

NUNEATON AND BEDWORTH BOROUGH COUNCIL

BUSINESS, REGENERATION AND PLANNING OVERVIEW & SCRUTINY PANEL

19th October 2023

A meeting of the Business, Regeneration and Planning Overview & Scrutiny Panel was held on Thursday, 19th October 2023 in the Council Chamber, Town Hall Nuneaton. This meeting was recorded for later publication on the Council's website.

Present

Councillors J. Clarke (Chair)

Councillors: J. Coventry-Moreton, M. Green, J. Hartshorn, G. Moreton, M. Walsh, M. Wright and J. Sheppard (substitute for Councillor N. Phillips).

Apologies: Councillors C. Cape and N. Phillips.

PART I – PUBLIC BUSINESS

BRP 9 Minutes

RESOLVED that the minutes of the Business, Regeneration and Planning Overview and Scrutiny Panel meeting held on 6th July 2023 be approved and duly signed by the Chairman.

BRP 10 Declarations of Interest

As Councillor J. Sheppard was a substitute Councillor for this meeting, their declarations were not detailed in the Schedule attached to the agenda. Councillor Clarke declared he is no longer a member of the Arts Council.

RESOLVED that the declarations of interest are as set out in the Schedule attached to these minutes, with the addition of the Declarations of Interest for Councillor J. Sheppard and the update from Councillor Clarke.

BRP 11 Questions to Cabinet

The Portfolio Holder for Business and Regeneration (Councillor K. Wilson) and the Portfolio Holder for Planning and Regulation (Councillor R. Smith) were in attendance to answer the following questions put forward by the panel members.

Councillor M. Walsh asked the following question for the attention of the Portfolio Holder for Business and Regeneration:

This is a question for the Leader of the Council, Portfolio Holder for Business and Regeneration. With regards to the Changing Places toilets that are being provided for which we have a grant I believe, can you update us on the situation, particularly with regards to Bedworth Town Centre? Thank you.

The Portfolio Holder for Business and Regeneration replied:

Yes, Councillor Walsh is correct that we do have grant funding for the Changing Places toilets in both Nuneaton and in Bedworth. I have been in discussions with the Assistant Director for Economy over where we could place the Bedworth unit, because there are some challenges about where you site it – water, maintenance, all those sorts of things that go with it. Bearing in mind that the new Physical Activity Hub, or as I still call it Leisure Centre, itself will have its own Changing Places facility, the current thinking for where we are looking at placing the Changing Places facility with the unit

that we've secured through grant funding, is with the other toilet in Bedworth Town Centre by the market. The main thinking behind that, subject to everything else checking out I would emphasise Chair, it's still being checked out, is that it is with the existing toilets so that everyone knows where they are and also it will make it easier in terms of maintenance and monitoring and all the other utilities that will go with it. So that's the thinking at the present moment in time. I'm waiting for that work to be carried out and to confirm that it is suitable, but that's where myself and the AD are currently looking.

Councillor M. Wright asked the following question for the attention of the Portfolio Holder for Business and Regeneration:

I have a question for the Leader of the Council. Given the Council's disappointing performance on the Climate Action, the Council's Climate Action score card where we got just 15%. Now for comparison other District Councils scored between 8% and 61%, so this is based on a number of factors such as transport, planning and land use, governance and finance, biodiversity, collaboration and engagement and waste reduction. Nuneaton and Bedworth were underperforming, so could the Leader explain what plans he has to improve that performance.

The Portfolio Holder for Business and Regeneration replied:

As Councillor Wright will well know, I hope he would know, that transport itself is actually the responsibility of the County Council not the Borough Council so I can't speak for that. What our priorities are at this Borough Council is delivering what the residents actually want and need. So they actually want and need play in open spaces, they want a Planning Department that works, they want to see regeneration of our Town Centres, they want to see that those who are in need who are homeless or those who are on low incomes get access to the benefits and security of a new place to live, are their top priorities. Those are the areas that we'll be focusing on. If they happen to intersect with environmental, so-called green initiatives, then all to the good. But my focus is on keeping money in the hands of residents as far as we can and, for example, where we can retrofit properties or ensure properties are built to the latest standards we will do so. For example, I have been working with the Combined Authority in Warwickshire County Council on a new green energy initiative, which the Mayor of the West Midlands has secured funding for. I think it's in excess of £24 million of which 5 million is ear marked for non-constituent members and there is approximately a million pounds, from memory, ear marked for the Warwickshire County Council area. Now that will have the added benefit of helping with the green initiative, but my primary focus I must admit Chair, is that that will help them drive down their energy bills and that is a big bonus in these current difficult times that many businesses, and indeed individuals are facing. If it has an economic benefit I think that is a secondary target, because what we should be focusing on is keeping jobs in the local areas, supporting businesses and enabling people to keep paying their bills in this difficult cost of living era.

Councillor G. Moreton asked the following question for the attention of the Portfolio Holder for Business and Regeneration:

Is it true that the new taxi policy for the Borough is actually working that way to a greener, more clean environment, with the removal, just two nights ago, voted through to get rid of the most polluting taxi's off the roads.

The Portfolio Holder for Business and Regeneration replied:

I haven't read the individual policy on the Licensing Committee because obviously I'm not on that Committee. But I would say it doesn't surprise me Chair, because we need to get the older vehicles off the road that are used by our residents, and modern vehicles do have more, should we say, stringent requirements they have to adhere to, which does make them more environmentally friendly. So that would have an added benefit in that regard. I think the primary focus is ensuring that residents are protected and have decent safe cars that they can use as taxi licenses, but the added benefit will be, as part of that, the environmental initiative. But my primary focus as always will be the safety of the residents first.

BRP 12 Councillor Call for Action – The Kingsholme Site, Nuneaton

The Head of Regeneration and Estates submitted a briefing note to provide the Panel with background information in respect of the Kingsholme Public House, and an update on the situation in the light of the Councillor Call for Action that had been received. The completed Call for Action Request form was available to Panel members at the meeting, along with the previous Councillor Call for Action form that had been submitted in 2010.

The Panel discussed and asked questions on the following:

- The Council has been trying to work with the owners, but the owners have been unwilling to engage.
- To use Compulsory Purchase Order powers, the Council would need to demonstrate that it was in a position to deliver the redevelopment and a number of factors are involved with this that the Council would be unable to fulfil (for reasons including finance and resources).
- Planning and Building Control have assessed the building and the condition, and have confirmed they have no powers to take action.
- The Police and Fire Service are also involved due to incidents of arson. There is a multi-agency approach to speak with the owners and try and get the issue resolved.
- Councillors could see no benefit to the owner in allowing the site to deteriorate, apart from the investment required.
- It was acknowledged that the site has been empty since 2000, and concerns were raised that the owner was not carrying out due diligence.
- Planning permissions given relating to the site have not been followed through.
- The building is not a listed building.
- Section 79 (ruinous and dilapidated buildings and neglected sites) was discussed and it was agreed that more information was required in relation to this issue.
- Following discussions, members generally agreed that they could not progress with or support a CPO.
- It was recognised that the Council does not have the finances or resources (including capacity within the regeneration team).
- Members agreed that urgent talks with the owners alongside the Police and Fire Service are required, and if possible see if the emergency services can recover some costs from the owners.
- The Panel felt that the building did have a negative affect on the visual amenity of the area, but recognised their powers were limited.

- It was noted that Section 79 legislation mimics parts of a 215 notice, and Officers had indicated that the building does not meet the criteria for a 215 notice, and so it is unlikely that S. 79 will apply – however, it was agreed that more information was required in order for Members to make an informed decision. The Chair requested that information relating to S. 79 be forwarded to the Panel as soon as possible.

RESOLVED that

a) the contents of the report be noted; and

this item be deferred to the next Business, Regeneration and Planning Overview and Scrutiny Panel, to allow for a representative from Planning to attend alongside the Head of Regeneration and Estates.

BRP 13 Removal of Lily Pad Water Feature

A report of the Principal Building Surveyor (Corporate Assets) provided an opportunity for the Panel to review the process of the removal of the Lily Pad water feature and additional seating.

RESOLVED that the contents of the report be noted.

BRP 14 Public Space Protection Order Updates

The Head of Economic Development and Communities provided a report which gave the Panel an opportunity to give their views on the effectiveness and monitoring arrangements of the orders.

The Panel discussed and asked questions on the following:

- Issues in Bedworth (and the whole Borough) with ‘no alcohol zone’ signage – and the need to make the signs meaningful and informative.
 - NBBC are working with the Police in relation to this.
- PSPO’s for alcohol initially related to the Town Centres, but are now Borough wide which allows agencies to use powers more effectively.
- PSPO updates will be provided to the OSP annually.

RESOLVED that the contents of the report be noted.

BRP 15 Integrated Performance Report – First Quarter 2023-24

A report of the Risk Management and Performance Officer. The Panel were presented with a report which seeks to provide appropriate performance measures, budget information and risk data for service areas within the scope of the Panel. The report has been adapted to reduce the volume of data (as previously reported under the former scrutiny panel arrangements), whilst still providing the Panel with sufficient information to monitor results to address issues arising.

The Panel discussed and asked questions on the following:

- The financial summary and figures relating to the car park were discussed, including comparisons to last year.
- Planning application time frames, and the impact long/difficult applications have on the figures.
- Figures relating to commercial properties owned by the Council and the possibility of having an indication showing which are retail and which are industrial.

RESOLVED that the contents of the report be noted.

BRP 16 **Forward Plan**

The Forward Plan showing the key decisions that will be made in the four months commencing 1st November 2023, was provided to the Panel for information.

RESOLVED that the Forward Plan be noted.

BRP 17 **Work Programme 2023-2024**

The Panel were presented with the Work Programme for the municipal year 2023-2024. There is likely to be a joint Overview and Scrutiny Panel agenda item relating to S. 106 payments at the February Business, Regeneration and Planning OSP, where Members of the Housing, Environment and Health OSP will be invited to attend.

RESOLVED that the 2023-2024 work programme be noted.

Chair

Business, Regeneration and Planning Overview and Scrutiny Panel - Schedule of Declarations of Interests – 2023/2024

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
	General dispensations granted to all members under s.33 of the Localism Act 2011			Granted to all members of the Council in the areas of: <ul style="list-style-type: none"> - Housing matters - Statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992 - An allowance, payment given to members - An indemnity given to members - Any ceremonial honour given to members - Setting council tax or a precept under the Local Government Finance Act 1992 - Planning and Licensing matters - Allotments - Local Enterprise Partnership
	C. Cape	Director of Capability Coaching and Consultancy Ltd.	Member of the following Outside Bodies: <ul style="list-style-type: none"> • Armed Forces Covenant Meeting 	
	J. Clarke	Employed by Marcus Jones MP	County Councillor W.C.C. Nuneaton Conservative Association; Deputy Chairman Officer of the Abbey Preceptory No.541 - Nuneaton	
	J. Coventry-Moreton	School Receptionist – St Nicholas Chamberlain School, Bedworth	Share in rental dwelling at Sealand Drive, Bedworth and Tresilian Road, Bedworth.	
	M. Green	Employed by Horiba Mira – Engineering Technician	Chair of Education Standards Committee – St Thomas More School. School Appeals Panel Member Our Lady of the Angels Church. President – St Vincent De Paul Society Nuneaton. Director – Holy Spirit Catholic Multi Academy Company. Member of the George Eliot Fellowship Member of Other Bodies: <ul style="list-style-type: none"> • Friendship Project for Children. • Nuneaton Education Strategy Group 	
	J. Hartshorn	Employed by Asda	Member of Nuneaton	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
		Nuneaton	Conservatives	
	G. Moreton	Member of School Appeals Panels at Warwickshire County Council	Share in rental dwellings at Sealand Drive, Bedworth and Tresillian Road, Exhall. Member on the following Outside Bodies: <ul style="list-style-type: none"> • Bedworth Neighbourhood Watch Committee 	
	N. Phillips (Vice-Chair)	Employee of DWP	Member of: <ul style="list-style-type: none"> • Nuneaton Labour CLP • The Fabian Society • The George Eliot Society • The PCS Union • Central Credit Union • Stockingford Sports and Allotment Club • Haunchwood Sports and Social Club 	
	M. Walsh (Chair)	Employed by MacInnes Tooling Ltd. – UK Sales Manager		
	M. Wright			