0.95% - 2018/19). The comparable performance indicators used by the Council are the 3 month LIBID rate which was 0.63% and the 6 month LIBID rate which was 0.70%. This compares with a budget assumption of £35m of investment balances earning an average rate of 1.25%. The higher than budgeted investments placed was due to slippage in the capital programme resulting in cash balances available to invest rather than payment to contractors. As the slipped

programme is delivered throughout 2020/21, these balances will reduce.

9.8 **Long Term Strategic Investments** – The Treasury Team will only place long term deposits after considering the medium term cash flow, interest rate forecasts and credit quality of counterparties. As at 31st March 2020 there was only one investment placed which meet this long term category:

- £2m placed with the CCLA Local Authority Property Fund. This is a variable rate pooled investment vehicle and is deemed to be a long dated investment due to the structure of the fund. Since the date of initial deposit this has generated an average return of 4.25% against the amount invested and 4.14% for 2019/20 financial year.

9.9 The March valuation of the property fund investment indicates that the capital value of the £2m investment stands at approx. £1.88m after entry charges and changes in capital value:

<u>Period</u>	<u>Deposit</u> £000	<u>Entry</u> <u>Charges</u> £000	<u>Capital</u> <u>Growth/</u> <u>(Loss)</u> £000	<u>Closing</u> <u>Value</u> £000	<u>Quarterly</u> <u>Yield (against</u> <u>deposit)</u>	<u>Financial</u> <u>Year</u> <u>Average</u> <u>Return</u>	<u>Return</u> <u>(since</u> <u>inception)</u>
2015/16	1,000	(54)	10	956	4.26% - 4.81%	4.59%	4.25%
2016/17	0	0	(15)	941	4.17% - 4.52%	4.30%	
2017/18	0	0	45	986	4.25% - 4.88%	4.47%	
2018/19	1,000	(63)	26	1,949	3.99% - 4.27%	4.15%	
2019/20 - Q1	0	0	1	1,950	4.01%	4.14%	
2019/20 - Q2	0	0	(19)	1,931	4.35%		
2019/20 - Q3	0	0	(10)	1,921	4.05%		
2019/20 - Q4	0	0	(42)	1,879	4.16%		

9.10 The table above shows that there has been a drop in capital value over the last financial year totalling £70k. This is due to uncertainties from Brexit and more recently Covid19 and the impact that this has had on economic activity and uncertainty on property pricing. Rental yields have remained high (over 4%) but there is a risk that these could drop marginally due to voids and potential arrears as the recession bites.

9.11 As local authorities continue to diversify their investment portfolio, more local authorities have invested in this CCLA property fund (it is only open to UK local authorities). The fund value as at end March 2020 was £1.21bn.

9.12 From 2018/19, there was a change in accounting regulations regarding how capital gains and losses are accounted for. Historically, the gains or losses were held on the Balance Sheet, outside of General Fund and would only impact on GF balances when the deposit was withdrawn. From 2018/19 the regulations required and gains or losses in capital value, plus the charges on entry to the fund, to be charged to investment

income/ costs.

- 9.13 After lobbying by CIPFA and other bodies representing councils, MHCLG have issued a statutory override for 5 years commencing 2018/19 which allows local authorities to reverse these charges, thereby negating the impact on general fund resources. Once this override ends then any impact of gains/ losses will impact the general fund balances, unless there is an extension to the statutory override or it is made permanent.
- 9.14 Although this is a substantial change to the accounting treatment in these types of investments, this does not change the view of officers with regards to utilising these types of funds to ensure that there is sufficient spread across investment types and institutions to manage risk.
- 9.15 The following table shows the property fund returns for 2019/20 before and after the statutory override:

	£000	Return (based on deposit amount)
Property Fund Dividends Received	83	
Capital Gains / (Losses)	(70)	
Net Return	13	0.66%
Statutory Override	70	
Return as reflected in the accounts of NBBC	83	4.14%

- 9.16 **Short Term Investments** - the Treasury Team have been continuing to make use of liquid cash facilities and short dated fixed term deposits to ensure liquidity of funds. These deposits have been restricted to UK banks, UK building societies and Money Market Funds.
- 9.17 All deposits placed were in accordance with the approved counterparty selection criteria and there was no credit default occurrences in the period, with all maturities repaid in accordance with the deposit agreements.

10. Average Investment and Debt Balances Held

10.1 The following table provides further detail on the Council's average investment and debt position for 2019/20 with comparative information from the previous year:

	2018/19		2019/20	
	Weighted Average Principal	Avg Rate	Weighted Average Principal	Avg Rate
Investments				
Long Dated Fixed Rate:				
• Fixed Term Deposits	£1.00m	2.40%	£0.24m	2.40%
Short Term Fixed Rate:				
• Fixed Term Deposits	£14.89m	0.81%	£13.15m	1.03%
• Certificates of Deposit	£9.36m	0.86%	£10.23m	1.03%
Total Fixed Rate Deposits	£25.25m	0.89%	£23.62m	1.04%
Variable Rate Deposits:				
Long Term:				
• Property Fund	£1.83m	4.15%	£2.00m	4.14%
Short Term:				
• Notice Accounts	£8.71m	0.83%	£8.00m	0.95%
• Liquid Accounts (<i>incl MMF</i>)	£9.56m	0.59%	£7.22m	0.68%
Total Variable Rate Deposits	£20.10m	1.02%	£17.22m	1.21%
Total Investments	£45.35m	0.95%	£40.84m	1.11%
Borrowings				
Long Term				
• PWLB	£78.71m	3.13%	£76.44m	3.14%
• Market Debt	£2.00m	4.10%	£2.00m	4.10%
• Interest Free Loans	£0.01m	0.00%	£0.02m	0.00%
Total Long Term Debt	£80.72m	3.15%	£78.44m	3.16%
Temporary Borrowing	-	-	-	-
Total Borrowing	£80.72m	3.15%	£78.44m	3.16%

11. Conclusion

11.1 As is highlighted within this report, 2019/20 continued the trend in recent years of low interest rates and investment returns with no beneficial opportunities for rescheduling or repayment of debt.

11.2 Despite these difficulties, all the prudential limits and indicators are reported with no breaches during the year.

Appendix 1

During 2019/20, the Council complied with its legislative and regulatory requirements. The key actual prudential and treasury indicators detailing the impact of capital expenditure activities during the year, with comparators, are as follows:

Actual prudential and treasury indicators As at 31st March	2018/19 Actual	2019/20 Original Indicator	2019/20 Mid Year Review	2019/20 Predicted Outturn (Feb' report)	2019/20 Actual
Capital expenditure					
• General Fund	£8.31m	£9.88m	£19.41m	£10.19m	£9.33m
• GF commercial	£5.16m	£2.65m	£3.63m	£1.32m	£1.04m
• HRA	<u>£9.21m</u>	<u>£23.64m</u>	<u>£26.06m</u>	<u>£18.49m</u>	<u>£17.22m</u>
• Total	£22.68m	£36.17m	£49.10m	£30.00m	£27.59m
Capital Financing Requirement:					
• General Fund	£11.53m	£12.48m	£16.73m	£11.56m	£12.46m
• GF commercial	£2.10m	£3.04m	£3.04m	£2.04m	£2.04m
• HRA	<u>£76.66m</u>	<u>£81.16m</u>	<u>£81.16m</u>	<u>£78.66m</u>	<u>£78.31m</u>
• Total	£90.29m	£96.68m	£100.93m	£92.26m	£92.81m
Net debt (debt less investments)	£44.34m	£57.38m	£61.71m	£46.61m	£46.89m
External debt					
• Borrowing	£80.71m	£85.20m	£89.53m	£83.21m	£77.21m
• Finance lease	<u>£0.00m</u>	<u>£0.00m</u>	<u>£0.00m</u>	<u>£0.00m</u>	<u>£0.00m</u>
• Total	£80.71m	£85.20m	£89.53m	£83.21m	£77.21m
Investments (long and short dated)	£36.38m	£27.82m	£27.82m	£36.60m	£30.32m

Comments:

Capital Expenditure: A minor underspend compared to February forecast due to additional slippage in the capital programme.

External Debt and Investments: Actual debt is approximately £6m lower at year end compared to the February estimate with the consequence that investment levels are also £6m lower. Net debt is in line with expectations. This decision to delay taking new external debt was due to market volatility and the significant reduction in investment rates available which would create

a large increase in the ‘cost of carry’ if debt had been taken. This would have created a net cost increase on General Fund and HRA. An under-borrowed position can be maintained in the short term and will be monitored to ensure that the most cost effective position in the medium term is taken.

Gross borrowing and the CFR – in order to ensure that borrowing levels are prudent over the medium term the Council’s external borrowing must only be for a capital purpose. This essentially means that the Council is not borrowing to support revenue expenditure. Borrowing should not therefore, except in the short term, have exceeded the CFR for 2019/20 plus the expected changes to the CFR over 2020/21 and 2021/22 from financing the capital programme. This requirement has been complied with, with no breaches during 2019/20.

The authorised limit – the authorised limit is the “affordable borrowing limit” required by s3 of the Local Government Act 2003. The Council does not have the power to borrow above this level. The table below demonstrates that during 2019/20 the Council has maintained gross borrowing within this authorised limit.

The operational boundary – the operational boundary is the expected borrowing position of the Council during the year. Periods where the actual position is either below or above the boundary is acceptable subject to the authorised limit not being breached.

	2019/20 Original	2019/20 Mid-Year Review	2019/20 Predicted Outturn
Authorised limit	£110.68m	£114.93m	£106.26m
Operational boundary	£96.68m	£100.93m	£92.26m
Maximum gross borrowing position during year	£80.72m		
Average gross borrowing position during year	£78.44m		

Actual financing costs as a percentage of net revenue stream – this indicator identifies the trend in the cost of capital (borrowing and other long term obligation costs net of investment income) against the net revenue stream.

Ratio of financing costs to net revenue stream	2018/19 Actual	2019/20 Original Indicator	2019/20 Mid Year Review Update	2019/20 Predicted Outturn	2019/20 Actual
General Fund	3.5%	3.4%	3.4%	3.2%	3.8%
HRA	12.9%	9.2%	9.2%	9.2%	8.3%

Comments:

General Fund: The difference between the predicted outturn and the actual final position was due to a worsening position in NDR pool growth reducing the net revenue stream to the Council plus reduced investment income as interest rates plummeted towards the end of the year.

HRA: The HRA actual closing position was significantly better than the predicted outturn due to the decision to defer taking new external debt reducing the debt interest cost position.

Debt and investments – the net debt position and the maturity profile of the debt and investment portfolios are detailed in the following tables:

	31 March 2019 Principal	Rate/Return	Avg Life yrs	31 March 2020 Principal	Rate/Return	Avg Life yrs
Fixed rate funding:						
-PWL B	£78.71m	3.13%	7.3	£75.21m	3.15%	6.6
-Market	£2.00m	4.10%	59.3	£2.00m	4.10%	58.2
-Interest Free	£0.00m	0.00%	0.3	Nil		-
Total External Debt	£80.71m	3.15%	8.6	£77.21m	3.17%	8.0
CFR	<i>£90.29m</i>			<i>£92.81m</i>		
Over/ (under) borrowing	<i>(£9.58m)</i>			<i>(£15.6m)</i>		
Internally Managed Investments	£36.38m	1.15%	0.5	£30.32m	1.16%	0.5
Total Investments	£36.38m			£30.32m		
Net debt	£44.33m			£46.89m		

The maturity structure of the debt portfolio was as follows and is within the approved limits/ indicators:

Debt	31 Mar 2019 Actual	2019/20 Indicator	31 Mar 2020 Actual
Under 12 months	4%	20%	6%
12 months to 2 years	6%	20%	-
2 to 5 years	20%	50%	33%
5 to 10 years	60%	75%	50%
10 to 20 years	5%	100%	5%
20 to 30 years	-	100%	-
30 to 40 years	3%	100%	3%
40 to 50 years	-	100%	-
Over 50 Years	2%	100%	3%

The maturity structure of the internally managed investment portfolio, including the percentage of the total portfolio, was as follows:

Investments	31 March 2019 actual	31 March 2020 actual
Instant Access	£5.38m 15%	£4.32m 14%
Less than 3 months	£12.00m 33%	£16.00m 53%
Between 3 months and 1 year	£17.00m 47%	£8.00m 26%
Over 1 year	£2.00m 5%	£2.00m 7%
Total	£36.38m	£30.32m

CABINET

Report Summary Sheet

Date: 9th September 2020

Subject: General Fund and Housing Revenue Account Quarterly budget monitoring report - Quarter 1 2020/21 Update

Portfolio: Finance and Civic Affairs (Councillor J Jackson)

From: Executive Director - Resources

Summary: The report details the forecast outturn position for 2020/21 as at the end of June 2020 for the General Fund and Housing Revenue Account budgets and updated capital programmes for the year.

Recommendations:

- 2.1 That the forecast outturn position for 2020/21 for the General Fund and HRA be noted, with regard to the key variances.
- 2.2 That it be recommended to Council that the virements for the General Fund at para 8.9 of the report be submitted to Council for approval
- 2.3 That the virements for the Housing Revenue Account as detailed at Appendix C be approved
- 2.4 That the revised capital programme for the General Fund and HRA for 2020/21 as detailed at Appendix D be submitted to Council for approval
- 2.5 That delegated authority be given to the Executive Directors to carry out procurement exercises in accordance with the Council's Contract Procedure Rules in order to deliver the capital programme for both the HRA and the General Fund

Reasons: The Council must achieve a balanced budget each year

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

Subject to call-in:	Yes
Forward plan:	No
Delivering Our Future Theme & Priority:	Theme 3 : Investment – making the most of what we have Priority 3 : Managing our resources
Relevant statutes or policy:	The Local Government Finance Act 1992 requires a balanced budget to be achieved each year.

Equal opportunity implications:	None
Human resources implications:	None
Financial implications:	Included throughout the report
Health Inequalities Implications:	None
Section 17 - Crime and Disorder Implications:	None
Risk management implications:	The Council takes a risk based approach to setting its budget and the appropriate level of reserves held to fund projects.
Environmental implications:	None
Legal implications:	The authority must achieve a balanced budget each year

Contact details:	Simone Hines Executive Director – Resources 02476 376281
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NUNEATON AND BEDWORTH BOROUGH COUNCIL

Report to: Cabinet – 9th September 2020

From: Executive Director – Resources

Subject: General Fund and Housing Revenue Account Quarterly Budget Monitoring Report – Quarter 1 2020/21 Update

Portfolio: Finance and Civic Affairs (Councillor J Jackson)

Delivering Our Future Theme: 3

Delivering Our Future Priority: 3

1. Purpose of Report

2.6 To present the 2020/21 forecast outturn position as at 30th June 2020 for the General Fund and Housing Revenue Account budgets and capital programmes

3. Recommendations

3.1 That the forecast outturn position for 2020/21 for the General Fund and HRA be noted, with regard to the key variances.

3.2 That it be recommended to Council that the virements for the General Fund at para 8.9 of the report be submitted to Council for approval

3.3 That the virements for the Housing Revenue Account as detailed at Appendix C be approved

3.4 That the revised capital programme for the General Fund and HRA for 2020/21 as detailed at Appendix D be submitted to Council for approval

3.5 That delegated authority be given to the Executive Directors to carry out procurement exercises in accordance with the Council's Contract Procedure Rules in order to deliver the capital programme for both the HRA and the General Fund.

4. Overview of the forecast outturn for 2020/21

4.1 Both the General Fund and Housing Revenue Account budgets and capital programmes were approved by the Cabinet and Council on 18th February 2020. This report updates Cabinet on how the council is performing financially for both the General Fund and the HRA.

4.2 Clearly the COVID-19 pandemic has had a significant impact on both the costs and income of the Council, and it is anticipated that this will continue for some time. Many of the Council's income streams have been reduced and there have also been costs pressures from homelessness, leisure and the purchase of PPE. The total financial impact to the Council this year is expected to be in the region of £3.6m and government grant has been received to partly mitigate this. Further details of the variances are given in sections 4-7 below and then in-year budget changes are proposed at para 8 to ensure that a balanced and sustainable

budget can still be achieved this year.

4.3 The key questions identified below are used as indicators of financial performance:

Revenue Monitoring:

- Are we on track to achieve the overall budget within a tolerance of between £0 - £150k for GF and between £0 and £250k for the HRA?
- What spend pressures are emerging?
- Are key income generators on track?
- Are we achieving any key savings?

5. Overall General Fund/HRA position – are we on track to achieve the budget?

5.1 The table shown at Appendix A sets out the Councils overall General Fund forecast outturn for the year, based on the current trends for the first quarter. The original approved budget estimated a contribution to reserves of £19k. The forecast outturn for 2020/21 at the end of the first quarter is a net transfer from reserves of £1.67m, before any mitigating action is taken. Most of the overspends and under-recovery of income are related to COVID-19.

5.2 A key risk to the General Fund forecast for 2019/20 is business rates income. There has been a steady increase in the total rateable value of properties in the Borough compared to the original forecast, and a decrease in the amount of unoccupied property relief. However, there is still an ongoing risk of appeals, and although the new appeals process used by the VOA is leading to a reduction in the number of appeals being lodged, this is expected to be a temporary delay. It is possible that a significant increase in appeals will be received in the near future. Because of this uncertainty, and the complex accounting treatment for business rates, the current forecast outturn for the General Fund assumes income from business rates in line with the budget, but this may change dependant as more information on appeals becomes available.

5.3 The HRA is currently forecasting a small favourable variance of £73k for the year based on information available at the end of the first quarter and further details are given in Appendix B. This includes an additional contribution from earmarked reserves of £220k to part fund the additional security services costs for independent living and a number of virements are requested and are detailed at Appendix C.

6. What key spend pressures are emerging?

6.1 The most significant issues identified for 2020/21 so far are linked to the COVID-19 pandemic. As a result of the government's 'Everyone in policy' at the beginning of the lockdown period, the Council accommodated 52 rough sleepers, some of whom were not in priority need and the Council would not ordinarily have had a duty towards. This period also saw an increase in demand for temporary accommodation generally, and the need to ensure that social distancing and self-isolation was possible in our hostels led to a further increase in costs. At its peak, the Council had over 140 households in temporary accommodation. There are now 4 rough sleepers remaining in temporary accommodation, but demand still remains high, with 95 households accommodated as at 17th August. To put this in context, the budgeted norm was based on an average of 60 households per week. In addition, the lockdown period has led to delays in the conversion of the Council House and now that the development has restarted there are still delays in material supply. This is expected to push back the completion of the hostel by around three months and has contributed to the

increased cost of the homelessness service as we will need to use more expensive private accommodation for longer.

- 6.2 The Council's leisure facilities are operated by Everyone Active (EA) under an external contract. All the Councils facilities were closed to the public from Friday 27th March. On Saturday 4th July, the government announced that leisure facilities could reopen from Saturday 25th July, as long as strict guidelines were adhered to. Since then the Council has worked with EA to agree the terms under which our facilities could be reopened and when. Given the government guidelines around social distancing it is anticipated that there will still be a loss of income from our facilities even after reopening. The Council has therefore agreed additional payments to EA under the Cabinet Office's Procurement Policy Note 02/20 and then subsequent update PPN 04/20. These payments have been capped for a period from 1st July to 31st October. The position will then be reviewed for the rest of the financial year, taking into account income levels and government guidance at that point. The payments will be based on a monthly review with open book accounting. The agreement enabled the Pingles and Bedworth Leisure Centres to reopen from 25th July and swimming from 22nd August. It is likely that Etone and Jubilee will remain closed until November, with the exception of some fitness classes being held at Jubilee to facilitate social distancing.
- 6.3 The Council has also purchased significant amounts of PPE during the pandemic, predominantly to ensure the safety of both our frontline workers and customers for those front facing services that have continued during lockdown. For example, our refuse teams wear PPE when in the refuse vehicles because social distancing is not possible, and the housing team wear PPE when carrying out repairs in tenants homes.
- 6.4 There are no other significant spend pressures in the General Fund that have come to light over the first quarter of the year but expenditure budgets will be closely monitored as part of the monthly budget setting process.
- 6.5 Expenditure in the HRA is largely on track with the approved budget overall. There are some additional costs from continuing to provide security in some Independent Living Units whilst H&S risk assessments and necessary works are carried out. Works have been delayed due to COVID-19 shielding and social distancing requirements and also supply chain issues, again due to COVID-19. There are also some increased council tax costs from void properties, although this may reduce later in the year.

7. Are key income generators on track?

- 7.1 Income streams have been significantly impacted by COVID-19, both during the lockdown period but also as the economy has started to gradually reopen. All income is shown within the Portfolio budgets at Appendix A but the main income generators are shown below along with key variances:

Income description	Approved Budget £	Forecast Outturn £	Variance £
Market stall rental income	(377,660)	(152,370)	225,290
Land Charges	(130,820)	(130,820)	-
Licensing	(322,130)	(291,530)	30,600
Commercial Property rents	(978,970)	(876,160)	102,810
Industrial Property rents	(224,510)	(215,560)	8,950
Planning Fee income	(949,900)	(588,000)	361,900
Car Parking metered income	(1,758,040)	(805,630)	952,410

Income description	Approved Budget £	Forecast Outturn £	Variance £
Cemeteries income	(396,990)	(396,990)	-
Green Waste	(853,000)	(953,000)	(100,000)

- 7.2 Car park income reduced to around 10% of the budgeted amount for April, when lockdown measures were at their strictest. The Council has also given free parking to NHS and other key worker during the pandemic. Income was 21% of budget in June and 40% in July, as more shops and facilities began to reopen. Town Centre footfall is still at around 50% of pre-COVID levels and we are forecasting income to increase to around 70% of budgeted income later in the year and in the run up to Christmas, although this will clearly depend on the progression of the pandemic, any tightening of measures and changes in customer behaviour.
- 7.3 Similarly, market income was significantly less than budget during lockdown and has not achieved pre-COVID levels since measures were eased. The Council offered free rent to market traders in April to July and has continued to offer reduced rents in August to encourage traders back to the market. We are currently assuming that income will be below budgeted levels for the rest of the financial year but will keep this under review.
- 7.4 A review has been undertaken of our commercial and industrial portfolio and a small number of properties are flagged as a risk of becoming void due to COVID-19 pressures. The annual rental value of these properties is approx. £72k and 50% assumed losses have been included in the forecast. This position will continue to be monitored and the income forecasts updated accordingly as the year progresses.
- 7.5 The Civic Hall has been closed since March 2020 for shows, and although the government has recently announced that theatres can reopen, the Council is still reviewing the guidance on this to determine if and when it will be financially viable to open again. There have been some savings during the time that the Civic Hall has been closed, as casual staff have not been required for instance, but the lack of show income has meant that fixed costs (such as NNDR and utilities) could not be covered. The Bistro reopened on 15th July 2020 initially for take-away only and then for customers to eat in from 10th August 2020, and signed up to the 'Eat out to help out scheme'.
- 7.6 Collection of business rates and council tax is also less than original assumptions, which is not unexpected given the wider impact of COVID on the economy. Business rates income is forecast to be around 10% less than originally planned, and this is after the impact of reliefs which reduced the amount of business rates we are due to collect by £10m (which is being funded by the government). Although collection rates are approximately 10% lower than budgeted, the likely impact on the collection fund will be an increase in arrears and an increase in bad debts provision due to possible future write offs. Therefore the full financial impact of reduced collection rates may not be seen for a number of years. The Council Tax is currently slightly below original assumptions but it is expected that the position may worsen from September when the furlough scheme ends. In addition, take-up of Local Council Tax Support increased by almost 20% from April to June, and may also see a further increase in September.
- 7.7 The impact of the increased take up of Local Council Tax Support and a slowdown of the forecast growth to the taxbase results in a projected in year deficit on the Collection Fund of £2.2m taking the forecast closing position for Council Tax Collection Fund to a deficit of £1.2m (of which around £150k will be the borough councils share). The accounting treatment

of the Collection Fund delays the impact of any variances to the following financial year. At this point there is no confirmed government funding for Collection Fund losses associated with COVID so it will need to be built into the draft budget forecasts for 2021/22.

- 7.8 The table at 7.1 does show increased income from green waste due to take-up of the service being higher than budgeted. To date 23,403 households have signed up to the scheme for this year for 24,227 bins.
- 7.9 In terms of the HRA, rental income is slightly above budget mainly due to a number of dwellings being used for temporary accommodation and charged on a nightly rate and there has also been increased service charge income from Independent Living Units. Investment income is less than budget however, due to historically low interest rates.

8. Are we achieving any key savings?

8.1 A number of key savings are currently being achieved across all portfolios – these mainly relate to net salary savings from vacancies and in-year restructures. Agency costs are also lower than budget. There are vacancies across many services but Economic Development, Parks, Planning, Environmental Health and Revenues and Benefits are particularly affected. Whilst the salary savings are helpful in managing the overall budget position, it does cause capacity issues and puts a heavier workload on those employees that are in post and the impact on wellbeing does need to be closely monitored.

8.2 There were a number of savings agreed as part of the 2020/21 budget setting process and the majority of these are currently on track to be delivered. However, due to COVID-19 pressures a small number of these savings proposals are not likely to achieve their original objectives this financial year:

- Additional income from planning fees
- Leisure contract savings
- Additional income from Council House conversion

8.3 The financial impact of these is reflected in the forecast position and virements are proposed to restate the budget position.

8.4 The HRA also has a number of salary savings as a result of vacancies and reduced internal recharges.

9. General Fund In-Year budget changes and virements

9.1 As already mentioned at section 3.2 above, the total impact of COVID is expected to be in the region of £3.6m this financial year, although this is subject to change.

9.2 So far the Council has received £1.5m of additional grant funding from the government towards these losses. The government has recently announced an income scheme, whereby the Council can claim up to 75% of lost income after the first 5% is deducted. This is calculated across all income streams and there are some exceptions; rental income for instance won't be covered at all. We are awaiting final details on the scheme but on current assumptions the Council should receive approx. £1.3m of further grant support.

9.3 This leaves a potential gap of £0.8m, purely from COVID related issues. However, there are vacancy savings and additional income from green waste which will help to reduce the gap further, and so the total budget deficit of £1.845m would reduce to £366k after taking into account the grant from the income scheme.

- 9.4 However, it is important to note that the current budget position is very much dependent on the speed of economic recovery and any further increase in COVID transmission which may lead to further restrictions. There is also a risk that the assumed £1.3m additional grant will not be at that value once full scheme details are made available. Furthermore, there is concern that the ending of the furlough scheme may cause additional service pressures, either from increased homelessness or reduced council tax collection, for instance.
- 9.5 In order to ensure that a balanced budget can be maintained this year, Management Team has considered a number of savings options and potential deferral of capital programme items. The Executive Director – Resources has also reviewed the Councils reserves position to determine if any reserves can be reduced or re-purposed. This use of reserves to fund in-year budget pressures is only recommended in exceptional circumstances and where unexpected or one-off pressures have arisen in year.
- 9.6 It's worth noting that the Council's level of reserves are very low, especially when compared to other similar authorities, especially the unallocated reserve which stands at £350k at the end of March 2020. The risk assessment which accompanied the 2020/21 budget set out that the financial risks facing the authority stood at £1.2m. The Financial Planning Reserve currently stands at £0.9m, so this and the unallocated balance is only just sufficient to meet the required level of reserves.
- 9.7 After reviewing the earmarked reserves position the Executive Director – Resources is comfortable that a small number of reserves could be reduced in order to contribute to the in-year deficit position. These are shown in the table below. The Insurance Fund is held to cover those areas that we self-insure and the reduction is based on consideration of our current cover, excesses and claims history.
- 9.8 The suggested in-year adjustments are shown in the table below:

	£'000
In-Year Savings:	
Defer recruitment to additional Cleansing Officers until January 2021 (growth item in 2020/21 budget)	34
Reduction in opening hours of the contact centre	22
	56
Capital Programme reductions:	
Defer some of the vehicle replacement programme	100
	100
Use of Reserves:	
Reducing the Planning for the Future reserve	114
Reduce the Insurance reserve	150
Use of Revenues and Benefits system reserve	100
	364
Total Proposed changes	520

9.9 This will require the following virements to be approved for the year

Service	Amount £'000	Comments
Arts, Leisure & Economic Development		
Parks	13	Reduced income (eg pitches)
Community Recreation	270	Contract support
Civic Hall	243	Net Covid19 losses
Central Services & Refuse		
Refuse & Cleansing	(34)	defer recruitment of cleansing officers (per paragraph 8.8)
Licences	30	Reduced income
Finance & Civic Affairs		
Markets	225	Reduced Market income
Rent Rebates	800	Additional Subsidy cost due to increased homelessness
Emergency Planning	120	PPE purchases
Housing Health & Communities		
Housing Advice	30	Additional cost of cleaning for temp accommodation
Mobile Home Sites	30	Loss of income from sales of mobile homes
Planning & Development		
Environmental Protection	13	Pest Control additional cost of service
Car Parks	955	income losses (metered income and fines)
Building Control	83	Additional contribution to partnership due to lost income
Development Control	362	reduced planning income
Commercial Property	103	Rental losses
Industrial Estates	9	Rental losses
Below Portfolio		
Investment Income	90	Loss of investment income
Contributions from Reserves	(364)	Per para 8.8 additional draw on earmarked reserves
Financing of Capital Expenditure	(100)	Per paragraph 8.8 (defer vehicle replacement)
Support Services		
<i>(this will update all portfolios once allocations have been calculated)</i>		
Corporate Customer Services	(22)	Reduce opening hours in the Contact Centre (GF Share)
Funding		

Service	Amount £'000	Comments
General Government Grants	(2,856)	Covid19 Government Grant Support
Net Virements Total	0	

9.10 As the virements required above are more than 5% of net budget (which equates to £800k), the Budgetary and Policy Framework requires them to be approved by Council.

10. Capital Programme 2020/21

10.1 The General Fund capital programme for 2020/21 was approved in February 2020 at £19.74m. The programme was then updated and approved by Cabinet in July 2020 to include slippage from the 2019/20 programme.

10.2 On 1st July, the Council received a notification from government that £1m advance funding from the Towns Fund could be allocated to us, on the basis that it was spent on a project that met the Towns Fund intervention framework and could be delivered by 31st March 2021. After consideration of the options, and particularly given the very tight timescale for delivery, it is proposed that the funding be spent on converting the upper floors of 22 Queen's Road into small, start-up business space which will address the market failure to provide quality office accommodation within the town centre. The project will create 1,245 m2 of new, high quality, affordable commercial floor space, install energy efficient lighting and create 75 new employment opportunities. The Council has not received confirmation that the proposal has been accepted yet but given timescales for delivery the provision is to be added to the capital programme now to avoid any delays in being able to begin the procurement and project management process once confirmation is received.

10.3 As part of the government 'Getting Britain Building' policy, the Coventry and Warwickshire LEP were awarded £8.1m for 'shovel ready' projects that could be accelerated and completed within an 18 month timescale. The Council submitted a bid for the conversion of the Art Deco part of the COOP building on Queen's Rd. This was successful and the Council has been awarded £895,630 for the project.

10.4 Two further project amendments are requested for approval:

- £7,500 – Tennis Courts Miners Welfare Park – Additional grant from Sport England has been applied for to support the project.
- (£100,000) – Vehicle and Plant Replacement – deferral of purchases to allow funds to be diverted to support Covid19 savings proposals (per section 8.8)

10.5 The HRA Capital Programme base programme was approved in February at £26.30m and an additional £1.49m of re-profiling requests was reported to the Cabinet in July within the outturn report taking the updated programme to £27.79m. No further amendments are required to the programme at this stage and the latest programme for approval by Council is detailed at Appendix D.

10.6 The Council's Contract Procedure Rules require Cabinet approval to commence a tendering exercise for any spend above the Key Decision threshold (£125k). To avoid any delays in delivering the programme it is proposed that delegated authority be given to the Executive Directors to carry out the necessary procurement exercises that are required for projects within the approved Capital Programme.

11. Conclusion

- 9.1 The COVID-19 pandemic has had a he financial impact on the Council. Whilst government funding has contributed towards closing the in-year gap, there is still a shortfall. This will need to be funded from a combination of in-year savings, deferrals to the capital programme and reserve contributions. The additional contributions from reserves are just to cover the unexpected impact during 2020/21 that could not have been perceived when the budget was set in February. Any longer term impact of COVID will need to be included in the Medium Term Financial Plan and considered when setting the budget for 2021/22.
- 9.2 The Capital Programmes will need to be increased for 2020/21, partly due to slippage from 2019/20 but also to include the new funding the Council is expecting towards our Transforming Nuneaton Programme.
- 9.3 The Housing Revenue Account is currently showing a stable position, with a small favourable variance being forecast. Rental income may see a bigger impact once the furloughing scheme ends from September and this will be closely monitored.

Simone Hines

General Fund Forecast Outturn – as at end June 2020

	2020/21 Current Budget £	2020/21 Current Forecast £	2020/21 Forecast Variance £	Key Reason for Forecast Variance to Budget
Portfolio				
Arts, Leisure and Economic Development	5,543,750	5,901,160	357,410	Additional costs mainly due to COVID-19 effect on Civic Hall and Leisure.
Central Services and Refuse	4,930,660	4,809,411	(121,249)	Net (£34k) kerbside recycling [contract costs net of income] and (£100k) additional green waste fees & charge income
Finance and Civic Affairs	3,905,020	5,342,237	1,437,217	£1.2m Additional Rent Rebates and Allowance costs due to increased homelessness and lower subsidy recovery rate. Plus £119k additional COVID-19 costs (e.g. PPE). £219k reduced market income due to COVID-19. (£82k) saving due to borough elections being deferred
Housing, Health and Communities	1,459,430	1,519,580	60,150	Lost income £30k from mobile home sales, increased salary costs and cleaning costs of £30k due to additional cleaning requirements (COVID-19) for temporary accommodation.
Planning and Development	(497,830)	1,025,154	1,522,984	Reduced income due to COVID-19 including £1m car park income, £369k building & development control net income plus £115k lost net income from commercial properties & Industrial estates plus £83k forecast additional contribution to Building Control partnership due to COVID losses
Support Services		(124,256)	(124,256)	Savings from Vacancies in finance and customer services, reduced postage and Flare one off IT savings on licence costs.
Portfolio Total	15,341,030	18,473,286	3,132,256	
Central Provisions	334,500	334,500	0	

	2020/21 Current Budget £	2020/21 Current Forecast £	2020/21 Forecast Variance £	Key Reason for Forecast Variance to Budget
Depreciation & Impairment	(3,117,950)	(3,117,950)	0	
Contributions To/From Reserves	(2,216,783)	(2,216,783)	0	
Financing of Capital Expenditure	5,128,520	5,128,520	0	
Gains/Losses on Repurchase Of Borrowing	21,120	21,120	0	
Investment Income	(199,030)	(109,000)	90,030	Reduced investment income with drop in interest rates and cashflow.
Minimum Revenue Provision	481,630	481,630	0	
External Interest	563,290	563,290	0	
Total Council Net Expenditure	16,336,327	19,558,613	3,222,286	
Council Tax	(9,168,458)	(9,168,458)	(0)	
Revenue Support Grant	0	0	0	
New Homes Bonus	(1,621,983)	(1,621,983)	0	
General Government Grants	0	(1,530,440)	(1,530,440)	COVID-19 Relief Grant (£1.53M)
Business Rates Retention	(5,413,670)	(5,413,670)	0	
Surplus From Collection Fund	(150,820)	(150,820)	0	
Total Funding	(16,354,931)	(17,885,371)	(1,530,440)	
(Surplus) / Deficit	(18,604)	1,673,242	1,691,846	

Housing Revenue Account Forecast Outturn – as at end June 2020

Service	2020/21 Current Budget	2020/21 Current Forecast	2020/21 Forecast Variance	Comments
	£	£	£	
SUP& MAN - GEN				
HRA General Expenses	2,196,950	2,168,609	(28,341)	£43k insurance claims overspend and £11k agency spend offset by (17k) salary savings and (£65k) saving from internal service recharges.
HRA Repairs Management	1,809,230	1,818,705	9,475	(£13k) salary savings & £22k compensation costs.
Resident Involvement	22,770	22,770	0	
Debt Management Costs	135,940	135,940	0	
Increase in Bad Debt Provision	485,360	485,360	0	
HRA share of Corporate and Democratic Core	150,000	150,000	0	
HRA share of Non-Distributed Costs	57,680	57,680	0	
Housing System	96,670	96,670	0	
Development Strategy	305,600	305,600	0	
	5,260,200	5,241,334	(18,866)	
SUP& MAN -SPECIAL				
HRA Special Expenses	109,130	161,190	52,060	£48k overspend on council tax and £4k overspend on NNDR.
Independent Living	2,295,630	2,573,097	277,467	£310k security services overspend [Virement requested] and £20k council tax overspend slightly offset by (£52k) salary savings.
Homeless Hostels	55,930	55,930	0	
Bedworth Hostel	63,630	63,630	0	
Other Housing Schemes (Flats)	574,420	563,653	(10,767)	Salary savings of (£21k) slightly offset by £10k council tax overspend.
Grounds Maintenance	449,770	449,770	0	
	3,548,510	3,867,270	318,760	

Service	2020/21 Current Budget	2020/21 Current Forecast	2020/21 Forecast Variance	Comments
	£	£	£	
REPAIRS & MAINTENANCE				
Reactive Repairs	2,215,710	2,158,870	(56,840)	(£72k) salary savings, £30k increased transport costs & (£15k) reduced refuse disposal costs.
Call Out	69,190	69,190	0	
Repairs Overheads	0	0	0	
R.+ M. - Dwellings	1,008,220	990,400	(17,820)	(£18k) reduced external contractor based on known factors.
R. + M. - Estate Management	20,000	20,000	0	
Asbestos	135,000	135,000	0	
R. + M. - Homeless Hostels	4,840	4,840	0	
R. + M. - Shops & Other Co.	1,000	1,000	0	
Planned Works - Outside Contractors	793,500	824,480	30,980	£50k increased amount of works required during gas servicing, (£19k) reduced costs of rendering and algae removal.
Outside Contractors - Not Depot Monitored	243,710	243,710	0	
R + M - Voids	644,980	666,690	21,710	£25k two month deep clean of properties offset by (£3k) salary saving.
	5,136,150	5,114,180	(21,970)	
CAPITAL FINANCING COSTS				
Depreciation	8,461,000	8,461,000	0	
Interest Payable	2,396,700	2,396,700	0	
	10,857,700	10,857,700	0	
INCOME				
Council House & Hostels-Income HRA	(23,036,890)	(23,058,000)	(21,110)	£49k losses on dwelling rents due to increased voids but also due to a number of dwellings being used for temp homeless provision offset by (£70k) additional income re hostel/ temp accommodation
Interest Receivable	(46,800)	(30,000)	16,800	Historic low interest rates at 0.1% impacting on returns
Non-Dwelling Rents	(589,260)	(583,260)	6,000	Marginal losses on garage rent income

Service	2020/21 Current Budget	2020/21 Current Forecast	2020/21 Forecast Variance	Comments
	£	£	£	
Other Income - Independent Living Schemes	(1,332,610)	(1,416,400)	(83,790)	Increased ILO service charge income [Virement requested]
Other Income - Services And Facilities	(628,120)	(639,183)	(11,063)	Increased gen purpose service charges [Virement requested]
Other Income - Rechargeable Repairs	(15,000)	(15,000)	0	
	(25,648,680)	(25,741,843)	(93,163)	
APPROPRIATIONS				
Capital Expenditure funded by HRA (CERA)	1,793,170	1,793,170	0	
Appropriations to/ (from) Revenue Reserves	(658,910)	(878,910)	(220,000)	Draw on reserves to fund additional security services cost [Virement requested]
	1,134,260	914,260	(220,000)	
Support Services		(38,144)	(38,144)	
Total HRA	288,140	214,757	(73,383)	

HRA Virements

<u>Cost Centre/ Service Area</u>	<u>Budget Virement Requested</u>	<u>Comment</u>
LB05 – Independent Living	£310,000	Additional costs for security services. Delays in withdrawal of services due to Covid19 delays due to supply chain problems for materials and social distancing/ shielding of vulnerable residents.
LY03 - Other Income Independent Living Schemes	(£80,000)	Additional income projected above budget.
LY04 – Other Income Services and Facilities	(£10,000)	Additional income projected above budget
LZ07 – Appropriation from Earmarked Reserves	(£220,000)	Resources to be taken from general reserve to part fund security services costs.

General Fund – Updated Capital Programme

	2020/21 Base Programme Budget	Adj' to base programme per July Cabinet Report	Subtotal as reported to Cabinet July 2020	Proposed Adj' (this report)	Updated Programme 2020/21
	£	£	£	£	£
<u>Arts, Leisure & Economic Development</u>					
Haunchwood Pavilion	5,000	(5,000)	-	-	-
Pauls Land Pavilion	10,500	-	10,500	-	10,500
Sandon Park/Jack Whetstone Pavilion	23,270	4,600	27,870	-	27,870
Target Hardening	100,000	-	100,000	-	100,000
Kersley Community Centre Car Park Improvements	-	1,400	1,400	-	1,400
Pingles Athletics Stadium - Upgrading Floodlights	-	24,600	24,600	-	24,600
Preliminary Works - Riversley Park Bridge	40,000	-	40,000	-	40,000
Pingles - Running Track Replacement	104,570	-	104,570	-	104,570
Tennis Courts - Miners Welfare Park	202,500	-	202,500	7,500	210,000
Leisure Strategy	1,160,000	-	1,160,000	-	1,160,000
<u>Central Services & Refuse</u>					
ICT Strategy Programme	125,000	41,800	166,800	-	166,800
Major Repairs	250,000	-	250,000	-	250,000
Vehicle & Plant Replacement	868,000	-	868,000	(100,000)	768,000
Sub-Regional Materials Recycling Facility	3,396,000	-	3,396,000	-	3,396,000
Civica APP (Flare)	-	73,200	73,200	-	73,200
<u>Finance & Civic Affairs</u>					
Camp Hill - Early final phase	2,369,235	39,000	2,408,235	-	2,408,235
Purchase of Investment Properties (incl properties to lease)	3,460,000	-	3,460,000	-	3,460,000
Towns Fund Advanced Funding	-	-	-	1,000,000	1,000,000
Getting Britain Building	-	-	-	895,630	895,630
Transforming Bedworth	100,000	-	100,000	-	100,000
<u>Housing, Health & Communities</u>					
HEART	6,150,600	845,000	6,995,600	-	6,995,600
Empty Homes & Works in Default	40,000	-	40,000	-	40,000
Empty Property Loans	100,000	-	100,000	-	100,000
Mobile Home Sites	212,100	5,400	217,500	-	217,500
Conversion of Council House	790,000	104,000	894,000	-	894,000

	2020/21 Base Programme Budget	Adj' to base programme per July Cabinet Report	Subtotal as reported to Cabinet July 2020	Proposed Adj' (this report)	Updated Programme 2020/21
	£	£	£	£	£
<u>Planning & Development</u>					
Replacement CCTV Cameras	9,700	-	9,700	-	9,700
CCTV - Wireless Technology	120,000	-	120,000	-	120,000
Miscellaneous Schemes	100,000	-	100,000	-	100,000
Total Capital Programme	19,736,475	1,134,000	20,870,475	1,803,130	22,673,605
Financed by:					
Capital Receipts	2,826,335		2,870,735	-	2,870,735
Earmarked Reserves	5,128,520		5,264,520	(100,000)	5,164,520
Grants & External Contributions	6,595,620		7,445,220	1,903,130	9,348,350
Prudential Borrowing	5,186,000		5,290,000	-	5,290,000
Total	19,736,475		20,870,475	1,803,130	22,673,605

HRA Capital Programme

	2020/21 Base Programme Budget	Additional amounts re- profiled from 2019/20	Updated Programme 2020/21
	£	£	£
Acquisition & New Build	11,235,620	(433,420)	10,802,200
Byford Court Regeneration	2,387,000	-	2,387,000
Aids & Adaptations	500,000	-	500,000
Central Heating	1,000,000	-	1,000,000
Decent Homes	2,500,000	-	2,500,000
District Heating - Smart Meters	-	262,500	262,500
District Heating Boilers	200,000	-	200,000
District Heating Works	50,000	-	50,000
Door Entry System	50,000	-	50,000
Environmental Works	25,000	-	25,000
Fire Damaged Properties	-	15,000	15,000
Fire Risk Assessments (General Purpose)	300,000	-	300,000
Fire Safety Works	2,250,000	666,000	2,916,000
Garages	25,000	-	25,000
Housing Management System	-	356,000	356,000
Large Scale Feasibility	100,000	60,000	160,000
Level Access Showers	500,000	37,500	537,500
Lift Renewal Works	100,000	-	100,000
PIR Electrical Works	300,000	145,000	445,000
Roof Coverings/ Modifications	850,000	-	850,000
Shed Door & Roof Renewals	25,000	-	25,000
Sheltered Alarm Call Systems	-	367,000	367,000
Shop Improvements	15,000	13,000	28,000
Slabs to Tarmac	200,000	-	200,000
Structural & Cladding / Concrete Repairs	2,000,000	-	2,000,000
Voids	450,000	-	450,000
Windows & Doors	700,000	-	700,000
Capital Salaries	439,170	-	439,170
Contingency	100,000	-	100,000
Total Capital Programme	26,301,790	1,488,580	27,790,370
<u>Financed by</u>			
Major Repairs Reserve	12,698,620	118,835	12,817,455
Earmarked Reserves/ Revenue	1,793,170	-	1,793,170
Capital Receipts	1,810,000	1,025,045	2,835,045
Capital Grants/ Contributions	1,500,000	-	1,500,000
Borrowing	8,500,000	344,700	8,844,700
Total	26,301,790	1,488,580	27,790,370

CABINET

Cabinet/Individual Cabinet Member Decision

Report Summary Sheet

Date:	9th September 2020
Subject:	Statement of Community Involvement (SCI) - Adoption
Portfolio:	Planning, Development & Health (Councillor Neil Phillips)
From:	Director – Democracy, Planning and Public Protection

Summary:

The purpose of this report is to seek Cabinet approval of a revised Statement of Community Involvement (SCI) and to recommend its adoption at Full Council.

Recommendations:

1. The updated Statement of Community Involvement (SCI) be approved; and
2. Subject to 1 above, it be recommended to Council that the approved Statement of Community Involvement be adopted and the Statement of Community Involvement be published on the Council's website.

Options:

1. To accept the recommendations.
2. Not to proceed and recommend adoption at Full Council.

Reasons:

Where policies in the adopted SCI cannot be complied with due to current guidance to help combat the spread of coronavirus (COVID-19) the SCI has been updated to ensure that plan-making and the determination of planning applications can continue (in

accordance with the SCI).

Subject to call-in: Yes.

Ward relevance: All.

Forward plan: No.

Delivering Our Future Theme: 1, 2 and 3.

Delivering Our Future Priority: All.

Relevant statutes or policy: The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), the Town and Country Planning (Development Management Procedure, Listed Buildings and Environmental Impact Assessment) (England) (Coronavirus) (Amendment) Regulations 2020, the Town and Country Planning (Local Planning) (England) (Coronavirus) (Amendment) Regulations 2020, and the Nuneaton and Bedworth Borough Plan 2019.

Equal opportunity implications: None.

Human resources implications: None.

Financial implications: None.

Health Inequalities Implications: None.

Section 17 - Crime and Disorder Implications: None.

Risk management implications: An up-to-date SCI will assist in ensuring that the Council meets legislative requirements and, consequently, reduce the risk of planning documents being found unsound at examination as well as ensuring consultations on planning applications are undertaken in accordance with the SCI.

Environmental implications: None.

Legal implications: There is a statutory requirement to comply with the SCI when preparing planning policy documents.

Contact details:

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AGENDA ITEM NO. _____

NUNEATON AND BEDWORTH BOROUGH COUNCIL

Report to: Cabinet – 9th September 2020

From: Director – Democracy, Planning and Public Protection

Subject: Statement of Community Involvement (SCI) - Adoption

Portfolio: Planning, Development & Health

Delivering Our Future Theme: 1, 2 and 3

Delivering Our Future Priority: All

1. Purpose of Report

- 1.1 The purpose of this report is to seek Cabinet approval of a revised Statement of Community Involvement (SCI) and to recommend its adoption at Full Council.

2. Recommendations

- 2.1 The updated Statement of Community Involvement (SCI) be approved; and
- 2.2 Subject to 2.1 above, it be recommended to Council that the approved Statement of Community Involvement be adopted and the Statement of Community Involvement be published on the Council's website.

3. Background

- 3.1 The SCI is a statutory document that explains how the community and other stakeholders can become involved in the planning process. The current Statement of Community Involvement was adopted in December 2015 and sets out when and how the community will be engaged with the production of planning policy documents and the determination of planning applications.
- 3.2 Recent Government guidance in light of the current pandemic is that where any of the policies in the Statement of Community Involvement cannot be complied with due to current guidance to help combat the spread of coronavirus (COVID-19), the local planning authority is encouraged to undertake an immediate review of the SCI and update the policies where necessary so that plan-making can continue.

- 3.3 It has been identified that within the current SCI the policy to provide planning policy documents for inspection, exhibitions, face-to-face meetings and similar are not achievable at present. Similarly, it may not be feasible to provide site notices, press notices and letters as part of planning application consultations; the government has passed new temporary legislation to provide greater flexibility for the advertising of planning applications which does not accord with the provisions of this SCI. Therefore, additional text has been added to the SCI to address the changes that may be necessary to allow consultation to take place in accordance with the SCI (paragraphs 1.5 to 1.8). And, as per Government guidance online engagement methods will be used to their full potential. The immediate benefit of this for the purposes of planning policy is that consultation on the Town Centres Area Action Plan can begin.
- 3.4 In normal circumstances consultation would take place on changes to the SCI but given that the issues caused by the pandemic are the ability to undertake some of the consultation methods set out in the SCI and the need to keep the planning system functioning it is considered that consultation is not appropriate. There is no requirement in legislation for local planning authorities to consult when reviewing and updating their Statement of Community Involvement. It should be noted that the SCI is clear that changes to consultations are only temporary whilst restrictions relating to COVID-19 are in place.
- 3.5 Furthermore, Regulation 10A of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) requires local planning authorities to review Statements of Community Involvement at least once every 5 years from their adoption date to ensure that policies remain relevant and effectively address the needs of the local community. With the current SCI having been adopted in December 2015 that means a review is due anon.

4 Conclusion

- 4.1 That the updated SCI is accepted and recommended for approval at Full Council.

5 Appendices

Appendix A – Statement of Community Involvement.

6 Background Papers (if none, state none)

None.

NUNEATON AND BEDWORTH
BOROUGH COUNCIL

STATEMENT OF
COMMUNITY
INVOLVEMENT

2020



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1. Introduction

- 1.1 The Nuneaton and Bedworth Statement of Community Involvement (SCI) is a statutory document that formally sets out how the community and other stakeholders with an interest in the development of the Borough can engage with the planning system.
- 1.2 The aim of the SCI is to ensure that engagement:
 - Reflects the needs of the community, stakeholders and other interested parties
 - Is appropriate to the type of document being prepared or the type of planning application being considered by the Council
 - Is accessible and transparent, ensuring a sense of community ownership
 - Takes place in a variety of ways.
- 1.3 The SCI is broken down into 3 main parts. The first part considers when the Council will engage with interested parties, the second part identifies who the Council will engage with and the final part explains how the Council will engage with stakeholders through a range of different methods.
- 1.4 The Council's first SCI was adopted in 2006. This update is to reflect changes to planning regulations since this time.

Coronavirus amendments

Development plans documents, supplementary planning documents and Community Infrastructure Levy

- 1.5 To combat the spread of coronavirus (COVID-19) the government has published guidance that has implications for plan-making and the ability of the Council to comply with the policies set out in this Statement of Community Involvement (SCI). The ability of the Council to provide planning policy documents for public inspection, undertake exhibitions and face-to-face meetings have been curtailed by the guidance. Therefore, and notwithstanding those policies set out in the SCI, documents for public inspection, exhibitions, displays, roadshows and face-to-face meetings may not be used during consultations on planning policy documents. Instead, as per government guidance, online engagement methods will be used to their full potential. This is only a temporary measure and whilst restrictions relating to COVID-19 are in place so that when it is safe to do so then these consultation methods shall, where appropriate, be used once more.

Planning applications

- 1.6 Normally an application would be publicised by a site notice, by serving the notice on an adjoining owner or occupier, and/or by publishing the notice in a local newspaper. However, the Government has passed new regulations so that if it is not reasonably practicable for reasons connected to the effects of coronavirus to undertake these actions, then steps such as social media and email can be used instead to inform any persons who are likely to have an interest in the application.
- 1.7 The new regulations allow for temporary publicity changes to be applied to the following types of application:
- applications for planning permission made to us (including an application for Environmental Impact Assessment development accompanied by an environmental statement);
 - applications for listed building consent;
 - application for variation or discharge of conditions attached to listed building consent;
 - applications for planning permission affecting the setting of a listed building or the character or appearance of a conservation area made to us;
 - applications made by us to the Secretary of State for listed building consent for the demolition, alteration or extension of a listed building;
 - applications for planning permission or a subsequent application for Environmental Impact Assessment development which has been made without an environmental statement, where the applicant proposed to submit such a statement; and
 - submission of further information to supplement an environmental statement.
- 1.8 Also, under the temporary publicity requirements, in the case of an application for planning permission, the period given in a newspaper notice and on our website for representations has been increased from 14 to 21 days (or longer where the period includes public or bank holidays). Therefore, whilst it is not possible to achieve the requirements set out further on in this SCI consultations will be undertaken in accordance with current regulations. These regulations expire on 31st December 2020 but should these be extended or further regulatory changes be made then consultation will be undertaken in accordance with these rather than the SCI if compliance with the SCI cannot be achieved.

2. When Do We Engage?

- 2.1 The Council prepares a range of planning policy documents that shape development within Nuneaton and Bedworth. Details of the documents are listed below along with the processes of engagement which will be used as they are prepared.

Development Plans

- 2.2 Development Plan Documents (DPDs) set planning policy for the Borough and are the starting point for the determination of planning applications. There are 3 main stages of DPD production where the Regulations require some form of consultation /community involvement.

1. Preparation of a DPD (Regulation 18):

Certain 'specific' (identified in the Regulations) and 'general' (identified by the Council) consultation bodies are invited to make representations about what a DPD ought to contain.

2. Publication of a DPD (Regulations 19 & 20):

Copies of a proposed DPD and associated documents will be made available for inspection for 8 weeks. When necessary, for the purposes of expediency, consultation will take place for 6 weeks. The Council will invite interested parties to make formal representations at this stage. This is effectively the final stage when formal representations can be made to the Council.

3. Submission of a DPD to the Secretary of State (Regulation 22):

A copy of the proposed DPD and associated documents is submitted to the Secretary of State for 'examination'. An Independent Inspector is then appointed to examine the soundness of the document. The Council will provide the Inspector with the formal representations made under Regulation 19 and 20. At this stage the Council cannot consider new formal representations, although opportunities exist for additional statements to be made to the Inspector to elaborate on representations previously made as part of the examination process.

At examination the Inspector will assess whether the Council has met legal and procedural requirements which includes whether the document has been prepared in accordance with the SCI. In considering the soundness of the Plan the Inspector will consider all of the 'duly made' representations. The Inspector may invite the Council to make modifications in order to make the document sound. Further consultation is

normally required on the modifications and any responses received will be considered by the Inspector rather than the Council.

Duty to co-operate

- 2.3 In addition to the requirements outlined above, Section 110 of the Localism Act 2011 sets out a 'duty to co-operate' which requires the Council to engage constructively, actively and on an on-going basis with neighbouring authorities and other statutory bodies on strategic cross boundary matters associated with Plan making. This requirement will be tested at examination. Appendix A lists the Duty to Cooperate bodies.

Additional Engagement

- 2.4 The Council will also undertake consultation in between the first two stages outlined above and therefore exceed the minimum legal requirements. This is to ensure that interested parties have an opportunity to feed into the development of a document as it emerges and it will assist in meeting the requirements to test reasonable alternatives as part of the Sustainability Appraisal/ Strategic Environmental Assessment process.
- 2.5 Additional engagement may take the form of an on-going process of informal discussions with key stakeholders and there may not therefore be a defined or formalised period of consultation. However where considered appropriate, a formalised period of consultation will be undertaken for 8 weeks and any representations received will be considered in advance of preparing a 'Publication' version of a Plan.

Sustainability Appraisal/ Strategic Environmental Assessment

- 2.6 Sustainability Appraisals (SAs) assess the environmental, social and economic effects of a DPD as part of a process of ensuring that the proposals contained in a document represent the most appropriate approach when considered against reasonable alternatives. Where appropriate a SA will incorporate a Strategic Environmental Assessment (SEA) in accordance with European Directive EC/2001/42. Draft copies of the SA/SEA will be made available alongside corresponding versions of a DPD.

Supplementary Planning Documents

- 2.7 Supplementary Planning Documents (SPDs) provide further detail on the policies contained in DPDs. In preparing SPDs the Council will undertake consultation on a draft document. Copies of a document will be made available for inspection and representations will be invited in line with Regulations. Representations will be considered prior to a SPD being finalised and adopted. Additional informal consultation will be undertaken in the drafting of SPD's where appropriate.

Community Infrastructure Levy (CIL)

- 2.8 CIL is a levy on new development floorspace which is used to contribute towards the delivery of infrastructure to support development. The statutory process for preparing a CIL Charging Schedule is set out in the Community Infrastructure Regulations 2010 (as amended) and the consultation requirements associated with this mean that there will be opportunities to engage in the preparation of the document at the following stages:
- Consultation on Preliminary Draft Charging Schedule
 - Consultation on Draft Charging Schedule
 - Examination (for those making representations)

Neighbourhood Planning

- 2.9 Neighbourhood Development Plans provide an opportunity for communities to have a further say in the way their local area is developed although the Plans must be in conformity with the strategic policies in the Borough Plan. Further details regarding Neighbourhood Planning and stakeholder engagement in the plan making process can be found in a Neighbourhood Planning Protocol on the Council's website.

Involvement in the Planning Application Process

- 2.10 The Planning Application Process can be divided up into three main stages in terms of community involvement – pre-application, application and post-application.

Pre-Application

- 2.11 The aim of the 'pre-application' stage is to allow an applicant to find out whether the type of development proposed is acceptable in principle prior to submitting a formal planning application.

- 2.12 A number of benefits may be achieved from pre-application discussions including:
- Better quality applications which will take less time to process;
 - Identification and resolution of problems at an early stage resulting in fewer objections from statutory consultees, key stakeholders and the community when the application is processed;
 - Openness of approach;
 - Fewer revisions of proposals saving developer and local authority time and resources.
- 2.13 Developers are required to consult local communities on certain types of development (in line with the Localism Act) before submitting a planning application. Pre-application community involvement should be tailored to the nature and scale of the proposed development and applicants are encouraged to contact the Council's Development Control Team in advance to agree the need for the exercise and the proposed methods of community involvement to be used. To ensure impartiality, the Council will adopt a 'watching' role but will not be directly involved in the consultation process. A 'Consultation Outcome Report' should be submitted with the Planning Application stating how the application has been amended to overcome issues raised during the pre-application community involvement. The 'Pre-application Checklist' provided in Appendix B should be completed by the applicant and submitted with the Consultation Outcome Report.
- 2.14 The Council provides a pre-application service for developers. Details of the service including information about fees, exemptions and the assistance provided can be found in a guidance note available on the Council's website.

Application

- 2.15 At the 'application' stage the Council will consider the planning application before making a formal decision on the proposed development. This stage of the process can take between 8-13 weeks depending on the scale of the application concerned. During this stage the Council is also required to publicise and consult on the planning application. This will be carried out in accordance with the statutory requirements for publicity. Where required, consultation on amended plans may also take place, although the timescales for response are likely to be less to prevent a significant delay in the consideration of the application.
- 2.16 The Head of Development Control has delegated authority to process and make decisions on some planning applications in accordance with procedures agreed by the Planning Applications Committee. The delegation agreement is available to view online. Other applications will be reported to the Planning Applications Committee for a decision. The Planning Applications Committee is a public meeting which takes place at a frequency determined by Cabinet.

Members of the public are allowed to speak at the Committee in accordance with procedures agreed by the Planning Applications Committee. Committee agendas are made available at the meetings or can be found on the Council's web site. Full details of the dates and venues for future committee meetings can also be found on the Council's web site.

Post-Application

- 2.17 After a decision has been taken on an application the Council will publicise the outcome along with details on how the decision was taken (delegated or committee), policies appropriate to the decision, any conditions that are attached to an approval, reason(s) for refusal and details of the applicants right to appeal. All decisions will be updated on the online application register.
- 2.18 If a planning application is refused or there is disagreement over conditions attached to a planning approval notice, the applicant has a right to appeal against the Council's decision. When the Council receives notification of an appeal from the Planning Inspectorate, it will write and notify anyone who commented in writing on the original planning application. The notification letter will explain what type of appeal has been submitted and how comments on the appeal can be made to the Planning Inspectorate. Copies of all written comments submitted to the Council in relation to the original planning application will be forwarded to the Planning Inspectorate. Comments on the appeal should be sent to the Planning Inspector who will copy them to the Council for consideration.

3. Who Do We Engage With?

- 3.1 The planning process, especially the outcomes, can affect anyone regardless of age, disability, gender reassignment, race, ethnicity, religion or belief, gender, sexual orientation, pregnancy and maternity, marriage and civil partnership, ability, education, etc. It is therefore important that anyone who has an interest in the future development of the Borough has an equal opportunity of becoming involved in the process, whether as an individual resident, a member of a community group, a stakeholder or any other interested party.
- 3.2 The level of community involvement will vary according to the type of planning policy document being prepared and the type and scale of planning application being considered. For example, Area Action Plans and smaller planning applications may require more focused community involvement with local residents. Strategic development documents such as the Borough Plan and larger planning applications will require wider consultation across the Borough and involve a wider range of stakeholders.

Planning Policy Documents

- 3.3 The Planning Regulations set out the requirements with regards who must be consulted at defined stages in the plan making process and are known as 'specific consultation bodies' and are listed in Appendix C. The Council also has discretion to identify a number of other bodies who it may wish to consult at key stages which are known as 'general consultation bodies' and are listed in Appendix D. This will include the community and 'harder to reach' groups such as minority groups, disability groups, the young, the elderly and residents from deprived wards in the Borough. The Council will make every endeavour to meet the requirements of the Equality Act.
- 3.4 In addition to the 'specific' and 'general' consultation bodies, the Council will engage with a wide range of other individuals and organisations including those listed in Appendix E.
- 3.5 These lists may change as a result of amendments to the Regulations and/ or the Council updating the list of General Consultation bodies. The Council will maintain an address database of individuals, groups and other interests wishing to be informed when documents are produced.

Planning Applications

- 3.6 The Council consults a range of statutory consultees (see Appendix F) along with additional organisations which it is advised to consult, as set out in the Town and Country Planning (Development Management Procedure Order) (England) (2010). The nature and location of a particular proposal will be used to determine who is consulted on what application.

4. How Do We Engage?

- 4.1 There are a wide range of consultation methods open to the Council when producing planning policy documents and in determining planning applications. The method of engagement used will vary depending on whether it is a formal stage of engagement governed by regulations or an informal engagement stage.

Plan Preparation

- 4.1 In terms of meeting the minimum legal requirements for Plan preparation as outlined in the 2012 Regulations, the Council must inform by letter or email certain specific and general consultation bodies at Preparation, Publication and Submission. Through this SCI the Council will also consult more widely.
- 4.2 In order to meet the statutory minimum requirements for community involvement the Council will;
- Make documents available at the Town Hall and Bedworth Area Office
 - Write to statutory consultees
 - Make documents available on the Council's website
- 4.3 In addition to this, the Council may utilise other consultation methods that go beyond the minimum requirements of the regulations such as;
- Make documents available in libraries/ other information points
 - Write to non statutory consultees
 - Issue press releases to the media
 - Undertake surveys/ questionnaires
 - Prepare leaflets/ brochures
 - Undertake roadshows/ displays/ exhibitions
 - Social media
 - Digital media
 - Focused meetings with recognised groups
 - Utilisation of Council publications e.g. InTouch
- 4.4 With regards harder to reach groups the Council will seek to utilise innovative consultation methods to encourage their engagement in the Plan making process. The Council will seek to work with harder to reach groups to determine the most appropriate consultation methods to be used.
- 4.5 Information will be made available as widely as possible and in other formats on request. Where possible, the principals of the Plain English Crystal Mark will be applied. Where groups require information to be made available in other formats the Council will try to arrange this in advance (if reasonable notice has been given).

Planning Applications

4.6 To meet the statutory requirements for the publicity of planning applications¹, the Council will use the following methods;

- **Weekly List** which contains details of applications submitted over the previous week. The list is sent to statutory consultees, Councillors and other departments in the Council. It is also available on the Council's website or can be sent to individuals for a small fee.
- **Website** The Council's website includes an on-line register of all planning applications submitted since 1990.
- **Neighbour Notification** via a letter is provided to occupiers of properties most likely to be affected by proposals. Consultees are invited to make written comments on the proposals within 21 days. Advice on the process for responding is also provided. Where there are no neighbouring properties or properties directly affected by the proposals a site notice will be posted.
- **Site Notices** are used to publicise all planning applications where neighbour notification by individual letter is not appropriate. Site notices are displayed in the vicinity of the application site. Comments must normally be submitted within 21 days of the date of the site notice.
- **Site Notices and Newspaper Adverts are posted for the following types of application:**
 - Applications accompanied by an Environmental Statement
 - Applications which would result in a departure from the development plan
 - Applications where development would affect a public right of way
 - All major and significant major applications (as defined in Glossary)
 - Minor and other applications that are likely to result in wider concern (as defined in the Glossary)
- **Statutory Consultee Notification** is provided to relevant Statutory consultees and response is requested with 21 days. Bodies such as Natural England will be allowed a longer period of time to comment on applications where this is prescribed by legislation.

Additional Publicity

4.7 In addition to the statutory requirements for publicity and consultation, the Council will carry out additional publicity for applications that are accompanied by an environmental statement and significant major applications (as defined in the Glossary at Appendix G). The additional publicity will be in accordance with the methods outlined below:

¹ The Town and Country Planning (General Development Procedure) Order, 1995

- The Exhibition of Plans at the Town Hall, Nuneaton and at Bedworth Area Office, during the 21-day period in which comments can be submitted to the Council.
- Press Releases to Media
- Council's website
 - General planning advice and guidance
 - Access to the Planning Portal website
 - Information on the Planning Applications Committee – committee members, committee dates and committee reports
- Duty Officer at Town Hall and by free phone from Bedworth Area Office and Civic Hall.
- Inspection of plans at Town Hall and Bedworth Area Office.
- Direct contact with the planning Contact Centre on 024 7637 6328 or e-mail at planning@nuneatonandbedworth.gov.uk
- Planning Officers may be able to visit older people and those with a disability at home with copies of plans if a request is made. For further information please call the planning contact centre on the above number.

West Midlands Planning Aid

- 4.8 The West Midlands Planning Aid Service provides free, independent and professional advice on planning issues to community groups and individuals within the West Midlands who are unable to pay for planning consultant support. They also work with communities to help them understand and become involved in the planning process. The Council will make every effort to ensure that members of the community are made aware of this service, and will work with Planning Aid to explore ways in which they can assist in facilitating community involvement. Further details on Planning Aid are available from the Town Hall, Nuneaton or by contacting the West Midlands Planning Advice Helpline on 0121 766 8044.

5. Consultation Tables

- 5.1 Tables 1 and 2 summarise the information contained in sections 2, 3 and 4 of this document, outlining the minimum engagement arrangements for the preparation of DPDs and SPDs. Table 3 summarises engagement arrangements for planning applications.

Table 1: Minimum Engagement on DPDs

Stage	Purpose	Who	How
Preparation of a DPD	Evidence gathering	<ul style="list-style-type: none"> • Specific and general 	Letter, email, internet

Regulation 18	Notify and consult on scope of Plan	consultation bodies	
Publication of a DPD (and SEA/SA) Regulation 20 6/8 weeks	Consult on proposed submission document	<ul style="list-style-type: none"> • Specific and general consultees • Duty to co-operate bodies • Those on Council's consultation database 	Letter, email, website, drop-in events at identified locations, Community Forums*, InTouch*
Submission of Documents and Information to Secretary of State Regulation 22	Advise of submission of DPD and all associated documents prior to examination	<ul style="list-style-type: none"> • Specific and general consultees • Duty to co-operate bodies • Those on Council's consultation database 	Letter, email, website.
Independent Examination Regulation 24	Advise of Independent examination hearing sessions	<ul style="list-style-type: none"> • All those who made representations 	Letter, email, website, public notice
Proposed Modifications (and SA/ SEA) where required	Feedback on Modifications requested by Inspector	<ul style="list-style-type: none"> • All those who made representations 	Letter, email, website, press releases, InTouch*
Adoption Regulation 26	Adoption of DPD as Council Policy	<ul style="list-style-type: none"> • All those who made representations 	Letter, email, website, press releases, InTouch*

*Where event/ publication coincides with production

Table 2: Minimum Engagement on SPDs

Stage	Purpose	Who	How
Preparation Stage	Evidence gathering Preparing draft SPD	<ul style="list-style-type: none"> • Specific and general consultation bodies 	Letter, email, internet, In Touch*
Public Participation Regulation 12 8 weeks	Consult on draft SPD	<ul style="list-style-type: none"> • Specific and general consultees • Duty to co-operate bodies 	Letter, email, website, InTouch*

		<ul style="list-style-type: none"> • Those on Council's consultation database 	
Adoption Regulation 14	Inform of adoption of the SPD by the Council	<ul style="list-style-type: none"> • Specific and general consultees • Duty to co-operate bodies • Those on Council's consultation database 	Letter, email, website, press releases, InTouch*.

*Where publication coincides with production

Table 3: Planning Applications Matrix

Type of Planning Application	Stages of Application	Methods of Community Involvement / Consultation / Publicity									
		Weekly List	Web Site	Neighbour Notification Letter	Site Notices	Newspaper Advert	Statutory Consultee Letter	Exhibition of Plans	Notices on Council's Web Site	News Releases to Local media	Direct Contact with Planning Contact Centre
All planning applications	Application	Y	Y	Y	Y*		Y				Y
	Post-Application		Y	Y			Y				Y
	Appeal	Y	Y	Y							Y
Minor and other applications of wider concern	Application	Y	Y	Y	Y	Y	Y				Y
	Post-Application		Y	Y			Y				Y
	Appeal	Y	Y	Y							Y
Major applications	Application	Y	Y	Y	Y	Y	Y				Y
	Post-Application		Y	Y			Y				Y
	Appeal	Y	Y	Y							Y
Significant major planning applications	Pre-Application (suggested methods to be undertaken by Developer)			Y	Y	Y	Y	Y		Y	
	Application	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
	Post-Application		Y	Y			Y				Y
	Appeal	Y	Y	Y							Y
Applications accompanied by an Environmental Statement	Pre-Application (suggested methods to be undertaken by Developer)			Y	Y	Y	Y	Y		Y	
	Application	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

	Post-Application		Y	Y			Y				Y
	Appeal	Y	Y	Y							Y

*where required

6. Monitoring

- 6.1 The SCI will be kept under review through the Council’s Annual Authority Monitoring Report which will report on consultations undertaken during a monitoring year. The Council will also undertake an assessment of the success of methods used during individual consultation events and will remain open to the consideration of new and innovative methods.

APPENDIX A: DUTY TO COOPERATE BODIES

- Highways England
- Homes and Communities Agency
- Severn Trent Water
- Environment Agency
- Historic Buildings and Monuments Commission for England (known as English Heritage)
- Natural England
- Civil Aviation Authority
- Clinical commissioning group established under section 14D of the National Health Service Act 2006
- National Health Service Commissioning Board
- Office of Rail Regulation
- Each Integrated Transport Authority
- The Highways Authority
- Local Enterprise Partnership
- Local Nature Partnership

APPENDIX B: PRE-APPLICATION COMMUNITY INVOLVEMENT CHECKLIST

On submitting the pre-application consultation outcome report, applicants should check that the report addresses the following requirements:

1. Does the Consultation Outcome Report clearly explain the extent and scope of any pre-application discussions between the applicant / developer and Nuneaton and Bedworth Borough Council, and the applicant / developer and the wider community?
2. Does the Consultation Outcome Report clearly explain how applicant / developer has undertaken consultation in accordance with the methods set out in the Council's Statement of Community Involvement (table 2)?
3. Does the Consultation Outcome Report clearly assess the transparency and inclusiveness of the community involvement undertaken by the applicant / developer?
4. Does the Consultation Outcome Report provide evidence of the process and outcomes of the community involvement which can be 'validated' by the Council?
5. Does the Consultation Outcome Report clearly explain how potential problems, objections and issues identified through the community involvement have been assessed?

Signed: _____

Dated: _____

Please remember to submit this checklist with Consultation Outcome Report as part of the formal planning application submission.

APPENDIX C: SPECIFIC CONSULTATION BODIES

- Coal Authority
- Environment Agency
- Historic Buildings and Monuments Commission for England (known as English Heritage)
- Natural England
- Network Rail
- Highways England
- A 'relevant' authority in or adjoining the LPA (including Parish Councils and Police Authorities)
- Electronic communications code systems operators
- Primary Care Trust established under section 18 of the National Health Service Act 2006 or continued in existence by virtue of that section
- Electricity providers
- Gas providers
- Sewerage undertakers
- Water undertakers
- Homes and Communities Agency

APPENDIX D: GENERAL CONSULTATION BODIES

- Voluntary bodies some or all of whose activities benefit any part of the authority's area
- Bodies which represent the interests of different racial, ethnic or national groups in the authority's area
- Bodies which represent the interests of different religious groups in the authority's area
- Bodies which represent the interests of disabled persons in the authority's area
- Bodies which represent the interests of persons carrying on business in the authority's area

APPENDIX E: OTHER CONSULTEES

- Age UK
- Airport Operators
- British Geological Survey
- Canal and River Trust, canal owners and navigation authorities
- Centre for Ecology and Hydrology
- Chambers of Commerce, Local CBI and local branches of Institute of Directors
- Chemical Business Association
- Civil Aviation Authority
- Coal Authority
- Design Council
- Crown Estate Office
- Diocesan Board of Finance
- Disabled Persons Transport Advisory Committee
- Electricity, Gas, and Telecommunications Undertakers, and the National Grid Company
- Environmental groups at national, regional and local level, including: Council for the Protection of Rural England; Friends of the Earth; Royal Society for the Protection of Birds; Wildlife Trusts
- Equality and Human Rights Commission
- Fire and Rescue Services
- Forestry Commission
- Freight Transport Association
- Gypsy Council
- Health and Safety Executive
- Homes and Communities Agency
- Education Funding Agency
- Fields in Trust
- Local Agenda 21 including: Civic Societies; Community Groups; Local Transport Authorities; Local Transport Operators; Local Race Equality Councils and other local equality groups
- Local Land Drainage Authority
- Network Rail
- Passenger Transport Authorities/Executives
- Planning Aid
- Police Architectural Liaison Officers / Crime Prevention Design Advisors
- Post Office Property Holdings
- Rail Companies and the Rail Freight Group
- Road Haulage Association
- Skills Funding Agency
- Sport England
- The Gypsy and Traveller Law Reform Coalition
- The Home Builders Federation
- Water Companies
- Women's National Commission

- Woodland Trust

APPENDIX F: PLANNING APPLICATION CONSULTEES

Ancient Monuments Society
British Gas
British Horse Society
Canal and River Trust
Civic Trust
Civil Aviation Authority
Coal Authority
Council for British Archaeology
Assembly
Council for the Protection of Rural England (CPRE)
Countryside Agency
Coventry City Council
Department for Environment, Food and Rural Affairs
Department for Transport, Local Government and the Regions
East Midlands Electricity Board
English Heritage
English Nature
English Partnerships
Environment Agency
Forestry Commission
Garden History Society
Georgian Group
Government Office for the West Midlands
Health and Safety Executive
Highways Agency
Hinckley and Bosworth Borough Council
Joint Committee of the National Amenity Societies
Local Highway Authority (WCC)
Ministry of Agriculture, Fisheries and Food (MAFF)
Ministry of Defence
National Grid Transco
National Trust
Network Rail
North Warwickshire Borough Council
North Warwickshire Primary Care Trust
Nuneaton and Bedworth Borough Council Departments
Ramblers Association
Royal Commission on the Historical Monuments of England
Rugby Borough Council
Secretary of State for National Heritage
Severn Trent Water
Society for the Protection of Ancient Buildings
Sport England
Trading Standards
The Theatres Trust
Twentieth Century Society
Victorian Society
Warwickshire County Council
(Structure Plan)
Warwickshire County Council
(Footpaths)
Warwickshire Police Authority
Warwickshire Wildlife Trust
West Midlands Regional

APPENDIX G: GLOSSARY

Area Action Plan (AAP)	Planning framework for development in a particular area.
Authority Monitoring Report (AMR)	Annual report to assess the implementation of the LDS, effectiveness of planning policies, and status of saved and linked policies / documents.
Consultation Statement	Statement explaining how consultation was undertaken, the main issues that emerged and how they have been addressed.
Borough Plan	Long term vision, core policies, spatial strategy and development framework for Borough.
Development Plan Document (DPD)	Spatial planning documents that have development plan status and have been subject to formal consultation and independent examination.
Examination	An independent public examination chaired by a Planning Inspector into the soundness of DPDs and the SCI.
Local Development Scheme (LDS)	The work programme for the preparation of Planning Policy Documents.
Sustainability Appraisal	An appraisal of the social, economic and environmental impacts of the policies and proposals of each LDD.
Stakeholders	Stakeholders are organisations, bodies or individuals affected, interested or involved in the LDF and/or planning application process, for example, landowners, interest groups and organisations such as English Heritage.

Definitions of Planning Applications:

Minor Application	For dwellings: which do not meet the criteria for major applications For all other uses: which do not meet the criteria for major applications
Other Applications	Changes of Use: which do not meet the criteria for major applications Householder: developments within the cartilage of a residential

property - extensions, alterations, garages, outbuildings, walls, fences, vehicular accesses, porches, satellite dishes etc
 Advertisements
 Listed Building – alter, extend, demolish etc
 Conservation Area

Minor and Other Applications of wider Concern

The following criteria will be used to assess whether such applications are likely to be of wider concern:

- (a) those applications affecting property by causing noise, smell, vibration, dust or other nuisance;
- (b) attracting crowds, traffic and noise in generally quiet areas;
- (c) causing activity or noise during antisocial hours;
- (d) significant change, e.g. tall buildings;
- (e) serious reduction or loss of light; privacy, beyond adjacent properties;
- (f) affecting setting of an ancient monument;
- (g) affecting trees subject to Tree Preservation Orders.

Major Application

For dwellings: where 10 or more are to be constructed (or if number not given, area is more than 0.5 hectares)
 For all other uses: where the floor space will be 1,000 sq. metres or more (or site is 1 hectare or more)

Significant Major Application

Those applications likely to raise controversial issues, issues of scale or likely to be of Borough wide significance.

Applications accompanied by an Environmental Statement

An Environmental Statement will accompany those applications requiring an environmental assessment under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. This statement will provide a systematic and structured assessment of the potential effects of a development on the environment which can be taken into account on the decision making process.

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