



**AGENDA  
for  
ANNUAL MEETING OF  
THE COUNCIL**

to be held on

**Wednesday, 15 May 2019**

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Date: 7 May, 2019

Our Ref: VB

To: All Members of the Borough Council

The ANNUAL MEETING OF THE COUNCIL will be held in the Council Chamber, Town Hall, Nuneaton, on Wednesday, 15 May 2019 at 6.00 p.m.

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

## **AGENDA**

### 1. EVACUATION PROCEDURE

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

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

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

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

Meetings may be recorded for future broadcast.

### 2. ELECTION OF CHAIR (THE MAYOR) for the ensuing year.

### 3. VOTE OF THANKS

### 4. ELECTION OF VICE-CHAIR (THE DEPUTY MAYOR) for the ensuing year.

5. APOLOGIES - to receive apologies for absence from the meeting.
6. MINUTES - to confirm the minutes of the meetings held on **(Page 5)**:
  - (i) 30 January 2019 (Extraordinary Meeting)
  - (ii) 18 February 2019 (Council Meeting)
  - (iii) 17 April 2019 (Council Meeting).
7. INTERESTS - 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 70)**. 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 Democratic 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 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.**

8. ANNOUNCEMENTS - to receive announcements from the Mayor or the Managing Director.
9. COMPOSITION AND MEMBERSHIP OF COMMITTEES AND APPOINTMENTS TO OUTSIDE BODIES FOR 2019/2020 **(to follow)**
  - (a) **The Cabinet** - to note the Leader's appointments to and allocation of responsibilities for the Cabinet Portfolios.
  - (b) **Composition of Committees and Overview and Scrutiny Panels** - to note the current political composition of the Council and, having regard to the political balance, to receive recommendations regarding the number of members on each committee.
  - (c) **Membership of Committees and Overview and Scrutiny Panels** - to receive recommendations on the membership of committees and panels and the appointment of Chairs and Vice-Chairs where appropriate.
  - (d) **Representatives on Outside Bodies** - to receive recommendations on appointments to outside bodies.
  - (e) **Appointment of Co-opted Members** – to receive the recommendations on the appointment of co-opted members.
10. SCHEME OF DELEGATION -
  - (a) to agree the scheme of delegation from Council excluding those functions which are executive functions (Part 3 of the Constitution attached). **(Page)**; and
  - (b) to note the scheme of delegation from the Leader for those functions which are executive functions (Part 3 of the Constitution attached). **(Page)**



Brent Davis  
Executive Director - Operations

**NUNEATON AND BEDWORTH BOROUGH COUNCIL**

**COUNCIL**

**30<sup>th</sup> January, 2019**

The Extraordinary meeting of the Nuneaton and Bedworth Borough Council was held at the Town Hall, Nuneaton, on Wednesday, 30<sup>th</sup> January, 2019.

**Present**

The Mayor (Councillor C.M. Watkins)  
The Deputy Mayor (Councillor J. Tandy)

Councillors, J.B Beaumont, K. Brindley-Edwards, D. Brown, S. Croft, G. Daffern, S. Doughty, P.M. Elliott, K. Evans, J. Glass, D. Gissane, C. Golby, S. Gran, J. Gutteridge, W.J. Hancox, L. Hocking, J.A. Jackson, K.A. Kondakor, A. Llewellyn-Nash, I.K. Lloyd, B.J. 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 and K.D. Wilson.

No apologies were received.

CL51 **Interests**

The Declarations of Interest for this meeting are as set out in the schedule attached to these minutes.

**Councillor Jackson moved, in accordance with procedural rule 4A.12.(c) of the Council's Constitution that item 7 on the agenda be moved to the first item on the agenda after public speaking as it would be unfair for Councillor Longden to wait till the end of the meeting.**

**Councillor Lloyd seconded the motion.**

**A vote was taken**

**The motion was carried.**

CL52 **Public Participation**

**a) Mr Owen Reed asked the following question:**

The Labour Party told us residents in May last year that I quote "There is a clear choice for residents in Nuneaton and Bedworth. We will protect free garden waste collections, you won't pay £35 a year for your green bin"

No you haven't completely lied as we will be paying £40, but what do you say to residents who will have voted for you because of this pledge? Or should I say...Lie!

**Councillor J. Sheppard, Portfolio Holder for Central Services & Refuse, responded as follows:**

Mr Reed this Council has been affected enormously by the Tory government obsession with the austerity policy. Many Nuneaton and Bedworth residents have had to rely on food banks to survive off, homeless numbers are rising and people are being sanctioned by DWP for austerity policy. This Council has to find ways to fix the deficit imposed on us by Westminster. We could have done part of this by ending the non statutory green bin collection altogether but chose to save the service by offering this opt in service to residents.

b) Michele Kondakor made the following statement:

I wanted to speak on all three but I will have to be very quick. The green bins have been a PR disaster, it has been very, very, very badly introduced. It's a very retro step because we are in actually in a climate emergency if anyone had noticed. More people are going to burn and that will be a great pity. It's a shame it wasn't taken as a call in when it came to Cabinet and then it could have all been properly discussed but it wasn't.

On the markets I absolutely agree with the motion we as the public need to know what has been proposed for our markets. I know not everybody likes the market but it is a very, very important part of the town especially Nuneaton probably less so in Bedworth from my experience. Christmas Eve must be a normal working day. It was an absolute missed opportunity because it's not just the market, the market brings in people, people also visit the shops and pay for parking. So the fact that market traders were going to be charged more for what should have been a normal working day I think is very, very poor show and I hope it won't happen again.

For item 3, I don't think the email should have actually been leaked in the first instance because it was to Councillors, it wasn't meant for the public. Social media is an absolute mind field, I have seen lots of comments on social media on all sorts of topics from both sides of the chamber and I think everyone is equally to blame for how things are actually phrased. A lot of people don't actually understand how things work, which council is responsible for what. I know it's a lot of rubbish that is actually posted on Facebook so it is a terrible difficult one I think the fact that the email was sent at 1am is probably indicative that things had been going on during the day and probably it was sent in the heat of the moment. Travellers are used a political football and people want to seem to score points as opposed to actually trying to resolve the issue for the town. I don't know if I was a councillor how I would vote on this but I think everyone needs to be much more aware of what they say because certainly I have had pretty nasty comments against myself and my husband and it's not very nice. So, yes, some people don't engage their brains when they write on social media but that's on both sides of the chamber.

**No Councillor replied to the statement.**

**c) David Parr asked the following question:**

Has the council considered the discrimination against certain residents which is inherent in this charge? The financial penalty falls only upon those residents who wish to use the green bin service. These are typically people who actively cultivate gardens, greening the environment, capturing carbon, preventing excess water run-off. They are being forced to pay £40. Meanwhile people who have paved over all or part of their properties and have no need for a green bin will pay NOTHING. It is precisely the people who contribute positively to the environment who the council should be encouraging, not penalising.

What has been the uptake of the £40 charge since this was introduced and publicised? If this is much lower than before and many fewer green bins are to emptied, what effect might this have on the employment of staff engaged in collection?

Has the council an estimate of the reduction in the amount of material likely to be collected? What income has the council derived in the past from use of the material collected in green bins and subsequently composted? And has there been any projection of the likely loss of this income from reduced green bin collections?

I myself have a garden with various trees (many fruit-bearing), a grassed area, shrubs and flowers. I also grow soft fruit and vegetables which, unlike supermarket produce, involve food miles to my kitchen of about 10 yards. The garden is a haven for wildlife, birds nest there, squirrels sometimes steal my fruit, even the odd toad has popped in to eat a few of the (unfortunately numerous) slugs.

I have two compost bins and use these for all soft materials, but need the green bin occasionally for a limited amount of woody pruning which are not suitable for domestic composting. I am not prepared to pay £40 for the few times I make use of the green bin collection. And as a result the small amount of food waste which previously went into my green bin will now go into my black bin, from where it will probably end up in landfill generating methane.

This is a short-sighted policy, is unlikely to generate much income and effectively writes off the huge investment in supplying green bins to thousands of households in the first place. The council should reconsider.

**Councillor J. Sheppard, Portfolio Holder for Central Services & Refuse responded as follows:**

No one will be forced to pay £40, this is an opt in scheme. We believe that the £40 charge will cover all collection costs. There will be a possible reduction of garden waste collected and that may lead to some employees moving from green waste collections to residual waste collection. All of Nuneaton & Bedworth's residual waste goes to waste energy plants, and not to landfill.

Unfortunately we find ourselves having to make these difficult decisions as a result of this Tory governments ongoing austerity programme.

**d) Denice Gajic made the following statement:**

As I approach my 66<sup>th</sup> year, I find with every passing day I am extremely disappointed I have become with the attitude and money management, or should I say lack of, the serving Labour Party. I realise that Council's can charge for discretionary services like garden waste and this has without a shadow of a doubt proved to be extremely unpopular with the residents of this Borough. I clearly recollect seeing the following words even in my senior years 'Protect Free Garden Waste' 'Waste Collections- you won't pay £35 a year for your green bin'.

Currently under UK legalisations manifestos are not legally binding. Realising how a few carefully crafted, meaningless words can come into play for this Labour Party have surely duped the residents of this Borough possibly in order to gain votes. This clearly shows that this distinct lack of respect coupled with false promises. One wonders how you sleep at night. Well it appears now that these misleading stories have come to the fore, I sincerely hope that the residents of this Borough remember your false promises at the next election. In my opinion these proposed charges could prove to be counter productive, surely reducing recycling is not a good step and no doubt fly tipping will be on the increase in an abundance, this is a total disaster as we already have, as everyone knows, unless you haven't opened your eyes, quite a severe problem with this as it is in the Borough. Surely it would be more sensible rather than hiking up user charges to make sensible savings through a better procurement strategy, innovation and more joint working.

What I fail to comprehend is why the council use their staff vehicles and fuel to collect all the recycling and let a contractor keep all the money. Does anyone realise in the gallery, that for the last three years the Council hasn't received one penny for recycling, they then proceed to look at the highest charging Councils including London for collecting green waste and do a mean average of those. Why didn't they look up the road five miles to Hinckley and Bosworth Council who only charge £24? Is that too near and too uncomfortable for you?

This constant talk of cuts that must be made, you are seem to be continually blaming on the opposition or the government for this. Why don't you lead by example and spend wisely throughout the Borough by being a fair and well measured party. I am totally disappointed as a former T.U representative that this happens.

**No Councillor replied to the statement**



**e) Mrs Sonja Wilson made the following statement:**

Good Evening,

I want to speak about the market but not really the market for the residents of this borough. Nuneaton has been a market town since 1226, I looked it up. Ten perhaps twelve years ago we received a Market of the Year Award, 10 years ago the market reached from the top of Queen's Road down to Wilkinson's, Abbey Street was full, it went from the George Elliot Statue right up to the bus station. This morning I counted 17 empty stalls, I know that January is a time when stall holders take their holidays and the weather hasn't been kind. One stall holder had his spot stolen from him but there is no compensation for him, he still has to pay his full rent.

We are the most expensive town in the area for market stalls, it is not cheaper for them in say the first three months of the year when business is not good for them. Other towns also have compensation for parking, here traders pay for parking, if they employ two or three people they also have to pay the parking for their employees. Now I love Nuneaton, I have chosen to live here and to stay here and I think we have a wonderful town but our market is disappearing, slowly it is disappearing, take a walk on a Wednesday or a Saturday its what brings people into town. On a Wednesday you see people meeting up and they go to the shops, the coffee shops and the market. Both the shops and the market need to work together, they compliment one another. One stall holder he had three stalls and he paid £86 for the three. Another stall holder I spoke to had exactly the same area and he paid £72 so there is a price difference. One stall holder was encouraged to spread his stall out into the neighbouring stall that was empty to make it look fuller so he had bigger space. Up the other end of Queen's Road a stall holder wanted to put out an extra table which he did and he was charged £26 for putting out the extra table. Now I'm saying there is something unfair here, something needs to be looked at so that everyone is charged equally, that one can't be allowed to be spread out and the other one has to pay if he wants to spread out.

Ladies and gentlemen, we have had a market for a long, long time and this is something you are all involved in. Do you want to lose our market?

**No Councillor replied to the statement.**

**f) John Merrick made the following statement:**

Thank you for awarding me three minutes to make my views known. A few of my learned colleagues have already covered most of what I was about to say about this rubbish green bin scenario we are facing. Why or how on earth you have come up with this idea I do not know. First things first, I am so disgusted with Nuneaton Labour controlled Council that once again we haven't had first and foremost communication through the post which wouldn't have cost you a great deal regarding the green bin scenario instead of having to pick up 'tit bits' here and there from different sources to find out what is going on about how this green bin scenario is going to be worked, controlled and expended.

The next thing that springs to mind for me is again in a newspaper article that somebody produced for me, it stated that over 90% of our residents in Nuneaton, possibly Bedworth included who are against this and will not be paying £40 per green bin. Anyone with any calculators in front of them would like to make a few calculations and tell me how much money you are going to have as a deficit when I am sure the idea of bringing up this £40 charge per bin is an estimate to how much money you are going to reap because you haven't got the funds that you wanted from the hierarchy shall we say. So I am really, really interested to know, how not only that, but how you are going to handle, as someone else mentioned earlier, when this refuge of green bins no matter what it is, what its always been, when some of our residents and I'm not going to be one of them, I will state that quite clearly here and now although I do emphasise with them, when some of our residents are going to find ulterior places to deposit there green bin refuge when they filled their containers, you are going to have more expense, more trouble, more time spent clearing up the debris and flytipping. Additional I must ask when we have the travellers otherwise known as Gypsies continuously in this Borough and you have to clear up after them. How much have you charged the Gypsies or the Travellers when you have cleared up their mess?

Very quickly as I do not know how much time I have got left of my three minutes but infrastructure on the Coton Arches, I have been round there two or three times today studying the hold ups with the traffic lights...  
(end of three minutes)

**No Councillor replied to the statement**

**g) Lubs Cvetkovic made the following statement:**

I am disappointed that a cabinet meeting that was due to take place was in fact cancelled due to "lack of business". It may have escaped the Councils notice that this Borough is in a mess.

I would also like to raise recent comments made by Cllr Longden where he describes members of the electorate as "brain dead" and "morons". I like others am appalled that a Cllr, and no less a former Mayor would make such derogatory comments about the residents of this Borough. The apology was too little and too late and once again no reaction or censure has been forthcoming from either this Council or from the Labour Party. When I asked Cllr Tandy if any such censure had been made or if it had even been dealt with she refused to answer me, because my politics are different from hers and therefore I am unworthy of a response. So I am therefore asking officially, please could someone clarify here and now what action has been taken by the Labour Party and by the Council. In addition it has been 15days since I sent off a formal complaint and I haven't received a reply and I believe it is 10 working days so I would actually like to know what is going on so you have something you need to answer as well.

Finally the issue of the additional charge levied on emptying the green bins. At what point did the Council realise it needed such a charge. Was it

before or after the elections of last year? If it was before the elections then you openly lied to local residents in you manifesto. If it was after the elections then it really raises issues in your inability to run this Borough and produce a balanced and considered budget.

**Councillor J.A. Jackson, Leader of the Council, responded as follows:**

Thank you for your statement.

In response I have to say I think our Borough is benefitting from some imaginative thinking as we have recently published the Transforming Nuneaton prospectus with our partners Warwickshire County Council which has already attracted support from the Local Enterprise Partnership of some £7.5m. We have a thriving commercial arm at the Council – Nuneaton and Bedworth Community Enterprises Limited (NABCEL) which is making in the region of £400,000 this year and adding to our budget year on year. It has also received interest from other Council's as a good example of income generation. I believe in talking our towns up and not down. Nuneaton and Bedworth are great towns to live in, to work in and spend your leisure time. But most importantly we have the very best communities going. Yes I will celebrate living in our Borough.

Your second paragraph refers to a matter that I understand is subject to an official complaint and as such I feel it very appropriate that Councillor Tandy did not respond to you in this matter as Chair of the Audit & Standards Committee, so that it can be looked at under the appropriate Council procedures.

In conclusion decisions in regard to charging for green waste were made at a Cabinet meeting in October.

**h) Kath Price made the following statement:**

Residents of Nuneaton and Bedworth, thank NBBC, for implementing green bin charges in a thoughtful way. Aware that NBBC could have scrapped this discretionary service altogether but instead, offered residents a choice, is greatly appreciated. We are all aware of the constant challenges that local government are experiencing due to the slashing of their budgets under the Tory government and the difficult decisions that councils are forced to make, which impact on local residents. In the current economic climate, residents are struggling to make ends meet and the use of Food Banks since 2010, according to The Trussell Trust, has risen from tens of thousands to the millions. The Tory government's austerity policy was introduced to cut the National Debt, however, The Office for National Statistics states the National debt has increased from £1 trillion in 2010, to £1.8 trillion in 2018, which is an increase of 67% of GDP, proving the misery to millions is inexcusable and unproductive.

On top of this, the Tory led Warwickshire County Council, has just declared a 5% overall increase in Council Tax for all Warwickshire residents for 2019/20, whilst cutting services. Being offered a choice of

whether to pay £40 for green bin collection or source alternative, more environmentally friendly methods of disposing of green waste, such as composting, is very welcome, especially to the less well off in the Borough.

**Councillor J. Sheppard, Portfolio Holder for Central Services & Refuse, responded as follows:**

Thank you Mrs Price for her comments

**CL53 Notice of Motion – Cabinet Member Standards**

In accordance with Procedure Rule Part 4A, Paragraph 3.1(iv) of the Council's Constitution, the Head of Paid Service requested the calling of an Extraordinary Meeting following a requisition from Councillors K. Wilson, C. Golby, D. Gissane, S. Gran, J. Gutteridge, K. Brindley-Edwards, R. Smith, K. Evans, B. Pandher, A. Llewellyn-Nash, S. Croft, A. Sargeant, J. Sargeant, D. Brown and H. Walmsley to consider the following motion:

"This Council believes that members of this authority should be held to the highest possible standard. Referring to residents as "self-opinionated", "morons" and "brain dead" is completely unacceptable.

Therefore, this Council resolves that it has no confidence in Councillor Barry Longden as a member of the Cabinet and requires the Leader of the Council to remove him from the Cabinet immediately."

Councillor Wilson proposed that the notice of motion be accepted. This was seconded by Councillor Evans.

**Councillor Jackson moved, in accordance with procedural rule 4A.13.11b of the Council's Constitution that council proceed to the next business on the agenda as the motion proposed is subject to the complaints procedure and therefore runs the risk of an unfair review.**

Councillor Lloyd seconded the motion.

A recorded vote was taken as follows on the procedural motion:

For: Councillors J.B. Beaumont, G. Daffern, S. Doughty, P.M. Elliott, J. Glass, W.J. Hancox, L. Hocking, J.A. Jackson, I.K. Lloyd, B.J. Longden, N.J.P. Phillips, G.D. Pomfrett, J. Sheppard, T.E. Sheppard, J.A Tandy and C.M. Watkins.

Against: Councillors K.L. Brindley-Edwards, D. Brown, S. Croft, K. Evans, D. Gissane, C. Golby, S. Gran, J. Gutteridge, K.A. Kondakor, A. Llewellyn-Nash, B. Pandher, M. Rudkin, A. Sargeant, J. Sargeant, R.T. Smith, R. Tromans, H. Walmsley and K.D. Wilson

Abstentions: None

The procedural motion was lost.

**An adjournment was held and when the meeting recommenced Councillor Longden made an announcement that with immediate effect he would be resigning as a Cabinet Member in order for him to receive a fair hearing at Audit & Standards Committee.**

Councillor Wilson moved to withdraw the motion upon Councillor Longden's resignation. Councillor Evans seconded the motion.

A vote was taken

The motion was carried.

**RESOLVED** that the substantive motion be withdrawn.

**CL54 Notice of Motion – Green Bin Charges**

In accordance with Procedure Rule Part 4A, Paragraph 3.1(iv) of the Council's Constitution, the Head of Paid Service requested the calling of an Extraordinary Meeting following a requisition from Councillors K. Wilson, C. Golby, D. Gissane, S. Gran, J. Gutteridge, K. Brindley-Edwards, R. Smith, K. Evans, B. Pandher, A. Llewellyn-Nash, S. Croft, A. Sargeant, J. Sargeant, D. Brown and H. Walmsley to consider the following motion:

"This Council condemns the present Labour administration's lack of commitment to our corporate aim of reducing inequality with the introduction of the regressive Green Bin Charge, and resolves to require the Leader of the Council and Portfolio to produce an amendment to its policy to protect the most vulnerable residents in our community.

Furthermore, this Council resolves to censure the Portfolio Holder for Central Services and Refuse for her failure to consider the impact on the equality of our residents until 3 weeks after the decision had been made by the Cabinet on 31<sup>st</sup> October 2018"

Councillor Wilson moved the motion to be accepted. Councillor Evans seconded the motion.

**Upon Council seeking advice the motion could not 'require' Cabinet to make amendments to its policy and could be unlawful. Councillor Tromans then moved the following amendment:**

Replace the word 'require' with 'request'

Councillor Wilson seconded the amendment.

**The Mayor, Councillor Watkins moved in accordance with procedural rule 4A.19.3 of the Council's Constitution that Councillor Kondakor be heard not further at the meeting due to his improper behaviour and disregard for the ruling of the Mayor.**

Councillor Longden seconded the procedural motion.

The Mayor asked for a vote of those in favour of the motion, after which he decided not to proceed and withdrew the motion, permitting Councillor K. Kondakor to speak.

**Councillor Wilson moved in accordance with Council Procedure Rule 4A.21 to suspend standing orders, as the maximum time for the meeting should not normally exceed 3 hours and that this amount of time had passed. Members were in agreement to continue the meeting.**

A recorded vote was taken on the amendment as follows:

For: Councillors K.L. Brindley-Edwards, D. Brown, S. Croft, K. Evans, D. Gissane, C. Golby, S. Gran, J. Gutteridge, K.A. Kondakor, A. Llewellyn-Nash, B. Pandher, A. Sargeant, J. Sargeant, R.T. Smith, R. Tromans, H. Walmsley and K.D. Wilson

Against: Councillors J.B. Beaumont, G. Daffern, S. Doughty, P.M. Elliott, J. Glass, W.J. Hancox, L. Hocking, J.A. Jackson, I.K. Lloyd, B.J. Longden, N.J.P. Phillips, G.D. Pomfrett, M. Rudkin J. Sheppard, T.E. Sheppard, J.A Tandy and C.M. Watkins.

Abstentions: None

Upon the Mayor's casting vote, the amendment was lost

**The Mayor then declared that Council move onto the next item of business.**

#### CL55 **Notion of Motion – Town Markets**

In accordance with Procedure Rule Part 4A, Paragraph 3.1(iv) of the Council's Constitution, the Head of Paid Service requested the calling of an Extraordinary Meeting following a requisition from Councillors K. Wilson, C. Golby, D. Gissane, S. Gran, J. Gutteridge, K. Brindley-Edwards, R. Smith, K. Evans, B. Pandher, A. Llewellyn-Nash, S. Croft, A. Sargeant, J. Sargeant, D. Brown and H. Walmsley to consider the following motion:

"This Council expresses its concern that the Labour administration appears to have no vision for our Town Centres' markets, with the undefined plans for 'externalising' the operations of the markets. To provide certainty for our market traders this Council resolves that Tuesday 24<sup>th</sup> December 2019 will be a normal working day of this Council"

Councillor Wilson moved the motion to be accepted. Councillor Evans seconded the motion.

Councillor Jackson moved the following amendment:

"This Council resolves that Tuesday 24<sup>th</sup> December 2019 will be a normal working day of this Council"

Councillor Lloyd seconded the amendment and moved that Council move to the vote on the amendment.

A recorded vote was taken on the move to the vote procedural motion as follows:

For: Councillors J.B. Beaumont, G. Daffern, S. Doughty, P.M. Elliott, J. Glass, W.J. Hancox, L. Hocking, J.A. Jackson, I.K. Lloyd, B.J. Longden, N.J.P. Phillips, G.D. Pomfrett, M. Rudkin, J. Sheppard, T.E. Sheppard, J.A Tandy and C.M. Watkins.

Against: Councillors K.L. Brindley-Edwards, D. Brown, S. Croft, K. Evans, D. Gissane, C. Golby, S. Gran, J. Gutteridge, K.A. Kondakor, A. Llewellyn-Nash, B. Pandher, A. Sargeant, J. Sargeant, R.T. Smith, R. Tromans, H. Walmsley and K.D. Wilson

Abstentions: None

Upon the Mayor's casting vote the procedural motion was approved

A recorded vote was taken on the amendment:

For: Councillors J.B. Beaumont, G. Daffern, S. Doughty, P.M. Elliott, J. Glass, W.J. Hancox, L. Hocking, J.A. Jackson, I.K. Lloyd, B.J. Longden, N.J.P. Phillips, G.D. Pomfrett, M. Rudkin, J. Sheppard, T.E. Sheppard, J.A Tandy and C.M. Watkins.

Against: Councillors K.L. Brindley-Edwards, D. Brown, S. Croft, K. Evans, D. Gissane, C. Golby, S. Gran, J. Gutteridge, K.A. Kondakor, A. Llewellyn-Nash, B. Pandher, A. Sargeant, J. Sargeant, R.T. Smith, R. Tromans, H. Walmsley and K.D. Wilson

Abstentions: none

Upon the Mayor's casting vote the amendment was carried. This became the substantive motion.

A vote was taken on the substantive motion

The vote was carried

**RESOLVED** that the Tuesday 24<sup>th</sup> December 2019 will be a normal working day of this Council

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Mayor

## Council - Schedule of Declarations of Interests

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
	General dispensations granted to all members under s.33 of the Localism Act 2011			Granted to all members of the Council in the areas of: <ul style="list-style-type: none"> <li>- Housing matters</li> <li>- Statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992</li> <li>- An allowance, payment given to members</li> <li>- An indemnity given to members</li> <li>- Any ceremonial honour given to members</li> <li>- Setting council tax or a precept under the Local Government Finance Act 1992</li> <li>- Planning and Licensing matters</li> <li>- Allotments</li> <li>- Local Enterprise Partnership</li> </ul>
	K. Brindley-Edwards	Teacher and Head of 6 <sup>th</sup> Form at Beauchamp College		
	D. Brown	Employed by H.M Land Registry		
	S. Croft	Employed at Holland & Barrett Retail Ltd	Deputy Chairman Nuneaton Conservative Association	
	G. Daffern	Cover Supervisor and teacher at Sidney Stringer Academy, Coventry; Teacher at Stoke Park School Coventry	Co-opted Governor at Newdigate Primary School	
	P. Elliott	Personal Tutor at King Edward College		
	K. Evans	Student at De Montford University; Officer Cadet at Birmingham University Royal Navy Unit; receives Educational Bursary from Nicholas	Officer at the North Warwickshire Conservative Association	To speak and vote on any matters involving Nicholas Chamberlain Trust property interests affected by the Borough Plan, but excluding decisions related to the award of financial grants to the Councillor



		Chamberlain Trust		
	D. Gissane		Member of Warwickshire County Council	
	C. Golby		Member of Warwickshire County Council	
	S. Gran		Member of Warwickshire County Council	
	J. Gutteridge	Startin Tractors		To speak and vote on any matters involving the Borough Plan related to land at Leyland Road Bulkington
	L. Hocking	Employed by Openreach	Unite the Union	
	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.		Dispensation to speak and vote on matters that do not relate specifically to her husband's contract of employment.
			Non Executive Director with Nuneaton and Bedworth Community Enterprises Limited	Dispensation to speak and vote
	K.A. Kondakor		Member of Warwickshire County Council	
	A. Llewellyn-Nash	Employee of BMI Healthcare	Parish Councillor at St Giles, Exhall	
	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	
			Member of Warwickshire Police & Crime Panel	
	B. Pandher	Manager of the Indian Community Centre Association, Coventry	Member of Warwickshire County Council Treasurer & Trustee of Nanaksar Gurdwara Gursikh Temple; Coordinator of Council of Sikh Temples in Coventry; Secretary of Coventry Indian Community; Trustee of Sikh Monument Trust Vice Chair Exhall	

			Multicultural Group	
	M. Rudkin	Employee of People in Action	Unite the Union	
	A. Sargeant		Member of Warwickshire County Council	
	J. Sargeant	SATCOL Charity Project Manager		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
	J. Sheppard		Partnership member of the Hill Top and Caldwell Big Local.	
			Director of Wembrook Community Centre.	Dispensation to speak and vote on any matters of Borough Plan that relate to the Directorship of Wembrook Community Centre
			Member of the Management Committee at the Mental Health Drop in.	
	T. Sheppard	Employee of Dairy Crest		
	R. Smith		Director of Volunteer Friends, Bulkington; Board of Directors at Bulkington Village Community and Conference Centre	
	J.A. Tandy		Partnership member of the Hill Top and Caldwell Big Local.	
	H. Walmsley	Chief of Staff to Julian Knight MP Self-employed Public Relations Consultant.	Chartered Institute of Public Relations	
	K.D Wilson	Employee of the courts service	Non Executive Director with Nuneaton and Bedworth Community Enterprises Limited	Dispensation to speak and vote

**NUNEATON AND BEDWORTH BOROUGH COUNCIL**

**COUNCIL**

**18<sup>th</sup> February, 2019**

The meeting of the Nuneaton and Bedworth Borough Council was held at the Town Hall, Nuneaton, on Monday, 18<sup>th</sup> February, 2019.

**Present**

The Mayor (Councillor C.M. Watkins)  
The Deputy Mayor (Councillor J. Tandy)

Councillors, J.B Beaumont, D. Brown, S. Croft, G. Daffern, S. Doughty, P.M. Elliott, K. Evans, D. Gissane J. Glass, C. Golby, S. Gran, J. Gutteridge, W.J. Hancox, L. Hocking, J.A. Jackson, K.A. Kondakor, A. Llewellyn-Nash, I.K. Lloyd, B.J. 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 and K.D. Wilson.

Apologies were received from Councillor Kathryn Brindley-Edwards

CL56 **Minutes**

**RESOLVED** that the minutes of the Ordinary Council meeting held on 5<sup>th</sup> December, 2018, were confirmed and signed by the Mayor.

CL57 **Interests**

The Declarations of Interest for this meeting are as set out in the schedule attached to these minutes. In addition the following declarations were declared:

Councillor Longden declared that in relation to his interest on Stockingford Community Centre as listed in the schedule he had received dispensation to speak and vote on items that may affect the centre.

Councillor J. Sargeant declared an Other Interest by way of her being a Director at Volunteer Friends in Bulkington.

CL58 **Announcements**

The Mayor made the following announcement:

The Mayor is completing a Parachute Jump on 19<sup>th</sup> April in aid of his Mayoral Charity Doorway. Any sponsorship for this can be made online.

## CL59 Public Participation

### a) Mr Steven Hey asked the following question:

One of the effects of the Tory Government's neglect of welfare services is that homelessness is increasing throughout the country. Can the Cabinet Member for Housing tell me what provision Nuneaton and Bedworth Borough Council are making to assist the genuine homeless people in our borough?

#### **Councillor John Beaumont, Portfolio Holder for Housing, Health and Communities responded as follows:**

Nuneaton and Bedworth Borough Council offers a free 5 day a week Housing Solutions Service for anyone to access advice if they are homeless or threatened with homelessness. There is also an Out of Hours emergency homeless service to ensure that anyone homeless at night or over the weekend can be placed into temporary accommodation if necessary.

Housing Solutions Officers work with each individual or household to try to resolve their housing situation with the priority on preventing homelessness in the first place. We have various homelessness prevention initiatives available for Officers to use, e.g. A Bond Assistance Scheme to help people in to the private rented sector, rather than them having to access emergency temporary accommodation. Since April 2018 we have secured 43 households with private rented accommodation. This eases the pressure on the council's waiting list and also gives people a greater choice of where they want to live and in which tenure, so that they don't have to simply wait for a council house.

If we are unable to prevent a homelessness situation the Council has a Homeless Hostel and also use Nuneaton and Bedworth Community Enterprises Limited (NABCEL) B&B accommodation to accommodate households. This equates to 32 rooms- all with shared facilities. In addition the use of other B&B accommodation in the Borough, and on occasion outside of the Borough is also used.

We will soon have an 8 rooms facility available In Bedworth, due for completion at the end of March, to add to our existing 32.

As at 4<sup>th</sup> February we had 52 homeless households in temporary accommodation.

This figure fluctuates on a daily basis, and at its highest was 84 in September 2018.

The Council cannot tackle homelessness alone, as it is often about much more than the need for accommodation, with some households and individuals presenting with a myriad of issues, including mental health and/or drug or alcohol addictions. The relationships we have built up over the years with agencies and charities in the Borough, like P3, Doorway and the Salvation Army are vital partners in this respect. Without the third

sector support homelessness would be an even bigger issue than it is now.

The Council has recently approved a 'Homelessness Prevention Strategy', and this is available on the Council's web site should members wish to have a look at way we are tackling the causes of homelessness and addressing homelessness in the borough with our partners.

I should say finally Mr Mayor that it's obvious that the current pressure through homeless people is largely and tremendously high as a result of the Government's policies as far as benefit changes are concerned and their continual insistence on applying middle class standards to people who are working class and in severe difficulties is an absolute nonsense and a disgrace and are largely causing many of the pressures we face over this issue.

If I could just add I think the team, the Homeless Team is absolutely fantastic, totally committed to the cause and working really hard round the clock and round the seven day weeks to meet the demand that is currently in our Borough.

**b) Mr Brian Walmsley made the following statement:**

During last year's budget proposals Nuneaton and Bedworth conservatives made a £30million pledge to deliver regeneration of Nuneaton town centre... it subsequently had to be clarified during the Council meeting that the £30million referred to was an aspiration and not part of the formal shadow budget, otherwise that would have meant the conservative budget proposal was ILLEGAL...

However, that did not stop the conservatives peddling their illegalities during the subsequent local elections... [1]  
Within various leaflets conservative candidates made a 'promise/pledge' too... [2]  
Typically, as often is the case, conservative promises were made, but nothing materialised.

I wrote to my local councillor, Bob or is it Rob Tromans to ask about these plans, however he did not answer, possibly because, at that time, he had stepped down from being a conservative councillor, whilst he was under investigation for alleged assault [3] although there was "'insufficient evidence" to support a prosecution' [4].

Being a local resident who cares for my town, my question, to all conservative councillors, was: -

'please advise me what the £30million investment plans are? Where the funding is coming from? When will it be taking place and delivered?'  
Instead of Bob, Kristof Wilson replied but offered no answers, other than to say they would tell council officers to 'investigate more fully the proposal'... which certainly does not sound like having a plan whatsoever.

The conservatives are a disgrace, if the £30 million was part of the budget it is clear that it would be illegal, so why do they still insist on their website that the conservative shadow budget... [5]

You conservatives are still out there disingenuously presenting one budget for the Council's Section 151 Officer and a somewhat different version for public consumption.

So, my closing comment to you conservatives is; please stop lying to the residents of Nuneaton and Bedworth, as per the despicable manner from last year. Try to set a legal budget without making illegal claims.

Unlike you conservatives, my comments above are backed up with factual references: -

[1] Conservative manifesto (Manifesto 2018 v3.pdf).

[2] R Tromans NBBC election literature St Nicolas ward 2018.

[3] <https://www.bbc.co.uk/news/uk-england-coventry-warwickshire-44067327> (10 May 2018), visited 8 Feb 19.

[4] <https://www.bbc.co.uk/news/uk-england-coventry-warwickshire-44794909> (11 July 2018), visited 8 Feb 19.

[5] <https://www.nuneatonconservatives.org.uk/news/regenerating-our-town-centres-central-conservative-budget> (21 Jan 2018), visited 8 Feb 19.

### **No reply was given**

#### **c) Joseph Bevan asked the following question:**

Does the Leader of the Council share my concerns regarding the poor state of the block paving in Bedworth and will she write to Warwickshire County Council asking that they undertake urgent works to replace this old and worn out paving before a potential serious accident occurs?

#### **The Leader of the Council, Councillor Julie Jackson, responded as follows:**

Thank you for your question. I certainly share your concerns regarding the state of the block paving in Bedworth and do agree that it needs attention. I have already written to the County Council in this regard but am happy to confirm that I will write again to see that actions they propose to address the concerns of both yourself and many residents in Bedworth.

#### **d) Karl Mayer (Woodland Action Group) made the following statement in relation to Agenda Item 14: Borough Plan Petition:**

It appears that this petition with its 5500 signatures has eclipsed the 3800 people that responded to this council's consultation when the borough plan was originally sent to the inspectorate. Surely this council must now listen to residents and their objections to this plan. The leader of this council stood on the steps of this building last May and admitted that the ruling group lost control of the council mainly due to the local plan. Recently as a member of the Woodlands Action Group I asked Katherine Morton of the planning policy team to enter into a Statement of Common Ground

(SOCG) with the Action group in regards to whether the ridge and furrow at the woodlands should be retained? The reason for this request was given the responses by all involved to the main modifications summarised briefly below.

1. The examination inspector in a letter to NBBC in May last year when talking about a council document (ECUS) report which ironically states that the ridge and furrow should be retained said that was also his (emphasis) and is why tomorrow it is the only site in the borough plan to get another hearing session.
2. With a new road scheme now proposed for this ridge and furrow both landowners/developers say that they will not be paying for it as it is not sustainable at £2.62 million.
3. WCC in a letter to NBBC dated 3rd December 2018 say that they will make no financial commitments to any proposed allocations within the plan only via mutual funding.

I would have thought that given in the past this council was committed to returning Bedworth woodlands to the green belt they would have jumped at the chance to sign up to a SOCG given the responses from all concerned in the main modifications. Basically this road is to be put on land the council said should be retained, the developers says it's unsustainable and they will not pay for it and the County also say they will not be paying. The reason behind the policy teams decision not to enter into a SOCG with the action group needs looking into by the councillors of this authority regardless of the outcome of tomorrows hearing because on close examination of the borough plans examination library it seems the policy team only sign SOCG with developers or other local authorities.

**Councillor Neil Phillips, Portfolio Holder for Planning and Development responded as follows:**

Thank you for your question Mr Mayer. As you are aware the Local Plan Inspector has requested a further days hearing tomorrow part of which will examine the Woodlands allocation. I was out there today with the inspector, with Karl and the landowners as well, there were other people that were going to be there but couldn't make it.

A Statement of Common Ground is an agreement of the facts. Mr Mayer asked for a statement of Common Ground in this format:

“Could it be possible for NBBC/WCC to sign a statement of common ground to finally admit that HSG4 is dead in the water due to both developers saying the access road is unsustainable”

Unfortunately, this is not an agreement on facts and as such the Policy Team quite rightly declined to enter into such a statement. As mentioned this will be the subject of part of the hearings tomorrow which is part of the examination of the Local Plan by the Inspector and will no doubt be dealt with by him in his report to the Council in due course and I look forward to being there tomorrow and listening to it.

**Councillor Evans moved a motion in line with Paragraph 4A 4.10.7 of the Council's Constitution that the content of Mr Mayer's question with regards to the Council signing the Statement of Common Ground with the Woodland Action Group be referred to Cabinet.**

Councillor Gran seconded the motion

A recorded vote was taken as follows:

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

Against: None

Absentions: None

The motion was carried.

**e) Caroline Phillips asked the following question:**

The Town Hall Tories recently attempted to conduct a Show Trial at the meeting of Full Council. Can this Council assure me that this disgraceful travesty will never be repeated, and that complaints made to the Standards Committee will be dealt with by the Standards Committee?

**Leader of the Council, Councillor Julie Jackson, responded as follows:**

Thank you for your question.

I believe that all elected members should behave in a way that upholds the integrity of Local Government. When complaints are made I further believe that they should be subject to the appropriate Standards Committee procedures. This should enable both complainants and those subject of a complaint to have the matter appropriately considered and informed decisions made.

**f) Isobel Jacques made the following statement to agenda item 14: Borough Plan Petition:**

My questions, along with many other residents are relating to Agenda. Item 14. 3/3.4 The Petition:, concerning the approximate 15K+ housing and the proposed loss of Green Belt and green fields, with the added impact on health, infrastructure and roads.

"Why do we need so many houses "?  
"Why do we have to take Coventry"?



"Housing needed, but why so many"?

"Who are they actually building these houses for"?

Why is it that Nuneaton and Bedworth are now in agreement with Warwickshire County Council that the proposed infrastructure near to Ash Green, Exhall and eventually the Woodlands, doesn't need to commence until 2031, that is approximately 13 to 18 years after the Plan being passed, or not, by the Inspector?

Why are you not pushing for the infrastructure to commence before building or at least before any completions?

Why also is N&B now accepting that the road infrastructure is suitable for heavy goods vehicles when previously WCC Highways said it was not suitable, especially as these roads / well lanes actually are next to 3 schools and in close proximity to the proposed Industrial Site EMP7?

I am asking this because of the thousands of houses now included in the Borough Plan - in and surrounding the above mentioned areas; and of course the many other included sites that will suffer with the planning applications to come, if more Green Belt becomes green field.

These extra houses will definitely also generate more cars on the already saturated, poor surfaced roads and pavements in ours and other areas in Nuneaton and Bedworth, as the submitted petition shows. Residents on the streets, town centers and in their own homes, felt the number of housing was excessive, and also was not being built for those most in need.

Their questions were:

"Why do we need so many"?

"Why do we have to take Coventry"?

"Housing needed, but why so many"?

"Who are they actually building these houses for"?

In the Council's own words, Page 158. Item 4 Report 4.2

Council must be mindful of the requirement to act lawfully in how it responds to the petition. One would query that by giving 3 minutes for one person to speak does not equate with justice, or initiate any debate.

I address my questions and those of residents, to Neil Phillips and Full Council in the hope they will consider carefully all residents' concerns before voting.

**Councillor Neil Phillips, Portfolio Holder for Planning and Development responded as follows:**

As you are aware the Inspector has requested a further day of examination hearing will be held tomorrow. When the County Council undertake modelling work in connection with the Local Plan there will be instances whereby some of the development may be acceptable from the existing road network but also suggests when improvements will be required to the existing road network, and new infrastructure based on the likely commencement dates of the developments. It would be

unreasonable for this Council to insist on these works being carried out prior to when they are required.

The concern from Warwickshire County Council about HGV movements from EMP7 were if the HGV's were to travel along Goodyers End Lane, Ash Green Lane past primary schools and was on the assumption that School Lane could not be improved due to part of HSG6 being taken out of the allocation. Modifications to HSG6 allows for the improvement of School Lane to be able to cater for HGV's so that traffic can be routed away from the Schools to the satisfaction of Warwickshire County Council.

Part of the examination of any Local Plan is that an Inspector is looking to see that the Plan has met the tests of being legal and being sound. Part of this is to accommodate a portion of the housing need of the local Housing Market. For Nuneaton and Bedworth this has been accepted as Coventry and Warwickshire Housing Market Area. For Nuneaton and Bedworth to set their own arbitrary housing target a Plan would be unlikely to pass either the Legal test or the Duty to cooperate (which is also a duty any Local Plan must meet). This would leave the authority without a Local Plan where it would be vulnerable to "Planning by Appeal". The Inspector has already heard concerns about housing numbers in his hearings last year and is satisfied that the Council has met the Duty to Cooperate test and following the extra days hearing tomorrow will complete his report to be submitted to and considered by this Council.

How petitions are dealt with is as set out in the Constitution and is explained in the body of the report which is within the agenda papers for this meeting.

**The Mayor moved that in accordance with Council Procedure Rule 4.10.6C the maximum time for public questions/statements shall not normally exceed 20 minutes and that as this amount of time has passed, any public questions that were not reached would receive a written reply.**

**g) Michele Kondakor submitted the following question:**

Over the past few months I have seen a row of flats in the NABCEL owned block in Attleborough remain empty with 'to let' signs in the windows.

How many NABCEL owned properties are currently void and what is the loss of income as a result?

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

All properties are owned by the General Fund and leased to NABCEL Homes. NABCEL Homes does not own any properties.

Of the 42 properties it leases, there are 13 voids. Eleven of these are at Trinity Court, Highfield Rd, Attleborough. Three are now let, one will be rented from 1st March and, we are in advanced discussions with a significant local employer to provide accommodation for their workforce in the remaining units.

The rent loss on the void properties is £33,227, £30,206 of which is attributable to Trinity Court. There is no bad debt and no arrears within the portfolio of homes. This is testament to our robust financial checking mechanism which ensures that the properties are affordable for the tenants and we are not placing them at risk of losing their accommodation.

The properties at Trinity Court did not come over to the ownership of the Council until October 2018. This was followed by a period of remedial works to additionally identified snagging issues. They then had to have carpets and blinds fitted before being advertised. The Christmas period is notoriously slow for both house sales and new lets and this has been our experience over the previous four plus years that NABCEL Homes has been in operation.

For context, the current annual rent roll for the properties leased by NABCEL Homes is £295,108.

**h) Lubs Cvetkovic submitted the following question:**

I was interested to learn that Cllr Beaumont has met with the developers Taylor Wimpy. I would like to know whether this was in his capacity as Portfolio holder or as a Cllr for Bulkington Ward?

I do think that it is important that on an issue such as the Borough Plan that Cllrs engage with all stakeholders and I would be interested to receive feedback on what was discussed in that meeting.

I would like to state that though I am pleased he is engaging with developers I would like to know why he has repeatedly failed to engage with local residents and with local action groups. Surely as residents we are entitled to the same consideration. Cllr Smith has been involved and has listened and has kept residents informed. I feel that Cllr Beaumont is very one sided in his approach and is ignoring the residents he is there to actually support. Even going as far as leaving Community Forum meetings as soon as the agenda item for the Borough plan comes up for discussion.

**Councillor John Beaumont, Portfolio Holder for Housing, Health & Communities responded as follows:**

I was attending the meeting with the developers, Taylor Wimpy in my capacity as Councillor for Bulkington Ward. I am Portfolio Holder for Housing, Health & Communities, and that would not fall within my responsibilities.

The meeting was arranged for the developers, Taylor Wimpy, to develop consultation proposals after giving a brief outline of proposals and the timing of the Inspector's decisions on the Local Plan. After a few clarifications, I was pleased to note a commitment to 25% affordable housing, pepper potted within the site; pedestrian but no vehicular access from Mill Lane and Severn Road; a single entry and exit on to Bedworth Road from New Crossfield Road, and a grass and shrub border with a footpath in a green space on two sides of the site, which I suggested

needed some trees. I outlined a past interest with others, and discussions on purchase of the site when it was up for auction to create a woodland for Bulkington residents. I do not recall any mention of housing numbers. My suggestions on consultation were the obvious: Bulkington Village Community & Conference Centre and Unity Hall, and local groups such as users of the Catholic Hall and possibly Bulkington WI. We agreed BRV would feature in some way. I indicated my neutral position on the Local Plan, and would support the Labour Group in seeking adoption after the Inspector's final judgement.

Your perception that I repeatedly fail to engage with local residents and with local action groups is at odds with the following. I manage Bulkington Community Library, and in that capacity meet many residents; I offer my phone number to deal with any enquiries on demand, and run a Councillor's Surgery at 1-2pm every Thursday. The footfall of the Library is 28,000 per annum, and our staff of 40 to 50 volunteers know they can discuss all local issues with me on many occasions. I do not need large meetings to reflect on their views on the many issues which arise. I also attended the consultations on the Local Plan in both Bulkington and Whitestone.

I was struck by a failure to provide a meeting, and so ensured that the next meeting of the B&W Community Forum at the Bulkington Community Library was given an introduction on the context and history of building in Nuneaton, Bedworth and Bulkington, which included the final proposals HSG7 and 8. I also provided 100 copies of the Borough Plan Summary to take away, at a cost of £65. I was assured at that meeting that the BRV was not to be a political organisation, but clearly it is. I attended the BRV meeting at the Bulkington Working Men's Club.

I was invited to the BRV meeting at Weston Hall, but after consideration of the conditions imposed of no participation in the meeting and "consultation" afterwards with no control by the Chairman, I declined. I note that Councillors Smith, Morgan and Gutteridge are Members of BRV who are inside the protest organisation. Councillor Smith has been involved, but this is probably because of his membership with BRV. I represent and support ALL Bulkington residents, including those who want to see affordable housing, and I realise that the only way for their children to afford housing is to get the Borough Plan adopted, and for the housing supply to start controlling prices.

It is untrue to say that I leave Community Forum meetings as soon as the agenda item for the Borough Plan comes up for discussion. I informed the Chair, County Councillor Jeff Morgan at the start of one meeting that I had to leave early.

**i) Kathleen Price submitted the following question:**

Nuneaton Library is a well used facility in our town and I, and many others are concerned about comments and rumours that are spreading, that the Council are intending to close it. The Library is an iconic building and is very precious to the people of Nuneaton and it would be a crying shame if it was torn down, especially in view of the investment spent in its recent

refurb. Could the Leader of the Council inform me if the Council have plans to close the Library as is being said?

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

Nuneaton Library is indeed a well used facility in the town that is operated by Warwickshire County Council not the Borough Council. The discussions that we have had with Warwickshire County in relation to the Transforming Nuneaton Initiative and the redevelopment of the Vicarage Street area of the town have all indicated that Nuneaton will continue to have a library in the town centre. However, at this point in time I believe that the County Council are still considering the precise location of the library in the future.

#### CL60 Questions by Members

**a) Councillor Damon Brown asked the following question:**

On 1 November 2018, Bedworth's MP Craig Tracey wrote to the Leader of the Council in connection with a standard method of calculating housing need that has been introduced by the Government, which would result in a lower housing target than that set out in the Council's Borough Plan.

At the Council meeting held on Wednesday 5th December 2018 the minutes of that meeting confirm that, in his answer to a question from Mr Lubs Cvetkovic, Cllr Phillips advised that the Leader of the Council had replied to Mr Tracey's letter. The relevant part of the minutes of the December Council meeting are:-

Lastly, to address Craig Tracy MP's letter, I do believe he has had a response on this issue from the Leader.

I therefore ask the Leader of the Council to confirm to this Council that she has replied to the letter dated 1 November 2018 from Craig Tracey MP and to please supply me with a copy of the reply/replies.

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

I can confirm that I have replied to the MP for North Warwickshire. I do not share my replies to letters with others, they are private.

Councillor Brown moved the following motion:

“This Council requests the Leader of the Council to release her letter of response to Craig Tracey MP letter dated 1<sup>st</sup> November 2018 regarding the Borough Plan”

Councillor Gran seconded the motion

The Mayor ruled the motion as unlawful as it is a personal reply therefore the motion would not be discussed further.

**b) Councillor Kyle Evans asked the following question:**

The HSG4 allocation of 689 dwellings on the Bedworth Woodlands can only happen with the proposed road access from Newtown Road. Warwickshire County Councils Planning Consultants 'Vectos' forecast that this scheme will cost £2.6 million. The developers made it clear at the last Hearings that they would not be willing to make any financial contributions, towards any highway schemes on HSG4.

On the 3<sup>rd</sup> December, the Council received a letter from the Strategic Planning & Development Manager at Warwickshire County Council, regarding the main modifications to the Borough Plan. The letter stated *"the County Council can make no financial commitment arising from any proposed allocations within the Local Plan"* (Page 1). As such Warwickshire County Council will not make any financial contributions to this proposed scheme.

Although I don't speak for the Planning Department at this Council, I don't believe this Council could afford £2.6 million for the scheme either. However if I am wrong, I am more than happy to be corrected. In light of there being no financial contributions for this new road, and of course taking into consideration the separate issue of the ridge and furrow, it will really embarrass the Council in front of the Government Inspector on Wednesday at the Hearings, should you continue with this farce. Could I therefore ask the Portfolio Holder, will he now write to the Government Inspector ahead of the hearings on Wednesday, to advise him the Council intends to remove Policy HSG4 from the Borough Plan with immediate affect?

**Councillor Neil Phillips, Portfolio Holder for Planning and Development, responded as follows:**

As you are aware the examination hearings into the Local plan will sit for a further day tomorrow. I am aware that you and representatives of the owners of the allocated land at the Woodlands have all been invited to partake in the hearings and I am aware that the Inspector in his agenda for the day has already posed questions about the costs of the access for participants to answer. I am happy to leave the decisions about the future of this allocation to the Independent Inspector and so have no intention of writing to him about this matter.

**c) Councillor Anne Llewellyn-Nash asked the following question:**

Since the Leader was appointed in May, there have been four Housing and Land Delivery Board meetings at the West Midlands Combined authority. Could I ask the Leader why she has not attended any of these meetings since May, and why a substitute has not been sent in her place?"

**Councillor Julie Jackson, Leader of the Council, responded as follows:**

As the leader of the Council I am invited to a great many important meetings and it is necessary for me to prioritise my time by attending those meetings where the subject matter on the agenda is most likely to bring benefits to the Borough. Much of the Board's business relates to matters of concern to the Unitary Authorities which has little relevance to the Borough.

The Council's officers at either Director or Head of Service level regularly attend the Housing and Land Steering Group through which reports and proposals are developed for consideration by the Housing and Land Delivery Board. Consequently officers have a good insight into the agenda items of the Board meetings. Prior to each Board meeting I take advice from the Director – Planning & Public Protection about the matters on the agenda, before deciding whether I need to attend the meeting. To date I have been satisfied that the matters of relevance to the Borough have been proceeding well without the need for my attendance. In particular the Spatial Investment Delivery Plan, which is the main long-term policy document on which the Board has been working and which identifies priorities for economic growth within the West Midlands Combined Authority area, include the Transforming Nuneaton programme, MIRA, improvements to the A5 and reference to the potential of market towns.

The next Board meeting is on 21<sup>st</sup> February and the agenda and reports came out on 13<sup>th</sup> February. I received guidance from the Director about the agenda on 15<sup>th</sup> February.

**d) Councillor Lydia Hocking asked the following question:**

We're all too aware, that since 2010 funding for local authorities has been reduced year on year, resulting in cuts to many services and having a devastating impact on our communities. Can I ask the leader of the council, what support she has received from the local MPs in order to help stop the ongoing starvation of funds?"

**Councillor Julie Jackson, Leader of the Council, responded as follows:**

Like you, I am appalled by the constant insistence of Central Government to cut funding for the vital services Local Government provides. We are at the front line in dealing with increased homelessness, increased hardship as a result of the introduction of Universal Credit and the wait times to receive it. How in 21<sup>st</sup> Century Britain is it right that some in our communities have to rely on foodbanks to feed their families - and some of these are at work. I have not been made aware that any of our three MP's have voted to ease our financial difficulties in any significant way. Indeed I see little evidence that Government is serious in addressing the huge funding gap we face. Time for Government to wake up and see the problems facing local communities who need the services we provide. At

the moment all I see is denial, deflection and devastation of much valued local provision.

**e) Councillor Makayla Rudkin submitted the following question:**

Could the leader of the Council confirm to Members of this Council and residents that, despite the comments repeatedly made by Councillor Evans in this Chamber, the vast majority of Bedworth Market Traders when asked as part of a survey conducted by Head of Town centres and Marketing. Do NOT want to be forced to trade outside in All Saints Square?

**Councillor Julie Jackson, Leader of the Council, responded as follows:**

I can confirm that officers have spoken with traders on Bedworth Market and that the overwhelming view is that they do not wish to trade outside in All Saints Square in all weathers. I support both our markets and can see that we need to work with our traders not in direct opposition to them if we want thriving and vibrant markers in our towns.

**j) Councillor Bill Hancox submitted the following question:**

Cllr Jackson, do you recall that some time ago I wrote to yourself and the Tory Leader of Warwickshire County Council regarding issues relating to the unattractive, unsafe block paving and other issues in Bedworth Town Centre. The Tory Leader of the County Council has, to date, rejected my invitation for her to accompany me on a visit around Bedworth Town Centre.

As the Leader of this Council do you also recognise the issues relating to the poor maintenance and need to improve Bedworth Town Centre, in particular the unattractive and unsafe block paving that I have attempted to highlight to the Conservative Leader of Warwickshire County Council and would you also remind County Councillor Seccombe of the County responsibility for rigorous repair and improvement to Bedworth Town Centre?

**Councillor Julie Jackson, Leader of the Council, responded as follows:**

I do recall you writing to myself and Councillor Seccombe in regard to block paving and other matters in Bedworth Town Centre. Indeed in that correspondence you asked me to meet with you on site – a request which I was pleased to say yes to.

Like you, I do share concerns about the block paving and other matters which are the responsibility of Warwickshire County Council. I am more than happy to write to Councillor Seccombe supporting your request that we so carry out a site visit to see what actions can be taken to address the



concerns. I trust that all of the Bedworth County Councillors would support this move.

Councillor Golby moved the following motion:

'We also write to County Councillor Richard Chattaway, the Leader of the Labour Group at Warwickshire County Council (WCC) and County Councillor for the Bedworth Town Centre area in relation to the state of the town centre block paving and ask him to provide us with a response to Council'

Councillor Wilson seconded the motion

A recorded vote was taken as follows:

For: Councillors D. Brown, S. Croft, K. Evans, D.A. Gissane, C. Golby, S. Gran, J. Gutteridge, A. Llewellyn-Nash, B. Pandher, A. Sargeant, J. Sargeant, R.T, Smith, R. Tromans, H. Walmsley and K.D. Wilson

Against: Councillors J. Beaumont, G. Daffern, S. Doughty, P.M. Elliott, J. Glass, W.J. Hancox, L. Hocking, J.A. Jackson, I.K. Lloyd, B.J. Longden, N.J.P Phillips, G.D. Pomfrett, M. Rudkin, J. Sheppard, T.E. Sheppard, J.A. Tandy and C.M. Watkins.

Absentions: Councillor K. Kondakor

The motion was lost.

**The Mayor moved that in accordance with Council Procedure Rule 4.10.6C the maximum time for members' questions shall not normally exceed 45 minutes and that as this amount of time has passed, any member questions that were not reached would receive a written reply.**

The remaining question from a member received the following written response:

**k) Councillor Keith Kondakor submitted the following question:**

I encourage to councillors giving the very successful Bedworth Park Run a try, it is for people of all abilities and walking around is fine.

On Saturday the Bedworth Park Run will have operated for one year and now has a weekly attendance of around 200 people running & walking around the 5 Km route in the Miners Welfare Park. There have been 2,292 different people taking part, running a total of 38,000 Km. All this has been done at very little cost due to the great work of volunteers and start up help from our sport development team.

In contrast the climbing wall has been an expensive folly. Please advise how many people climbed the wall per week on average in 2018 and the effective cost of each of those climbs?

**Councillor Ian Lloyd, Portfolio Holder for Arts, Leisure & Economic Development responded as follows:**

The total number of participants on the mobile climbing tower in 2018 was 708.

Whilst the agreed climbing tower contract allows for 25 events, inclement weather and safety issues reduced this to only 18 events. The average attendance per event was, therefore 39 participants.

The total participants, set against the budget spend for the tower is £24.83 per participant.

We recognise that numbers have been lower than anticipated, especially in the town centres even on market days, so following lessons learnt we are proposing the following to increase engagement and participation within the borough:

- Secondary School Road shows during school time, with the aim of having open access afterschool at each venue and for primary schools within the catchment area of the school.
- College Fresher week roadshows.
- Partnership work linking the tower with – Kids run free, local holiday clubs, Local sports clubs, local scout/youth groups.
- Continue delivery at the local key events within the borough, such as the Christmas lights switch ons.

The climbing tower offers an activity that would not otherwise be available to local residents of this Borough. It has been well received at events and promotions throughout the Borough and raised the profile of climbing. In the forthcoming Tokyo Olympics, climbing is one of the new events being introduced and this borough may well be inspiring a local athlete to get involved in the development of this sport.

**CL61 Special Urgency Decisions**

**RESOLVED** that it be noted there have been no Special Urgency Decisions under the Special Urgency Rule

**CL62 Committee Membership & Outside Bodies**

Due to the change in Cabinet Member there was a requirement to change the membership for some committees and outside bodies. The amendments were presented to Council for approval as per the addendum.

**RESOLVED** that the following amendments be approved:

- i) Councillor Longden to replace Councillor Beaumont on both the Internal and External Overview and Scrutiny Panels;

- ii) Councillor Rudkin to replace Councillor Beaumont on Audit and Standards Committee;
- iii) Police and Crime Panel – the Cabinet Member for Housing, Health and Communities be replaced with Councillor Tandy;
- iv) Councillor Longden to replace Councillor Beaumont on the Car Parking Working Party;
- v) Councillor Tandy to replace Councillor Beaumont on the Land and Assets Working Party; and
- vi) Following Mrs Mary Beaumont’s resignation, Mr Alan Lewis be nominated to be our representative on the Nicholas Chamberlaine Trust.

#### CL63 **Cabinet**

The Leader of the council submitted her report on behalf of Cabinet. The report highlighted matters considered at the Cabinet meeting of the 6<sup>th</sup> February, and also details of reports from the West Midlands Combined Authority Board, which have a direct impact on NBBC, namely the Board meetings of the 14<sup>th</sup> September, 9<sup>th</sup> November 2018 and 11<sup>th</sup> January 2019.

#### CL64 **Election of Mayor and Deputy Mayor**

The Council gave consideration to the selection of Mayor and Deputy Mayor for 2019/20:

##### **(a) Mayor**

It was proposed and seconded that Councillor J. Tandy be invited to accept the office of Mayor.

As an amendment it was proposed and seconded that Councillor A. Sargeant be invited to accept the office of Mayor.

Following a vote it was **RESOLVED** that Councillor J. Tandy be invited to accept the office of Mayor for the Municipal Year 2019/20.

##### **(b) Deputy Mayor**

It was proposed and seconded that Councillor J. Beaumont be invited to accept the office of Deputy Mayor.

As an amendment it was proposed and seconded that Councillor R. Tromans be invited to accept the office of Deputy Mayor.

Following a vote it was **RESOLVED** that Councillor J. Beaumont be invited to accept the office of Deputy Mayor for the Municipal Year 2019/20.

#### CL65 **Recommendations from Cabinet and other Committees**

**a) Cabinet – Local Council Tax Support Scheme 2019/20**

Councillor J. Jackson, Leader of the Council, reported on the recommendations made at Cabinet on 6<sup>th</sup> February, 2019 in respect of the above.

**RESOLVED** that

- i) the proposed Local Council Tax Support Scheme for 1<sup>st</sup> April 2019 onwards be approved; and
- ii) the Executive Director – Resources be given Delegated Authority to make minor amendments to the scheme in consultation with the Portfolio Holder for Finance & Civic Affairs

**b) Cabinet – National Joint Council (NJC) Pay Award Implementation**

Councillor J. Sheppard, Cabinet Member for Central Services & Refuse, reported on the recommendations made at Cabinet on 13<sup>th</sup> February 2019 in respect of the above.

**RESOLVED** that the proposed new Pay Structure as detailed at Appendix B of the report be approved.

**c) Cabinet – Housing Revenue Account Budget 2019/20 and Capital Programme 2019/20**

Councillor J. Beaumont, Cabinet Member for Housing, Health & Communities reported on the recommendations from Cabinet on the 13<sup>th</sup> February 2019 which were seconded by Councillor J. Jackson.

A recorded vote was taken on the recommendations as follows:

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

Against: None

Abstentions: None

**RESOLVED** that

- a) the forecast outturn for 2018/19 be noted and revised Capital Programme for 2018/19 be approved;

- b) the draft HRA Capital Programme for 2019/20 of £23.64m be approved as shown at Appendix C of the report;
- c) a decrease in HRA dwelling rents for 2019/20 of 1% be approved in line with Government Policy;
- d) Homeless Hostel rents be increased by £12.50 to £35 per night as set out in section 4.10 of the report;
- e) an increase of 3.1% for 2019/20 in line with CPI + 1% for other HRA fees and charges as set out in section 4.10 of the report be approved;
- f) the 2019/20 draft HRA Revenue budget, including the rent charges above, be approved; and
- g) 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 the HRA.

#### **d) General Fund Budget and Capital Programme 2019/20**

Councillor J. Jackson, Cabinet Member for Finance and Civic Affairs Presented her budget speech and reported on the recommendations made at Cabinet on Wednesday 13<sup>th</sup> February 2019 which were proposed by Councillor Jackson and seconded by Councillor I. Lloyd:

- i. the forecast outturn for the General Fund revenue and capital budget for 2018/19 be noted;
- ii. the revised Capital Programme for 2018/19 of £19.625m be approved;
- iii. the Council Tax requirement for 2019/20 be determined as £8,800,524, an increase of 2.99%, in accordance with the Local Government Finance Act 1992;
- iv. the 2019/20 Business Rates forecast reported to the Department for communities and Local Government and included in the report be noted;
- v. the General Fund revenue budget for 2019/20 be approved;
- vi. the Capital Programme for 2019/20 of £12.532m be approved;

Councillor K.D. Wilson put forward alternative budget proposals on behalf of the Conservative Group, which was seconded by Councillor C. Golby as follows:

#### **CONSERVATIVE BUDGET RECOMMENDATION 13<sup>th</sup> February 2019**

(a) That the General Fund draft revenue budget 2019/20, attached as Appendix B, and updated General Fund Capital Programme as attached as Appendix C be recommended to the Council for approval including the following items:

- A reduction in market fees of 5% at a cost of £16,000
- Increasing Overview and Scrutiny Panels to 3 and reducing the Special Responsibility Allowance paid to the Chairs by 22%, at a net cost of £7,000
- Reduce the charge for collection of green waste to £12.50, at a cost of £338,000
- To not proceed with the reductions to Third Sector organisations, at a cost of £7,000

(b) When added to the original surplus of £30,000 (para 5.4 of the February Cabinet report) the revised draft budget position is a deficit is £338,000 and is funded as follows:

		£
a.)	Reduce Arts Development budget	6,000
b.)	Applying a competitive tendering process to the Refuse Collection and Street Cleansing service – part-year saving to allow time for the procurement process	10,000
c.)	Reducing the Public Conveniences salary budget by the equivalent of one FTE	20,000
d.)	Cease publication of In Touch	27,000
e.)	Additional income from fees and charges by increasing Mobile Homes charges by £5.51 to £27 per week, and increasing other Fees and Charges by an average of 4% (excluding car parks and markets). This income is additional to that shown in the Cabinet report.	18,000
f.)	Borrow £5m to increase the investment in properties leased to NABCEL – part year saving to allow time for acquisition and net of borrowing costs. <i>(this requires amendment to capital programme proposals to increase capital expenditure)</i>	20,000
g.)	A savings target across all back office functions by not back filling vacant posts, where not absolutely necessary	9,000
h.)	Withdraw from the West Midlands Combined Authority with effect from 1 <sup>st</sup> April 2019	25,000
i.)	Transfer operation of the Museum into a trust to generate NNDR savings	10,000
j.)	Work with Community Groups to hand over the running of the Keresley and Stockingford Community Centres, or alternatively close them if this isn't possible.	44,000

k.)	Additional savings from the mayoralty budget from civic gifts and hospitality	1,000
l.)	Restructure car parking charges as follows:  Short Stay: Introduce 5hr charge @ £4.80 6hr charge @ £6.00 Increase up to 24hr charge from £6.50 to £8.00  Long Stay Car Parks: Increase 4hr charge from £3.40 to £3.80 24hr charge from £4.00 to £5.00  This is a 9-month saving to allow for an amendment to the Parking Order	22,000
m.)	Cease Chauffeur provision for the Mayor's car	17,000
n.)	Close the Civic Hall bistro	25,000
o.)	Restructure the Civic Hall Box Office	7,000
p.)	Close the Civic Hall on a Monday and Tuesday, as the least financially viable days. This saving is made up of staffing (£37k), utilities and other operational spend (£24k) less income foregone (£14k).	47,000
q.)	Merge the Civic Hall and Museum Managers in to one post	30,000
r.)	Close the Museum for one additional day per week	7,000
	<b>These amount to savings of:</b>	<b>345,000</b>
	<b>Revised Surplus</b>	<b>7,000</b>

- (c) Given the potential staffing implications of the savings above, the Council's Management of Change policy will be followed.
- (d) That the District Council Tax for 2019/20 be increased by 2.99% as per the Cabinet report and draft budget assumptions.
- (e) Furthermore, that a temporary amendment be made to the Council's parking orders to introduce 3 hours parking at short stay car parks on weekdays for £1 at a cost of £281,000 and that this be funded from unallocated General Fund Balances. To allow for an amendment to the Parking Order and ensure sustainability of the General Fund, this will be for a maximum of 9 months to 31<sup>st</sup> March 2020.
- (f) That the budget deficit of £273,560 be taken from General Fund balances to support the temporary amendment to the parking orders. Work will continue with the Management Team to realise savings for 2020/21 and the future, which is especially important

given the one-off use of reserves in 2019/20 which has reduced unallocated reserves close to the minimum acceptable level.

- (g) In addition, this work will also include evaluating options for the regeneration of the Nuneaton Town Centre and for the viability of Nuneaton and Bedworth Borough Council providing mortgages to residents of the borough.
- (h) That the Executive Director – Resources assurance statements on reserves and base budget proposals as included in Appendix A be noted.
- (i) Because of the timescales involved, the General Fund Revenue Budget 2019/20 was considered as an urgent item and not subject to call-in as provided for in paragraph 15(f) of the Overview and Scrutiny Procedure Rules in Part 4 of the Constitution.



# APPENDIX A

## ROBUSTNESS OF BUDGET ESTIMATES AND ADEQUACY OF THE RESERVES

### 1.) Introduction

The 2003 Local Government Act places specific responsibilities on the Section 151 Officer to report on the robustness of the budget and the adequacy of proposed financial reserves when the authority is setting its budget for the forthcoming year. These principles are embedded throughout the Council's budget setting and medium term financial planning processes.

### 2.) Robustness of Estimates

The budget estimates include assumptions on spend pressures, inflationary pressures, interest rate forecasts and current trends on demand for services. The latter is kept under constant review, especially for the income generating services. The estimates also reflect the Local Government Finance Settlement 2019/20 and the multi-year settlement, as well as the most up to date forecast of business rates income. Savings targets have also been assessed to ensure that they are realistic and achievable.

### 3.) Adequacy of Reserves

The minimum prudent level of reserves that the Council should maintain is a matter of judgement, taking into account a number of factors. This includes an assessment of current and future risks that the Council faces but these can and will change over time and so this cannot be the only factor. Reserve levels are ultimately the Council's safety net against unforeseen or unexpected circumstances and risks.

Failure to maintain a minimum prudent level of reserves could lead to the Council being forced to cut spending during the year in an arbitrary way leading to loss of services and reputational damage.

Reserves are established and maintained in line with the Code of Practice on Local Authority Accounting, and are reviewed annually by the S151 and also the Council's external auditors as part of the Value for Money Conclusion.

The main categories of reserves to be considered:

#### a) Earmarked Reserves

Earmarked reserves are those which the Council builds up over a period of time to fund known or predicted liabilities. Earmarked reserves may also contain funding for specific projects to be completed in the future, often by external contributions. The Council reviews the levels, contributions and appropriateness of these reserves annually as part of the budget setting process and when preparing the longer term financial strategy.

It is estimated that the General Fund will have revenue reserves of £6.59m and capital reserves of £1.42m as at 31<sup>st</sup> March 2019, and £6.51m and £1.59m respectively as at 31<sup>st</sup> March 2020.

b) Unallocated General Reserves (General Fund)

The Council has determined a minimum working balance of £1m for the general fund balance over the medium term (approximately 6% of future net expenditure levels) to deal with timing issues and uneven cash-flows and avoid unnecessary borrowing. The actual General Fund balance is estimated to stand at £1.34m at the end of March 2020. This has reduced from £1.65m following the decision to temporarily reduce car parking charges and fund the loss of income from General Fund balances. These minimum levels will be kept under review during the course of the medium term strategy. In addition, there are other risks, identified in section 10 of the report, that have been taken into account when setting the optimal level for the Financial Planning Reserve. These include assumptions about budget savings and changes in the national and/or local economy.

Business Rates Retention has brought about much greater risk and uncertainty to local government finance since 2013. The level of reserves that are held by the General Fund are prudent and continue to reflect this on-going risk and uncertainty.

In line with established accounting practice, part of the Council's financial strategy is to ensure that funding for future spending is not dependent on the use of reserves so as to demonstrate long-term sustainability

4.) Section 151 Officer's Statement

Taking into account the above, together with all the proposals within the budget report, it is the Executive Director – Resources view that the estimates for 2019/20 are robust and the proposed level of reserves is adequate, although they are only just above that considered the minimum acceptable level.

A risk assessment of the assumptions within the budget is set out in section 10 of the Cabinet report. The proposals for balancing the budget deficit of £338,000 are accepted as being achievable.

## Appendix B

Conservative General Fund Budget Summary

	<b>Original Budget 2018/19 £</b>	<b>Original Budget 2019/20 £</b>
Arts, Leisure and Economic Development	5,528,470	5,452,960
Central Services and Refuse	4,186,430	5,070,840
Finance and Civic Affairs	3,570,100	3,557,880
Housing, Health and Communities	1,348,090	1,481,020
Planning and Development	111,630	(151,400)
<b>Portfolio Total</b>	<b>14,744,720</b>	<b>15,411,300</b>
Central Provisions	334,500	334,500
Depreciation & Impairment	(3,056,330)	(3,092,280)
Transfers To/(From) Corporate Reserves	(999,155)	231,074
Financing of Capital Expenditure	2,873,655	2,617,720
PWLB Premiums & Discounts	21,063	21,120
Interest & Investment Income	(247,112)	(361,850)
Minimum Revenue Provision	427,696	415,400
External Interest Paid (GF Only)	444,275	574,500
<b>Total Council Net Expenditure</b>	<b>14,543,312</b>	<b>16,151,484</b>
<b>Funded By:</b>		
Net Retained Business Rates	(4,450,000)	(5,642,000)
Revenue Support Grant	(268,712)	0
New Homes Bonus	(1,304,545)	(1,360,400)
Deficit/(Surplus) from Collection Fund	(95,000)	(75,000)
Transfer to/ (from) General Fund Reserves	12,000	(273,560)
<b>COUNCIL TAX REQUIREMENT</b>	<b>8,437,055</b>	<b>8,800,524</b>

**Conservative General Fund Capital Budget**

	2018/19			2019/20
	Latest Capital Programme	Predicted Spend (Updated Capital Programme)	Amounts to re-profile to 2019/20	Project Budget (including re-profiled amounts from 2018/19)
	£	£	£	£
<b>Arts, Leisure &amp; Economic Development</b>				
Cemetery Land	300,000	-	-	-
Miners Welfare Park Env Improvements & Green Gym	51,950	51,950	-	-
Stockingford Recreation Ground - Tennis Courts	65,000	-	-	-
Civic Hall Lighting	65,000	65,000	-	-
Miners Welfare Park Sports Pavilion	36,160	36,160	-	-
Haunchwood Pavilion	5,000	5,000	-	-
Pingles Electronic Timing Equipment	50,000	50,000	-	-
Pauls Land Pavilion	10,500	10,500	-	-
Bedworth United - Sewer Works	10,000	10,000	-	-
Sandon Park/ Jack Whetstone Pavilion	5,000	5,000	-	-
Cycle Storage - Miners Welfare Park	10,000	10,000	-	-
Target Hardening	-	-	-	100,000
<b>Central Services &amp; Refuse</b>				
ICT Strategy Programme	154,730	154,730	-	100,000
Major Repairs	250,000	250,000	-	250,000
Vehicle & Plant Replacement	1,483,130	1,483,130	-	370,000
<b>Finance &amp; Civic Affairs</b>				
Camp Hill - Early Final Phase	3,220,720	3,220,720	-	2,375,535
Valley Farm Refurbishments	150,000	-	150,000	150,000
Purchase of Investment Properties (incl properties to lease)	3,168,980	3,168,980	-	7,650,000
Revenue & Benefits - System Enhancement & Rationalisation	254,170	254,170	-	-
Town Centre Improvements	98,760	98,760	-	-
Bedworth Market Improvements	27,720	-	27,720	27,720
Town Centre Regeneration Schemes	102,300	102,300	-	-
Investment Property Improvement Works	25,000	25,000	-	-
Adjustment to Council's Property Portfolio	2,970,000	2,970,000	-	-
<b>Housing, Health &amp; Communities</b>				
HEART	7,031,430	7,031,430	-	4,185,000
Empty Homes & Works in Default	40,000	40,000	-	40,000
Empty Property Loans	100,000	100,000	-	100,000
Mobile Homes Sites	403,560	403,560	-	300,000
Conversion of the Council House	-	-	-	1,250,000
<b>Planning &amp; Development</b>				
Bermuda Connectivity Project	413,390	-	413,390	413,390
CCTV Wireless Technology	120,000	-	120,000	120,000
Ropewalk Car Park Improvements	38,100	38,100	-	-
Replacement CCTV Cameras	12,290	12,290	-	-
Jodrell Street - Unadopted Road	28,500	28,500	-	-
<b>Other</b>				
Miscellaneous Schemes	14,500	-	-	100,000
<b>Total Capital Programme</b>	<b>20,715,890</b>	<b>19,625,280</b>	<b>711,110</b>	<b>17,531,645</b>

A recorded vote was taken on the Conservative Budget as follows:

For: D. Brown, S. Croft, K. Evans, D.A. Gissane, C. Golby, S. Gran, J. Gutteridge, A. Llewellyn-Nash, B. Pandher, A. Sargeant, J. Sargeant, R.T. Smith, R. Tromans, H. Walmsley and K.D. Wilson

Against: J.B. Beaumont, G. Daffern, S. Doughty, P.M. Elliott, J. Glass, W.J. Hancox, L. Hocking, J.A. Jackson, I. Lloyd, B.J. Longden, N.J.P Phillips, G.D. Pomfrett, M. Rudkin, J. Sheppard, T.E. Sheppard, J.A. Tandy and C.M. Watkins

Abstentions: K. Kondakor

The amendment was lost.

A recorded vote was taken on the substantive motion as proposed by Councillor J. Jackson as follows:

For: J.B. Beaumont, G. Daffern, S. Doughty, P.M. Elliott, J. Glass, W.J. Hancox, L. Hocking, J.A. Jackson, I. Lloyd, B.J. Longden, N.J.P Phillips, G.D. Pomfrett, M. Rudkin, J. Sheppard, T.E. Sheppard, J.A. Tandy and C.M. Watkins

Against: D. Brown, S. Croft, K. Evans, D.A. Gissane, C. Golby, S. Gran, J. Gutteridge, K. Kondakor, A. Llewellyn-Nash, B. Pandher, A. Sargeant, J. Sargeant, R.T. Smith, R. Tromans, H. Walmsley and K.D. Wilson

Abstentions: None

The substantive motion was carried.

**RESOLVED** that

- i. the forecast outturn for the General Fund revenue and capital budget for 2018/19 as set out in the report be noted;
- ii. the revised Capital Programme for 2018/19 of £19.625m as set out in the report be approved;
- iii. the Council Tax requirement for 2019/20 be determined as £8,800,524, an increase of 2.99%, in accordance with the Local Government Finance Act 1992;
- iv. the 2019/20 Business Rates forecast reported to the Department for communities and Local Government and included in the report be noted;
- v. the General Fund revenue budget for 2019/20 as set out in the report be approved;

- vi. the Capital Programme for 2019/20 of £12.532m as set out in the report be approved;

**Councillor Hancox moved in accordance with Council Procedure Rule 4A.21 to suspend standing orders, as the maximum time for the meeting should not normally exceed 3 hours and that this amount of time had passed. Members were in agreement to continue the meeting.**

**(e) Treasury Management Strategy and Budgetary Framework 2019/20**

Councillor J. Jackson proposed the recommendation from Cabinet held on the 13<sup>th</sup> February 2019 which was seconded by Councillor I. Lloyd

A recorded vote was taken on proposal as follows:

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

Against: None

Abstentions: None

**RESOLVED** that the proposed Treasury Strategy and Budgetary Framework 2019/20, as detailed in Appendix G of the report be approved this includes:

- Treasury Strategy
- Treasury and Prudential Indicators
- MRP Policy Statement
- Capital Strategy
- Capital Resource Allocations

**f) Council Tax 2019/20**

The Council considered the formal resolution required to determine the Council Tax for 2019/20 which was proposed by Councillor J. Jackson and seconded by Councillor I. Lloyd.

A recorded vote was taken as follows:

For: Councillors J. Beaumont, D. Brown, S. Croft, G. Daffern, S. Doughty, P.M. Elliott, K. Evans, D.A. Gissane, J.

Glass, C. Golby, S. Gran, J. Gutteridge, W.J. Hancox, L. Hocking, J.A. Jackson, K.A. Kondakor, A. Llewellyn-Nash, I.K. Lloyd, B.J. Longden, B. Pandher, N.J.P Phillips, G.D. Pomfrett, M. Rudkin, A. Sargeant, J. Sargeant, J. Sheppard, T.E. Sheppard, R.T, Smith, J.A. Tandy, R. Tromans, H. Walmsley, C.M. Watkins, and K.D. Wilson

Against: None

Abstentions: None

**RESOLVED** that

- i. it be noted that on 31st January 2019 the amount of 37,663.8 has been calculated and determined as the Council Tax base for the year 2019/20 for the whole council area [item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the 'Act')].
- ii. Calculate that the Council Tax requirement for the Council's own purposes for 2019/20 is £8,800,523.51.
- iii. That the following amounts be calculated by the Council for the year 2019/20 in accordance with Sections 31 to 36 of the Act:-
  - (a) **£100,549,763.51**  
being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act;
  - (b) **£91,749,240.00**  
being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act;
  - (c) **£8,800,523.51**  
being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).
  - (d) **£233.66**  
being the amount at 3(c) above (item R), divided by item T (1(a) above), calculated by the Council, in accordance with Section 31A(4) of the Act, as the basic amount of its Council Tax for the year.
- iv. That it be noted that for the year 2019/20 **Warwickshire County Council** has indicated a precept requirement to the Council of

**£53,927,405.47** and has stated the amounts set out in Column 3 of the table in 6 below in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings.

- v. That it be noted that for the year 2019/20 **Warwickshire Police and Crime Commissioner** has indicated a precept requirement to the Council of **£8,586,584.46** and has stated the amounts set out in Column 4 of the Table in 6 below in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of the dwellings.
- vi. That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the Council's amount of Council tax as shown in column 2 below for each category of dwelling and provisionally sets the aggregate amounts shown in the table below as the amounts of Council Tax for 2019/20 for each part of its area and for each of the categories of dwellings.

1	2	3	4	5
<u>Valuation Bands</u>	Nuneaton & Bedworth Borough Council	Warwickshire County Council	Warwickshire Police and Crime Commissioner	<u>Council Tax 2019/20</u>
	£ . p	£ . p	£ . p	£ . p
<b>AR</b>	129.81	795.45	126.66	1,051.92
<b>A</b>	155.77	954.54	151.99	1,262.30
<b>B</b>	181.73	1,113.63	177.32	1,472.68
<b>C</b>	207.70	1,272.72	202.65	1,683.07
<b>D</b>	<b>233.66</b>	<b>1,431.81</b>	<b>227.98</b>	<b>1,893.45</b>
<b>E</b>	285.59	1,749.99	278.64	2,314.22
<b>F</b>	337.51	2,068.17	329.30	2,734.98
<b>G</b>	389.43	2,386.35	379.97	3,155.75
<b>H</b>	467.32	2,863.62	455.96	3,786.90

- vii. The Referendums Relating to Council Tax Increases (Principles) (England) Report 2019/20 sets out the principles which the Secretary of State has determined will apply to local authorities in England in 2019/20. The Council is required to determine whether its basic amount of Council Tax is excessive in accordance with the principles approved under Section 52ZB of the Local Government Finance Act 1992.



- viii. That the following officers be authorised to institute or defend on behalf of the Council, proceedings before a County or Magistrates' Court, in relation to the recovery of all non-domestic rates, council tax, business improvement district and other debts and to appear in such proceedings:

CL66 **Borough Plan Petition**

The Executive Director – Operations submitted a report to Council to determine the best course of action in relation to the Petition.

**Lubs Cvetkovic, the Petition Organiser, made the following statement:**

This evening I am standing before this Full Council meeting to urge members of all political parties to take strong and affirmative action as has been outlined in the petition.

In total 6,613 people signed this petition, and even after it had been submitted more people continued to come forward asking if they could sign. Residents from across the Borough have put aside their own political viewpoints to unite behind Resident's Action and this petition.

We would like you all to consider why resident's have signed this petition and to share with you the concerns, worries and very real issues which residents have over the Borough Plan in its current state.

Residents are concerned about schooling we have recently all heard about residents in Weddington who have bought new build properties. However nobody thought about the provision of school places and Section 106 money has clearly run out or been appropriated for other improvements meaning children having to travel well outside the catchment area to access one of their basic human rights...that of an education.

If the local authorities and developers can't get this right on a smaller scale development then how will it be achieved for a Borough wide plan of some 15,000 houses? Residents have also concerns regarding inadequate highway provision, we have all seen the issues at Coton Arches, and this is likely to become the norm traffic modelling carried out by WCC shows increased traffic but falls short of providing suitable solutions.

With increased housing will come increased cars and traffic jams which are already becoming frequent daily occurrences, along with poor air quality for our residents. Equally where are the guarantees and promises from NHS trusts that improved medical facilities will be made available for the additional residents without lowering the provision of health care for existing residents?

Though developers will have to fund this they will not have to deliver the IDP as there duty stops at providing funding through CIL and Section 106 money (in fact no CIL is made payable on sites with over 298 dwellings...most of the proposed sites are bigger than this). We are concerned that this money will be insufficient. We have all witnessed the way public schemes costs keep

spiralling, meaning that some infrastructure development will not be funded or delivered and will remain an unrealised dream.

We therefore ask you tonight to review the numbers of houses in the Borough Plan which at each stage of the planning process have been escalated with extra dwellings. We ask you to review the Memorandum of Understanding with Coventry do we really need to take on over 4000 additional dwellings from Coventry? While they continue to ignore their own residents while increasing student accommodation. Should we really be helping those who are not prepared to help themselves?

We do have a duty to cooperate with neighbouring authorities. That does not mean that we should capitulate.

The ONS have released figures which accurately reflect the state of the region and the likely future need. These downgrade the need for the high levels of housing put forward in the plan. We currently have a plan which is outdated before it has even been adopted. This petition should be viewed by the Council as residents giving you a remit to review and reduce the future housing needs of this Borough. What you decide in this meeting tonight will set the tone for the legacy which you will leave the future generations of the Borough. We all accept that we need some housing but not on the scale proposed and not at the expense of our open and green spaces and at reducing the quality of life of the current residents.

I therefore humbly and on behalf of all our signatories urge members of all political parties to listen and action the concerns of the residents who have entrusted you with the guardianship of our communities. You are the planning authority and the buck ultimately stops with you. I do not want the sitting Council to go down in local history as the ones who gave away the keys to the Borough of Nuneaton and Bedworth on their watch.

Councillor Wilson proposed the following motion:

'This Council recognises the strong feelings and concerns of residents of Nuneaton and Bedworth following the recent petition and resolves to:

- (a) Request that the Cabinet begin an immediate review of the Borough Plan upon its adoption, and use the latest government housing figures as per the "Planning for the Right Homes in the Right Places" consultation to revise down the current housing target.
- (b) Request the Leader of the Council to begin the process of renegotiating a lower number of houses on the Memorandum of Understanding to reduce the Coventry Overspill.

Councillor Walmsley seconded the motion

Councillor Phillips moved the following amendment

'That

1. Council notes the petition and

2. In view of the advanced status of the current Borough Plan, invites Cabinet to consider the petitions proposals upon an immediate review of the Borough Plan'

Councillor Lloyd seconded the amendment

A recorded vote was taken on the amendment as proposed by Councillor Phillips:

For: J.B. Beaumont, G. Daffern, S. Doughty, P.M. Elliott, J. Glass, W.J. Hancox, L. Hocking, J.A. Jackson, I. Lloyd, B.J. Longden, N.J.P Phillips, G.D. Pomfrett, M. Rudkin, J. Sheppard, T.E. Sheppard, J.A. Tandy and C.M. Watkins

Against: D. Brown, S. Croft, K. Evans, D.A. Gissane, C. Golby, S. Gran, J. Gutteridge, K. Kondakor, A. Llewellyn-Nash, B. Pandher, A. Sargeant, J. Sargeant, R.T. Smith, R. Tromans, H. Walmsley and K.D. Wilson

Abstentions: None

The amendment was carried and Councillor Phillips amendment became the substantive motion.

Councillor Walmsley moved the following amendment to the substantive motion:

'Noting the petition presented to Full Council, requests the Cabinet to consider and make recommendations to Council which allows for a public enquiry into the matters raised by the petition, including a term of reference which desires the revising down the housing numbers, for adoption by Council.'

Councillor Wilson seconded the amendment.

The Mayor moved the procedural motion 4.13.11 that enough debate had taken place and that Council move to the vote on the amendment.

A recorded vote was taken on the procedural motion to move to the vote:

For: J.B. Beaumont, S. Doughty, P.M. Elliott, J. Glass, W.J. Hancox, L. Hocking, J.A. Jackson, I. Lloyd, B.J. Longden, N.J.P Phillips, G.D. Pomfrett, M. Rudkin, J. Sheppard, T.E. Sheppard, J.A. Tandy and C.M. Watkins

Against: D. Brown, S. Croft, K. Evans, D.A. Gissane, C. Golby, S. Gran, J. Gutteridge, A. Llewellyn-Nash, B. Pandher, A. Sargeant, J. Sargeant, R.T. Smith, R. Tromans, H. Walmsley and K.D. Wilson

Abstentions: None

The procedural motion was carried.

A recorded vote was taken on the amendment proposed by Councillor Walmsley:

For: D. Brown, S. Croft, K. Evans, D.A. Gissane, C. Golby, S. Gran, J. Gutteridge, A. Llewellyn-Nash, B. Pandher, A. Sargeant, J. Sargeant, R.T. Smith, R. Tromans, H. Walmsley and K.D. Wilson

Against: J.B. Beaumont, S. Doughty, P.M. Elliott, J. Glass, W.J. Hancox, L. Hocking, J.A. Jackson, I. Lloyd, B.J. Longden, N.J.P Phillips, G.D. Pomfrett, M. Rudkin, J. Sheppard, T.E. Sheppard, J.A. Tandy and C.M. Watkins

Abstentions: None

The amendment was lost.

Councillor Lloyd moved the procedural motion 4.13.11 to move to the vote on the substantive motion by Councillor Phillips.

A recorded vote was taken on the procedural motion to move to the vote:

For: J.B. Beaumont, S. Doughty, P.M. Elliott, J. Glass, W.J. Hancox, L. Hocking, J.A. Jackson, I. Lloyd, B.J. Longden, N.J.P Phillips, G.D. Pomfrett, M. Rudkin, J. Sheppard, T.E. Sheppard, J.A. Tandy and C.M. Watkins

Against: D. Brown, S. Croft, K. Evans, D.A. Gissane, C. Golby, S. Gran, J. Gutteridge, A. Llewellyn-Nash, B. Pandher, A. Sargeant, J. Sargeant, R.T. Smith, R. Tromans, H. Walmsley and K.D. Wilson

Abstentions: None

The procedural motion was carried.

A recorded vote was taken on the substantive motion

For: J.B. Beaumont, S. Doughty, P.M. Elliott, J. Glass, W.J. Hancox, L. Hocking, J.A. Jackson, I. Lloyd, B.J. Longden, N.J.P Phillips, G.D. Pomfrett, M. Rudkin, J. Sheppard, T.E. Sheppard, J.A. Tandy and C.M. Watkins

Against: D. Brown, S. Croft, K. Evans, D.A. Gissane, C. Golby, S. Gran, J. Gutteridge, A. Llewellyn-Nash, B. Pandher, A. Sargeant, J. Sargeant, R.T. Smith, R. Tromans, H. Walmsley and K.D. Wilson

Abstentions: None

The substantive motion was carried.

**RESOLVED** that

- a) Council notes the petition; and
- b) in view of the advanced status of the current Borough Plan, invites Cabinet to consider the petitions proposals upon an immediate review of the Borough Plan

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Mayor

**NUNEATON AND BEDWORTH BOROUGH COUNCIL**

**COUNCIL**

**17<sup>th</sup> April, 2019**

The meeting of the Nuneaton and Bedworth Borough Council was held at the Town Hall, Nuneaton, on Wednesday, 17<sup>th</sup> April, 2019.

**Present**

The Mayor (Councillor C.M. Watkins)  
The Deputy Mayor (Councillor J. Tandy)

Councillors, J.B Beaumont, K. Brindley-Edwards; D. Brown, S. Croft, G. Daffern, S. Doughty, P.M. Elliott, K. Evans, D. Gissane J. Glass, C. Golby, S. Gran, J. Gutteridge, W.J. Hancox, I.K. Lloyd, L. Hocking, J.A. Jackson, K.A. Kondakor, A. Llewellyn-Nash, B.J. 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 and K.D. Wilson.

Apologies – none received.

CL67 **Minutes**

Extraordinary Meeting of the Council held on 30<sup>th</sup> January, 2019 - the following amendments were requested to the minutes:

- Minutes CL53, CL54 and CL55 – Councillor A. Llewellyn-Nash's name be added to all recorded votes;
- Minute CL54 – the Mayor's Procedural Motion be recorded as withdrawn.

Ordinary Council meeting held on 18<sup>th</sup> February, 2019 - the following amendment was requested to the minutes:

- Minute CL60 – Motion by Councillor C. Golby – the recorded vote details be included in the minutes.

Councillor J. Gutteridge made a statement of correction to Minute CL59 – Response to question by Lubs Cvetkovic. Councillor Gutteridge was not a member of BRV as stated by Councillor J. Beaumont.

**RESOLVED** that the minutes listed below be amended and submitted to the next meeting of Council to be confirmed and signed by the Mayor:

- the Extraordinary Council meeting held on 30<sup>th</sup> January, 2019, and
- the Ordinary Council meeting held on 18<sup>th</sup> February, 2019.

## CL68 Interests

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

## CL69 Announcements

The Mayor made the following announcements:

The Mayor is completing a Parachute Jump on Good Friday, 19<sup>th</sup> April in aid of his Mayoral Charity, Doorway. Sponsorship can be made online or a sponsorship form is available.

The Mayor announced two other charity events taking place:

- 3<sup>rd</sup> May, 2019, at the Lord Nelson - two course meal and live music; and
- 10<sup>th</sup> May, 2019, at the Civic Hall – Andy Soul Man Pierce - tickets available at £10 each.

Support would be appreciated for all Mayoral Charity events.

Councillor S. Gran made the following announcement:

“I wish to make the following statement by way of an apology to Councillors Julie Jackson and Ian Lloyd.

“On 5<sup>th</sup> September, 2018, I attended a meeting of Cabinet which was considering a report in connection with the Borough Plan. At that meeting I made a number of comments questioning Councillor Jackson’s integrity and I subsequently refused to retract them despite being asked to do so. I acknowledge that I made inappropriate comments to Councillor Jackson which I deeply regret and would place on record my sincere apology for any upset or hurt caused.

“Similarly, a little later on in the same meeting, I made a personal comment directed at Councillor Lloyd. I deeply regret making that comment and would place on record my sincere apology for any upset or hurt caused.

“I fully acknowledge that my name calling and constant interruptions at that meeting were against the code of conduct and I wish to reiterate my unequivocal apology to both Councillors for any upset or hurt that my conduct caused on that occasion.”

## CL70 Public Participation

**a) Mrs Michelle Kondakor asked the following question of the Portfolio Holder of Central Services and Refuse:**

“In October 2018, the recycling contract was changed. Most people in the Borough will be unaware of this. However, as a result, some items that

were previously not collected by the Borough's kerbside collection are now able to be collected.

"I only became aware of the changes to what could be collected as a result of looking at the paperwork and attending the Internal OSP in January. I asked for further clarification from the Head of Waste and was advised, by e-mail, that that the information on the website would be amended the following week i.e. at the end of January.

"The Council website still has not been correctly updated, so even if people look up recycling they are not being correctly informed.

"Most people do want to 'do their bit' and do recycle. Could the Portfolio holder explain why the public have not been informed of the changes to what is now collectable kerbside? This would help to increase the amount recycled, which can only be good for our environment."

**Councillor J. Sheppard, Portfolio Holder for Central Services and Refuse, responded as follows:**

"Thank you for your question.

"I can confirm that the user guide is with our Communications Team waiting to be updated with information sent from our Waste and Transport Team. The user guide is the information we link to the website to keep all information consistent.

"Unfortunately, this update has taken a little longer than planned due to officers being tied up with the introduction of the new garden waste scheme. We are working to get the information update completed ASAP"

#### CL71 **Questions by Members**

**a) Councillor Kyle Evans asked the following question of the Portfolio Holder for Arts, Leisure & Economic Development:-**

"I would like to put on record my appreciation to the Friends of the Nook in Bedworth, for the work they have done over recent years on the Nook. One of the concerns within the group is the accessibility of the site. Members may be aware that the Woodlands is a floodplain, and when the area floods, it prevents people with disabilities from being able to walk the full circuit of the Nook. The Group believes the issue could be solved, if the height of the paths on the site could be increased. Obviously, the Council has to comply with the Disabilities Discrimination Act. Could I ask the Portfolio Holder to request that the Parks Department works with the Friends of the Nook to look into the feasibility of raising the height of the paths, as a matter of urgency?"

**Councillor J. Jackson, Leader of the Council, responded as follows:**

"Yes"



**b) Councillor Makayla Rudkin asked the following question of the Portfolio Holder for Housing, Health and Communities: -**

“Can the Cabinet Member for Housing, Health and Communities advise Council how the grant monies for homelessness recently received will be used.”

**Councillor J. Beaumont, Portfolio Holder for Housing Health and Communities, responded as follows:**

“Thank you for the question.

“The Council has been working with the Ministry for Housing, Communities and Local Government for some time and at the end of March, we were awarded £150k. This money is to allow the Council to contract a specialist support provider to work in partnership with ourselves and other statutory and third sector partners, to provide intensive individual support for those who are, or who are at risk, of rough sleeping.

“This cohort of people often find it difficult to access existing services. This support will be provided from a designated hostel and will deal with a wide range of complex issues, such as mental health and wellbeing, as well as treatment for addictions and to provide skills and training to access employment. This funding will allow us to assist 5 to 6 individuals from a hostel setting, along with a further 4 to 5 individuals who may be able to be temporarily accommodated elsewhere.

“This funding is currently only for a 12 month period, however, it will allow the Council to provide personalised, intensive support to enable a move on to independent accommodation.”

**c) Councillor Patricia Elliott asked the following question of the Leader of the Council: -**

“Can the Leader advise how much money has been raised this year by the Borough Lottery and how many good causes are benefitting please?”

**Councillor J. Jackson, Leader of the Council, responded as follows:**

“Can I begin by thanking Councillor Elliott for her question.

“So far we have 72 registered good causes and through the Lottery we have raised £28,988.00 a testament to the generosity of our Borough and the endeavour of our local groups.

“We will be celebrating the Borough Lottery’s first birthday this month and you may already have seen our recently created mascot which we hope the people of our Borough will help us to name. Our currently nameless mascot is on view this evening in front of the Mayor and I place on record my thanks to Relax and Knit who created it for us.

“The Borough Lottery came about as a result of a staff suggestion and I am really pleased that it is successful in securing benefit to so many good causes.”

**d) Councillor Bill Hancox asked the following question of the Leader of the Council:-**

“Section 21 of the 1988 Housing Act allows landlords to evict tenants without providing any reason. Could I ask the Leader of the Council what actions we, as Nuneaton and Bedworth Borough Council, can take to urge the Government to abolish Section 21 of the 1988 Housing Act?”

**Councillor J. Beaumont, Portfolio Holder for Housing, Health and Communities, responded as follows:**

“A Section 21 Notice is contained within the Housing Act 1988 and is used for Assured Shorthold Tenancies in the private rented sector. Often referred to as ‘no fault’ notices, they allow a landlord to seek possession of the home without the requirement to prove fault on the part of the tenant.

“The Notice is in a prescribed format and should give at least 2 months’ notice. It cannot be served earlier than 4 months into the start of the tenancy. Should the tenant fail to vacate the premises by the date contained within the S21 Notice, the Landlord can apply for an accelerated possession order. As there is no requirement to prove fault, as long as the Judge is satisfied that the Notice has been served correctly, possession will be granted without the need to attend Court and, therefore, be required to wait for a Court date which can be some months in the future.

“Historically, there was significant criticism of the use of this mechanism as it began to be used to remove tenants who had complained about the condition of the home, thus dubbing them ‘Retaliatory Evictions’.

“A campaign was undertaken a number of years ago to abolish S21 Notices. As a result, the Retaliatory Eviction and the Deregulation Act 2015 came into force in October 2015 and amended the Housing Act 1988. This Act provides that where a tenant makes a legitimate complaint about the condition of the property AND, where the legitimacy of the complaint has been verified by the Local Authority, the Landlord cannot use a S21 procedure for 6 months.

“This Council always carries out checks to ensure that their Landlord has followed correct procedure where any customer approaches us requiring assistance following receipt of this notice. The Council has also successfully prosecuted for illegal evictions.

“Bodies representing private landlords argue that the removal of the no fault notice would be detrimental to those private landlords who do abide by legislation but who may need to repossess their home, either for arrears, or because their circumstances have changed and they need to sell the property. They further argue that the removal of this mechanism would lead many single property landlords to sell their properties and thus reduce the amount of rental stock available.

“The Council can place homeless households in private rented accommodation in order to discharge its homelessness duties.

“Over the weekend, the Government has announced plans to consult on abolishing Section 21 evictions in England. This Council welcomes plans for a full consultation and will ensure a comprehensive response is submitted.”

**Councillor N. Phillips moved the following motion:**

“In light of the answer from the Leader of the Council can I move the following motion:

“This Council, in responding to the recently announced Government consultation, states its complete opposition to the so called ‘no fault notices’ which give little security to those in rented accommodation.”

Councillor L. Hocking seconded the motion.

**Councillor C. Golby moved an amendment to the motion.**

The following words be added:

“That this Council requests the Leader of the Council to write to James Brokenshire, MP, Secretary of State for Housing, Communities and Local Government, to thank him for his announcement on 15<sup>th</sup> April, 2019, that Government will consult to ban Section 21 notices, known as ‘no fault evictions’ and that this Council respond to the recent consultation announced by the Secretary of State.”

Councillor K. Wilson seconded the amendment.

**Councillor H. Walmsley moved the procedural motion 4.13.11 to move to the vote on the amendment, as proposed by Councillor C. Golby.**

Councillor K. Evans seconded the procedural motion.

A vote was taken on the procedural motion.

The procedural motion to move to the vote was carried.

A vote was taken on the amendment as proposed by Councillor Golby.

The amendment was lost.

A recorded vote was taken on the substantive motion proposed by Councillor Phillips:

For: J.B. Beaumont, K.L. Brindley-Edwards, D. Brown, S. Croft, G. Daffern, S Doughty, P.M. Elliott, K. Evans, D.A. Gissane, J. Glass, C. Golby, S. Gran, J. Gutteridge, W.J. Hancox, L. Hocking, J.A. Jackson, K.A. Kondakor, A. Llewellyn-Nash, I.K. Lloyd, B.J. Londgen, B. Pandher, N.J.P Phillips,

G.D. Pomfrett, M. Rudkin, A. Sargeant, J. Sargeant,  
J. Sheppard, T.E. Sheppard, R.T. Smith, J.A. Tandy,  
R. Tromans, H. Walmsley, C.M. Watkins, and K.D. Wilson.

Against: None

Abstentions: None

The substantive motion was carried.

**e) Councillor John Glass asked the following question of the Leader of the Council:**

“Would the Leader use her position within the Combined Authority, at the same time write to the Tory Leader of County Council asking for her support, to argue for: an enhanced West Midlands travel pass, which will be a great assistance, not only the people of Nuneaton and Bedworth but a cheap and seamless travel card for all within the Combined Authority?”

**Councillor J. Jackson, Leader of the Council, responded as follows:**

“Can I begin by thanking Councillor Glass for his question.

“I am more than happy to write to the Leader of Warwickshire County Council to ask that she argue for an extension to the West Midlands Travel pass that would benefit the people of Nuneaton and Bedworth. Why do we see such price differences? Today my internet research tells me that if I travel by bus from Bedworth to Nuneaton and back it will cost £8.20 and yet a day rider ticket for Coventry is £3.90 which I can use several times in a day. Why is this I ask? Further at a recent meeting of the West Midlands Combined Authority those women most affected by Government changes to pension age were granted concessions on public transport. It is not right that we here in our Borough deserve the same. I could go on Mr Mayor but conclude by saying I will happily write to the Leader of the County Council arguing for better fares for our residents.”

**Councillor J. Tandy moved the following motion:**

“In light of the answer from the Leader of the Council can I move the following motion:

“That this Council asks Warwickshire County Council to seek to become a full Member of the West Midlands Transport Authority to ensure residents of this Borough can benefit fully from the opportunities enjoyed by our neighbours across the border in better and cheaper public transport.”

Councillor P. Elliott seconded the motion.

**Councillor H. Walmsley moved a motion to suspend Council Procedure Rule 4.10.6C, and extend the maximum time for Members' questions beyond the normal 45 minutes, to continue the debate on this item.**

Councillor K. Wilson seconded the motion.

A recorded vote was taken on the motion to suspend Council Procedure Rules, as proposed by Councillor Walmsley:

For: K.L. Brindley-Edwards, D. Brown, S. Croft, K. Evans, D.A. Gissane, C. Golby, S. Gran, J. Gutteridge, K.A. Kondakor, A. Llewellyn-Nash, B. Pandher, A. Sargeant, J. Sargeant, R.T. Smith, R. Tromans, H. Walmsley, and K.D. Wilson.

Against: J.B. Beaumont, G. Daffern, S. Doughty, P.M. Elliott, J. Glass, W.J. Hancox, L. Hocking, J.A. Jackson, I.K. Lloyd, B.J. Longden, N.J.P Phillips, G.D. Pomfrett, R. Rudkin, J. Sheppard, T.E. Sheppard, J.A. Tandy and C.M. Watkins

Abstentions: None

Upon the Mayor's casting vote, the motion to suspend standing orders was lost.

A recorded vote was taken on Councillor J. Tandy's motion:

For: J.B. Beaumont, G. Daffern, S. Doughty, P.M. Elliott, J. Glass, W.J. Hancox, L. Hocking, J.A. Jackson, K.A. Kondakor, I.K. Lloyd, B.J. Longden, N.J.P Phillips, G.D. Pomfrett, R. Rudkin, J. Sheppard, T.E. Sheppard, J.A. Tandy and C.M. Watkins.

Against: None

Abstentions: K.L. Brindley-Edwards, D. Brown, S. Croft, K. Evans, D.A. Gissane, C. Golby, S. Gran, J. Gutteridge, A. Llewellyn-Nash, B. Pandher, A. Sargeant, J. Sargeant, R.T. Smith, R. Tromans, H. Walmsley, and K.D. Wilson.

The motion was carried.

**The Mayor moved that in accordance with Council Procedure Rule 4.10.6C the maximum time for Member's questions shall not normally exceed 45 minutes and that as this amount of time had passed, any Member questions that were not reached would receive a written reply.**

The remaining questions from Members received the following written response:

**f) Councillor Sara Doughty submitted the following question for the Cabinet Member for Planning and Development:-**

"Can the Cabinet Member for Planning and Development update me on the usage of Mill Walk Car Park since its recent upgrade."

**Councillor N. Phillips, Portfolio Holder for Planning and Development, responded as follows:**

Riverside car park (referred to as Mill walk car park) opened on 1 March 2019 following extension works. I have comparison figures as follows;

1 March 2018 to 31 March 2018	2,653 tickets sold
1 March 2019 to 31 March 2019	2,258 tickets sold

1 April 2018 to 14 April 2018	1,208 tickets sold
1 April 2019 to 14 April 2019	1,137 sold

**g) Councillor Kristofer Wilson submitted the following question for the Leader of the Council:-**

"Will the Leader of the Council confirm that now the Borough Plan has been approved by the Inspector, and following the decision of Full Council in February 2019 to conduct an immediate review of the Borough Plan following its adoption, she will now outline the formal mechanism for beginning a review in line with the Conservative plan to institute a dedicated Local Plan Committee that would allow for open and transparent meetings of such a committee?"

**Councillor N. Phillips, Portfolio Holder for Planning and Development, responded as follows:**

The Borough Plan has not been approved we have just received the Inspectors report. The reality is that it has to be adopted, to be approved at full council.

Once the Plan is adopted then the process mechanism for review would be to set out the timetable for such a review and this needs to be included within a Local Development Scheme which would need to be reported to Cabinet for approval.

The Local Development Scheme (LDS) sets out the timetable for the local development documents that the Council will be producing. It provides a starting point for everyone to see the stages and how they can become involved in the process. They are included in the local plan regulations

The Local Development Scheme would set out the timetable for each of the stages of the Plan and would include the periods for consultation on the review of the plan.

Following the Local Plan being overviewed by the OSP, we will endeavour to get it to the next Cabinet and then to Full Council. Once adopted, we have to wait 6 weeks as we may face a Judicial Review, i.e., developers or resident groups.

If there is no Judicial Review this could mean that a report to Cabinet could be made at the beginning of October. This timing also seems reasonable given the last Local Development Scheme was approved by Cabinet last October.

You could say that this answer, conversation, is the start of the review if the plan is adopted, and long term it has always been my aim to take the politics out of the local plan in an open and transparent way that engages residents.

Personally I have no objection and never have had any objection to a dedicated open committee, and I am looking at a way to achieve that. I am more than happy to meet you, and listen to any suggestions you may have, so that we can find a way of working in the future.

**h) Councillor Keith Kondakor submitted the following question for the Portfolio Holder of Housing, Health and Communities:-**

“Councils have quite rightly increased fire safety measures in blocks of flats after the Grenfell fire in London. That has led to a clampdown on mobility scooters and cycles being stored in hallways at places like Cleaver Gardens. On the quarterly walkabout in Cleaver Gardens, Weddington the housing officers are inspecting for fire safety risks and writing to our tenants and leaseholders telling them to remove items. For the last 3 walkabouts I have inspected the new mobility scooter store which sits unused. We also have other unused storage areas sitting locked up and unusable which need bring back into use for scooters and cycles.

Could the portfolio holder explain why the new scooter store is still not in use, why the policy for the use of these scooter stores across the borough is still has not been approved and how much the conversion of this one unused area has cost?”

**Councillor J. Beaumont, Portfolio Holder for Housing, Health and Communities, responded as follows:**

The Director for Housing, Communities and Economic Development has contacted you to arrange a convenient meeting time.

A programme for Scooter Housing for General Purpose sites is now being undertaken, following a full installation programme within our Independent Living Schemes. Specifically in relation to Cleaver Gardens, the cost for the new installation was £33k. A new policy has been drafted to ensure that the accommodation is allocated to those who have the greatest need. We have experienced a delay in finalising the policy, due to a number of issues including changes to the Portfolio Holder and staff resourcing issues caused by maternity leave and sickness. The policy will be taken to an Individual Cabinet Member Decision on 13<sup>th</sup> May 2019.

**i) Councillor Lydia Hocking submitted the following question for the Portfolio Holder for Central Services and Refuse:**

“Can the portfolio holder for Central Services and Refuse advise how many residents have opted into the green bin collection service and how this compares to the forecasted uptake of the service.”

**Councillor J. Sheppard, Portfolio Holder for Central Services and Refuse, responded as follows:**

Thank you for your question.

As of the end of Tuesday, 16<sup>th</sup> April, 16,366 or 46% of eligible households have signed up for 16,973 bins to be collected as part of the opt in green bin services. This compares to a forecast uptake of 13,125 or 35.5% of eligible households.

**j) Councillor Julian Gutteridge submitted the following question of the Portfolio Holder for Central Services and Refuse:**

“Could the portfolio holder please tell me how many green bins have been returned to the council and how many have been recycled since the introduction of the green bin tax and at what cost?”

**Councillor J. Sheppard, Portfolio Holder for Central Services and Refuse, responded as follows:**

We have collected in 3,600 green bins. Of these 200 have been retained for future use and 3,400 of them have been sent for recycling.

The net cost of collecting in these bins allowing for income received from the bins to be recycled is £1,335 or 37p per bin.

**CL72 Special Urgency Decisions**

**RESOLVED** that it be noted there have been no Special Urgency Decisions under the Special Urgency Rule

**CL73 Cabinet**

The Leader of the Council submitted her report on behalf of Cabinet. The report highlighted matters considered at the Cabinet meeting of the 13<sup>th</sup> March, 2019 and also details of reports from the West Midlands Combined Authority Board, which have a direct impact on NBBC, namely the Board meeting of the 22<sup>nd</sup> March, 2019.

**Councillor C. Golby moved a motion to suspend Council Procedure Rule 4.11.1, that written notice of every motion, signed by at least three Councillors, must be delivered to the Head of Paid Service not later than noon at least eight working days before the date of the meeting, in order to allow a motion to be moved without the required advance notice having been given.**



Councillor K. Wilson seconded the motion.

A recorded vote was taken to suspend Council Procedure Rule 4.11.1 as proposed by Councillor Golby:

For: Councillors K.L. Brindley-Edwards, D. Brown, S. Croft, K. Evans, D.A. Gissane, C. Golby, S. Gran, J. Gutteridge, A. Llewellyn-Nash, B. Pandher, A. Sargeant, J. Sargeant, R.T. Smith, R. Tromans, H. Walmsley, and K.D. Wilson.

Against: Councillors J.B. Beaumont, G. Daffern, S. Doughty, P.M. Elliott, J. Glass, W.J. Hancox, L. Hocking, J.A. Jackson, I.K. Lloyd, B.J. Longden, N.J.P Phillips, G.D. Pomfrett, R. Rudkin, J. Sheppard, T.E. Sheppard, J.A. Tandy and C.M. Watkins

Abstentions: Councillor K. Kondakor

The motion to suspend Council Procedure Rule 4.11.1 was lost.

#### CL74 **Recommendations from Cabinet and other Committees**

##### **a) Cabinet - Delivering Our Future 2019 – 2031**

Councillor J. Jackson, the Leader of the Council, reported on the recommendations made at Cabinet on 13<sup>th</sup> March, 2019, in respect of the above.

**Councillor J. Jackson moved a motion to approve the recommendations.**

Councillor N. Phillips seconded the motion.

Councillor K. Wilson moved an amendment to the recommendations:

“The following words be added:

“Priority seven: Heritage – promote and celebrate the rich heritage of our Borough, including our cultural and industrial achievements.”

Councillor J. Jackson seconded the motion to amend the recommendations.

A vote was taken on the amendment as proposed by Councillor Wilson.

The motion to amend the recommendations was won and became the substantive motion.

A vote on the substantive motion was taken.

The motion was carried.

**RESOLVED** that the 'Delivering our Future 2019 – 2031' as amended, be adopted and established as the basis of the Council's future strategic activity.

**b) Audit & Standards Committee - Amendments to the Council's Procedure Rules**

Councillor J. Jackson, Leader of the Council, reported on the recommendations made by the Audit and Standards Committee on 19<sup>th</sup> March, 2019 in respect of the above.

**Councillor J. Tandy moved a motion to approve the recommendations.**

Councillor G. Pomfrett seconded the motion.

**Councillor G. Pomfrett moved the procedural motion 4.13.11 to move to the vote on the motion by Councillor J. Tandy.**

Councillor N. Phillips seconded the procedural motion.

A recorded vote on the procedural motion, as proposed by Councillor Pomfrett was taken as follows:

For: Councillors J.B. Beaumont, G. Daffern, S. Doughty, P.M. Elliott, J. Glass, W.J. Hancox, L. Hocking, J.A. Jackson, I.K. Lloyd, B.J. Longden, N.J.P Phillips, G.D. Pomfrett, R. Rudkin, J. Sheppard, T.E. Sheppard, J.A. Tandy and C.M. Watkins

Against: Councillors K.L. Brindley-Edwards, D. Brown, S. Croft, K. Evans, D.A. Gissane, C. Golby, S. Gran, J. Gutteridge, K. Kondakor A. Llewellyn-Nash, B. Pandher, A. Sargeant, J. Sargeant, R.T. Smith, R. Tromans, H. Walmsley, and K.D. Wilson

Abstentions: None

Upon the Mayor's casting vote, the procedural motion was carried.

A recorded vote on the motion by Councillor J. Tandy to accept the recommendations was taken:

For: Councillors J.B. Beaumont, G. Daffern, S. Doughty, P.M. Elliott, J. Glass, W.J. Hancox, L. Hocking, J.A. Jackson, I.K. Lloyd, B.J. Longden, N.J.P Phillips, G.D. Pomfrett, R. Rudkin, J. Sheppard, T.E. Sheppard, J.A. Tandy and C.M. Watkins

Against: Councillors K.L. Brindley-Edwards, D. Brown, S. Croft, K. Evans, D.A. Gissane, C. Golby, S. Gran, J. Gutteridge, K. Kondakor A. Llewellyn-Nash, B. Pandher, A. Sargeant, J. Sargeant, R.T. Smith, R. Tromans, H. Walmsley, and K.D. Wilson

Abstentions: None

Upon the Mayor's casting vote, the motion was carried.

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

**c) Audit & Standards Committee - Code of Conduct for Employees – Part 5 of the Council's Constitution**

Councillor J. Jackson, Leader of the Council, reported on the recommendations made by the Audit and Standards Committee on 19<sup>th</sup> March, 2019, in respect of the above.

**Councillor J. Tandy moved a motion to approve the recommendations.**

Councillor G. Pomfrett seconded the motion.

A vote was taken on the motion by Councillor Tandy to accept the recommendations.

The motion was carried.

[Councillor K. Kondakor requested that his vote against the motion be recorded.]

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

**d) Audit & Standards Committee - Vice Chairs at Regulatory Committees and Audit and Standards Committee – Article 8 of the Council's Constitution**

Councillor J. Jackson, Leader of the Council, reported on the recommendations made by the Audit and Standards Committee on 19<sup>th</sup> March, 2019, in respect of the above.

**Councillor J. Tandy moved a motion to approve the recommendations.**

Councillor G. Pomfrett seconded the motion.

**Councillor J. Jackson moved the procedural motion 4.13.11 to move to the vote on the motion by Councillor Tandy.**

Councillor J. Phillips seconded the procedural motion.

A vote on the procedural motion was taken.

The procedural motion to move to the vote, as proposed by Councillor Jackson was carried.

[Councillor K. Kondakor requested that his vote against the procedural motion be recorded.]

A vote was taken on the motion to approve the recommendations by Councillor Tandy.

The motion was carried.

[Councillor K. Kondakor requested that his vote against the motion be recorded.]

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

e) **Audit and Standards Committee - Allowing Other Members onto the OSP Committee Working Groups – Part 4 of the Council's Constitution**

Councillor J. Jackson, Leader of the Council, reported on the recommendations made by the Audit and Standards Committee on 19<sup>th</sup> March, 2019, in respect of the above.

**Councillor J. Tandy moved a motion to approve the recommendations.**

Councillor G. Pomfrett seconded the motion.

**Councillor J. Jackson moved the procedural motion 4.13.11 to move to the vote on the motion by Councillor Tandy.**

Councillor N. Phillips seconded the procedural motion.

A vote was taken on the procedural motion.

The procedural motion to move to the vote, as proposed by Councillor Jackson, was carried.

A vote was taken on the motion by Councillor Tandy to approve the recommendations.

The motion was carried.

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

f) **Cabinet - Timetable of Meetings 2019/20 and 2020/21**

Councillor J. Jackson, Leader of the Council, reported on the recommendations made at Cabinet on 10<sup>th</sup> April, 2019, in respect of the above.

**Councillor J. Jackson moved a motion to approve the recommendations, as set out in the addendum.**

Councillor N. Phillips seconded the motion.

**Councillor K. Evans moved the following amendment:**

“That the start time for meetings of the Internal Overview and Scrutiny, the External Overview and the Scrutiny and Audit and Standards Committee, be changed to 6.00 p.m.”

Councillor K. Wilson seconded the amendment.

**Councillor J. Jackson moved the procedural motion 4.13.11 to move to the vote on the amendment by Councillor Evans.**

Councillor N. Phillips seconded the procedural motion.

A vote was taken on the procedural motion.

The procedural motion to move to the vote, as proposed by Councillor Jackson was lost.

A vote on the amendment by Councillor Evans was taken.

The motion on the amendment was lost.

**Councillor J. Jackson moved the procedural motion 4.13.11 to move to the vote on the motion by Councillor J. Jackson.**

Councillor N. Phillips seconded the motion.

A vote on the procedural motion was taken.

Upon the Mayor’s Casting vote, the procedural motion to move to the vote, as proposed by Councillor Jackson, was carried.

A vote was taken on the substantive motion by Councillor J. Jackson.

The motion was carried.

**RESOLVED** that the Timetable of Meetings 2019/20 and 2020/21 be approved, as set out in the addendum.

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Mayor

## Council - Schedule of Declarations of Interests

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
	General dispensations granted to all members under s.33 of the Localism Act 2011			Granted to all members of the Council in the areas of: <ul style="list-style-type: none"> <li>- Housing matters</li> <li>- Statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992</li> <li>- An allowance, payment given to members</li> <li>- An indemnity given to members</li> <li>- Any ceremonial honour given to members</li> <li>- Setting council tax or a precept under the Local Government Finance Act 1992</li> <li>- Planning and Licensing matters</li> <li>- Allotments</li> <li>- Local Enterprise Partnership</li> </ul>
	J. Beaumont		Board member of Bulkington Community Library CIC in addition to an unpaid Manager of the library. Board member of Bulkington Village Centre.	
	K. Brindley-Edwards	Teacher and Head of 6 <sup>th</sup> Form at Beauchamp College		
	D. Brown	Employed by H.M Land Registry		
	S. Croft	Employed at Holland & Barrett Retail Ltd		
	G. Daffern	Cover Supervisor and teacher at Sidney Stringer Academy, Coventry; Teacher at Stoke Park School Coventry	Co-opted Governor at Newdigate Primary School	
	P. Elliott	Employee of CW Mind ASD Support Service Mentor		

	<b>Name of Councillor</b>	<b>Disclosable Pecuniary Interest</b>	<b>Other Personal Interest</b>	<b>Dispensation</b>
	K. Evans	Student at De Montford University; Officer Cadet at Birmingham University Royal Navy Unit;	Officer at the North Warwickshire Conservative Association	
	D. Gissane		Member of Warwickshire County Council	
	C. Golby		Member of Warwickshire County Council	
	S. Gran		Member of Warwickshire County Council	
	J. Gutteridge	Startin Tractors		To speak and vote on any matters involving the Borough Plan related to land at Leyland Road Bulkington
	L. Hocking	Employed by Openreach	Unite the Union	
	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.		Dispensation to speak and vote on matters that do not relate specifically to her husband's contract of employment.
			Non Executive Director with Nuneaton and Bedworth Community Enterprises Limited	Dispensation to speak and vote
	K.A. Kondakor		Member of Warwickshire County Council	
	A. Llewellyn-Nash	Employee of BMI Healthcare	Parish Councillor of St Giles, Exhall; Governor at Newdigate Primary and Nursery School, Bedworth Vice-President of Exhall Multicultural Group	
	I. Lloyd	Employee of Jaguar Land Rover	Non Executive Director with Nuneaton and Bedworth Community Enterprises Limited.	Dispensation to speak and vote

	<b>Name of Councillor</b>	<b>Disclosable Pecuniary Interest</b>	<b>Other Personal Interest</b>	<b>Dispensation</b>
	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.	
	B. Pandher	Manager of the Indian Community Centre Association, Coventry	Member of Warwickshire County Council Treasurer & Trustee of Nanaksar Gurdwara Gursikh Temple; Coordinator of Council of Sikh Temples in Coventry; Secretary of Coventry Indian Community; Trustee of Sikh Monument Trust; Vice Chair Exhall Multicultural Group	
	M. Rudkin	Employee of People in Action	Unite the Union	
	A. Sargeant		Member of Warwickshire County Council	
	J. Sargeant	SATCOL Charity Project Manager		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
	J. Sheppard		Partnership member of the Hill Top and Caldwell Big Local. Director of Wembrook Community Centre. Member of the Management Committee at the Mental Health Drop in.	Dispensation to speak and vote on any matters of Borough Plan that relate to the Directorship of Wembrook Community Centre
	T. Sheppard	Employee of Dairy Crest		



	<b>Name of Councillor</b>	<b>Disclosable Pecuniary Interest</b>	<b>Other Personal Interest</b>	<b>Dispensation</b>
	R. Smith		Director of Volunteer Friends, Bulkington; Board of Directors at Bulkington Village Community and Conference Centre.	
	J.A. Tandy		Partnership member of the Hill Top and Caldwell Big Local. Member of Warwickshire Police & Crime Panel.	
	H. Walmsley	Chief of Staff to Julian Knight MP Self-employed Public Relations Consultant.	Chartered Institute of Public Relations	
	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

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
	General dispensations granted to all members under s.33 of the Localism Act 2011			Granted to all members of the Council in the areas of: <ul style="list-style-type: none"> <li>- Housing matters</li> <li>- Statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992</li> <li>- An allowance, payment given to members</li> <li>- An indemnity given to members</li> <li>- Any ceremonial honour given to members</li> <li>- Setting council tax or a precept under the Local Government Finance Act 1992</li> <li>- Planning and Licensing matters</li> <li>- Allotments</li> <li>- Local Enterprise Partnership</li> </ul>
	J. Beaumont		Board member of Bulkington Community Library CIC in addition to an unpaid Manager of the library. Board member of Bulkington Village Centre	
			Member of the Police and Crime Panel	
	K. Brindley-Edwards	Teacher and Head of 6 <sup>th</sup> Form at Beauchamp College		
	D. Brown	Employed by H.M Land Registry		
	S. Croft	Employed at Holland & Barrett Retail Ltd	Deputy Chairman Nuneaton Conservative Association	
	G. Daffern	Cover Supervisor and teacher at Sidney Stringer Academy, Coventry; Teacher at Stoke Park School Coventry	Co-opted Governor at Newdigate Primary School	

	P. Elliott	Employee of CW Mind ASD Support Service Mentor	Governor at Stockingford Nursery	
	K. Evans	Student at De Montford University; Officer Cadet at Birmingham University Royal Navy Unit.	Officer at the North Warwickshire Conservative Association	
	D. Gissane		Member of Warwickshire County Council	
	C. Golby		Member of Warwickshire County Council	
	S. Gran		Member of Warwickshire County Council	
	J. Gutteridge	Startin Tractors		To speak and vote on any matters involving the Borough Plan related to land at Leyland Road Bulkington
	L. Hocking	Employed by Openreach	Unite the Union	
	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.		Dispensation to speak and vote on matters that do not relate specifically to her husband's contract of employment.
			Non Executive Director with Nuneaton and Bedworth Community Enterprises Limited	Dispensation to speak and vote
	K.A. Kondakor		Member of Warwickshire County Council	
	A. Llewellyn-Nash	Employee of BMI Healthcare		
	I. Lloyd	Employee of Jaguar Land Rover	Non Executive Director with Nuneaton and Bedworth Community Enterprises Limited.	Dispensation to speak and vote
	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	
	B. Pandher	Manager of the Indian Community	Member of Warwickshire County Council	

	Centre Association, Coventry	Treasurer & Trustee of Nanaksar Gurdwara Gursikh Temple; Coordinator of Council of Sikh Temples in Coventry; Secretary of Coventry Indian Community; Trustee of Sikh Monument Trust Vice Chair Exhall Multicultural Group	
M. Rudkin	Employee of People in Action	Unite the Union	
A. Sargeant		Member of Warwickshire County Council	
J. Sargeant	SATCOL Charity Project Manager		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
J. Sheppard		Partnership member of the Hill Top and Caldwell Big Local.	
		Director of Wembrook Community Centre.	Dispensation to speak and vote on any matters of Borough Plan that relate to the Directorship of Wembrook Community Centre
		Member of the Management Committee at the Mental Health Drop in.	
T. Sheppard	Employee of Dairy Crest		
R. Smith		Director of Volunteer Friends, Bulkington; Board of Directors at Bulkington Village Community and Conference Centre	
J.A. Tandy		Partnership member of the Hill Top and Caldwell Big Local. Member of Warwickshire Police & Crime Panel.	
H. Walmsley	Chief of Staff to Julian Knight MP Self-employed Public Relations Consultant.	Chartered Institute of Public Relations	

	K.D Wilson	Employee of the courts service	Non Executive Director with Nuneaton and Bedworth Community Enterprises Limited	Dispensation to speak and vote
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## **PART 3 - RESPONSIBILITY FOR FUNCTIONS**

### **3 TERMS OF REFERENCE FOR INDIVIDUAL PORTFOLIOS**

#### **Leader - Finance & Civic Affairs**

In the Council's Corporate Plan, the Aims and Priorities of particular importance to this Portfolio holder are:

**Aim 1** – To improve the quality of life and social justice for residents so it is much closer to that enjoyed by the rest of Warwickshire.

**Priority 2** -To create a healthy, diverse and robust economy which provides employment opportunities for local people.

**Priority 4** -To develop a confident, cohesive and diverse community.

**Aim 4** – To provide quality services which represent value for money.

**Priority 1** - To continue to improve the performance and quality of key services.

**Priority 3** - To use value for money procedures to test the way all services are delivered

#### **Terms of Reference**

- Council Budget
- Finance
- Procurement
- Revenues and Benefits
- Audit and Performance
- Legal
- Elections
- Equalities and Insurance
- Democratic Services including Mayoralty
- Emergency Planning
- Communications
- Sub Regional and Regional Partnerships( includes WMCA)
- Tourism and Twinning
- Town Centres and Marketing(including markets)

Anything not falling within any other Portfolio holder's Terms of Reference.

#### **Job Description**

- As Leader of the Council, fulfil all roles required of him/her.

- Chair the Cabinet.
- Oversee and have responsibility for all aspects of his/her Terms of Reference that affect the Borough, its residents or its stakeholders.
- Monitor the Council's financial position.
- Ensure the efficiency, effectiveness and economy in relation to the services within his/her Terms of Reference.
- Promote and encourage tourism in the Borough.

Within the matters of his/her Terms of Reference, monitor budgets, Service Plans, best value and establishment change.

### **Deputy Leader – Arts, Leisure & Economic Development**

In the Council's Corporate Plan the Key Aims and Priorities of particular importance to this Portfolio Holder are:

**Aim 1** – To improve the quality of life and social justice for residents so it is much closer to that enjoyed by the rest of Warwickshire.

Priority 2 - To create a healthy, diverse and robust economy which provides employment opportunities for local people.

Priority 3 - To work in partnership to improve health and reduce health inequalities for residents in the Borough.

**Aim 2** – To work in partnership to reduce the level of crime and disorder so that the community is and feels safer.

Priority 1 - Dealing with anti-social behaviour and diversion activities to engage with youngsters.

**Aim 3** – To provide a pleasant environment for those living, working and visiting the Borough.

Priority 1 - To create a greener and cleaner environment.

**Aim 4** – To provide quality services which represent value for money.

Priority 1 - To continue to improve the performance and quality of key services.

### **Terms of Reference**

- Grounds maintenance and parks
- Sports Development
- Civic Hall
- Museum and art galleries
- Leisure and Community Centres and strategies
- Culture
- Allotments

- Cemeteries and crematoria
- Economic Development( including LEP)

#### Job Description

- Oversee and have responsibility for all aspects of his/her Terms of Reference that affect the Borough, its residents or its stakeholders.
- Promote events and activities within his/her Terms of Reference
- Enhance opportunities for sports, leisure and recreational activities at an affordable price.
- Maintain leisure, sports recreational, arts and cultural facilities within the Borough.
- Maintain and develop the Passport to Leisure Scheme.
- Promote and encourage the economic development and regeneration of the Borough.
- Ensure the efficiency and effectiveness and economy in relation to the services within his/her Terms of Reference.

Within the matters of his/her Terms of Reference, monitor budgets, Service Development Plans, best value and establishment change.

#### **Planning & Development**

In the Council's Corporate Plan, the Aims and Priorities of particular importance to this Portfolio holder are:

**Aim 1** – To improve the quality of life and social justice for residents so it is much closer to that enjoyed by the rest of Warwickshire.

Priority 1 - To provide a choice of housing to meet the needs of the residents of the Borough.

Priority 2 - To create a healthy, diverse and robust economy which provides employment opportunities for local people.

**Aim 4** – To provide quality services which represent value for money'.

Priority 1 - To continue to improve the performance and quality of key services.

#### Terms of Reference

- Development Control and Planning Policy
- Borough Plan
- Building Control
- Estates including land and property
- Street names
- Car parks, bus shelters, bus station and CCTV
- Highway Agency arrangements



- Land drainage
- Amenity lighting
- Abandoned vehicles
- Environmental Sustainability
- Health and Safety (Internal to NBBC Operations)
- Environmental Health to include food safety, pest control, dog fouling and strays and health and safety enforcement (external to NBBC operations)

#### Job Description

- Oversee and have responsibility for all aspects of his/her Terms of Reference that affect the Borough, its residents or its stakeholders.
- Develop and review priority neighbourhood strategies for creating and sustaining employment opportunities.
- Ensure the efficiency, effectiveness and economy in relation to the services within his/her Terms of Reference.
- Within the matters under his/her Terms of Reference, monitor budgets, Service Development Plans, best value and establishment change.

### **Housing, Health & Communities**

In the Council's Corporate Plan Key Aims and Priorities of particular importance to this Portfolio holder are:

**Aim 1** – To improve the quality of life and social justice for residents so it is much closer to that enjoyed by the rest of Warwickshire.

Priority 1 - To provide a choice of housing to meet the needs of the residents of the Borough.

Priority 3 - To work in partnership to improve health and reduce health inequalities for residents in the Borough.

**Aim 2** – To work in partnership to reduce the level of crime and disorder so that the community is and feels safer.

Priority 1 - Dealing with anti-social behaviour and diversion activities to engage with youngsters.

Priority 2 - Environmental improvements and support for selective CCTV to reduce fear of crime.

Priority 3 - Management of housing tenancies and use of licensing powers to deal with known problems.

**Aim 4** – To provide quality services which represent value for money.

Priority 1 - To continue to improve the performance and quality of key services.

## Terms of Reference

- Housing Revenue Account operation
- Strategic Housing and Homelessness
- Health
- Communities
- Grants to Voluntary Sector
- Private Sector Housing
- HEART

## Job Description

- Oversee and have responsibility for all aspects of his/her Terms of Reference that affect the Borough, its residents, or its stakeholders.
- Assess and keep under review the housing needs of the area, and secure so far as possible a provision of housing stock that meets that need.
- Oversee the Council's housing stock.
- Fulfil the Council's statutory obligations in regard to homelessness.
- Undertake the provision of grants for renovation and for the adaptation of property for disabled people.
- Develop an integrated programme of work to improve the health and wellbeing of local people.
- Ensure the efficiency, effectiveness and economy in relation to the services within his/her Terms of Reference.

Within the matters of his/her Terms of Reference, monitor budgets, Service Development Plans, best value and establishment change.

## **Central Services & Refuse**

In the Council's Corporate Plan the Key Aims and Priorities of particular importance to this Portfolio holder are:

**Aim 2** – To work in partnership to reduce the level of crime and disorder so that the community is and feels safer.

Priority 1 - Dealing with anti-social behaviour and diversion activities to engage with youngsters.

**Aim 3** – To provide a pleasant environment for those living, working and visiting the Borough.

Priority 1 - To create a greener and cleaner environment.

**Aim 4** – To provide quality services which represent value for money.

Priority 1 - To continue to improve the performance and quality of key services.

Priority 2 - To improve access arrangements for all Council services and the way that those who use them are treated.

### Terms of Reference

- Customer Services
- IT
- Business Support HR
- Refuse and Cleansing
- Public conveniences
- Recycling and litter control
- Facilities Management and maintenance
- Licensing Policy
- Drainage, sanitation and accumulations of rubbish

### Job Description

- Oversee and have responsibility for all aspects of his/her Terms of Reference that affect the Borough, its residents or its stakeholders.
- Promote equality of opportunity and work towards the elimination of unfair discrimination.
- Promote the effective deployment of Information and Communication Technology.
- Ensure the efficiency, effectiveness and economy in relation to the services within his/her Terms of Reference.

Within the matters of his/her Terms of Reference, monitor budgets, Service Development Plans, best value and establishment change.