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Date: 16th September 2024

Our Ref: KB

Dear Sir/Madam,

Addendum Council – 18th September 2024

I refer to the Council agenda and attach the following items that were marked to follow:

Agenda item no:

- 9) Cabinet report to Council (Page 2)**
- 10b) Recommendations from Constitution Review Working Party (Page 5)**
- 10c) Treasury Management 2024/25 – Quarter 1 Review (Page 9)**
- 10d) Updates to the Local Development Scheme (Page 15)**

Yours faithfully,

A handwritten signature in black ink that reads "T. Shardlow".

Tom Shardlow

Chief Executive

To: Members of the Council

Cabinet Report to Council - September 2024

1. Introduction

This report deals with the Cabinet meetings held on 17th July 2024 and 11th September 2024.

2. 17th July 2024 - Cabinet Meeting

a) Natural Capital Investment Strategy (Key Decision)

- **Planning and Enforcement – Councillor R. Roze**

Cabinet received a report seeking approval to adopt the Warwickshire, Coventry and Solihull Capital Investment Strategy as the basis for utilising natural capital funding across the sub-region. Cabinet approved the report as this will ensure the efficient and effective utilisation of biodiversity section 106 funds.

b) Newdigate Recreation Ground (Key Decision)

- **Planning and Enforcement – Councillor R. Roze**

A report was submitted to Cabinet that was approved to surrender the current lease in relation to Newdigate Pavilion and Sports Pitches. The site is not council owned and has been managed under a lease since 1970. Due to the age of the lease, the terms are now being reviewed to enable an agreement to be made that better fit the requirements.

c) Tenant Satisfaction Measures

- **Housing – Councillor C. Watkins**

Cabinet received a report detailing the results of the Tenant Satisfaction Measures survey 2023/24 and these measures were reported to the Regulator of Social Housing. The aim of the measures is to provide tenants and the regulator with clear and comparable information about a landlord's performance. This data will help tenants hold their landlords to account and will also be used by the regulator in their role of assessing how well social housing landlords in England are doing at providing good quality homes and services.

d) General Fund Revenue, Housing Revenue Account, Capital and Collection Fund Outturn reports 2023/24 (Key Decision)

- **Resources and Customer Services – Councillor S. Hey,**

- **Housing – Councillor C. Watkins (HRA Account)**

Cabinet received outturn reports for the above accounts. The Council are required to achieve a balanced budget each year.

The final outturn position for the General Fund Revenue Account has resulted in net expenditure of £17,755,040 with a contribution to general reserve of £265k. It has been a challenging year for the Council, but additional business rates, investment income and a hold of recruiting to vacancies has assisted in the outturn position.

The final outturn position for the Housing Revenue Account has resulted in net surplus of £27k which is an underspend of £281k. It has been a challenging year for the Housing Revenue Account, with cost pressures from a variety of activities being seen. Management of resources in relation to consultancy and re-aligning the work programme for de-carbonisation has assisted in mitigating these pressures. Increased depreciation charges which will finance capital expenditure has been managed by reducing the funding from revenue. The slippage on the programme is still likely to cause further revenue strain in future years and will be factored in with the review of the HRA Business Plan.

The Capital Outturn report that was approved at Cabinet is included in the agenda for this Council meeting, recommending that the updated Capital Budget for 2024/25 be approved. The report details the outturn position for the General Fund and HRA Capital Programmes and the impact of any slippage in projects.

The Collection Fund outturn report was considered and approved and has performed well in year. A surplus of £398k was forecast in January 2023 and paid to the Preceptors during 2023/24 however, the surplus on the Fund for 2023/24 was £3m. The closing surplus balance on the Fund is £6m of which £3.3m is payable to Preceptors in 2024/25, the remainder will be due in 2025/26.

3. 11th September 2024 Cabinet Meeting

a) Updates to the Local Development Scheme (LDS) (Key Decision) – **Planning and Enforcement – Councillor R. Roze**

The above report was approved for recommendation to Council and is included in the Addendum to the Council agenda. The current LDS provided a timetable for Examination and adoption of the Gypsy and Traveller Site Allocations DPD because at that time the DPD was still under examination with the Secretary of State the to DPD's have subsequently moved on and therefore the LDS needs to be updated to match the new current and proposed timeframes.

b) Regeneration Update (Key Decision)

– Business and Regeneration – Councillor N. King

An update report was submitted to Cabinet as a cost pressure had been identified within Regeneration Capital Programme, resulting in the requirement of funds to support the delivery of Abbey Street Phase 2. Cabinet approved the proposed adjustments and gave delegated authority for the funds to be moved subject to satisfactory Pathfinder consultation. This will preserve the outcomes of Abbey Street Phase 2 and avoid unbearable borrowing by the Council.

c) General Fund, Housing Revenue Account and Capital Forecast Budget Monitoring Q1 2024/25 (Key Decision)

- Resources and Customer Services – Councillor S. Hey and Housing – Councillor C. Watkins (HRA only)

The General Fund Budget monitoring was approved at Cabinet for Q1. There are still many challenges but through improved treasury management early sighted

pressures have been able to be offset through managing cash levels and experiencing higher returns on investments. The Council needs to identify long-term savings in order to be less reliant on these activities to find a balanced position in-year.

Recruitment is still being closely monitored and kept under review with a £500k savings provision being in the 2024/25 budget. Currently this is under close scrutiny and will continue to be monitored across the financial year.

The transformation programme is starting to gather pace and will be key to increasing efficiency and effectiveness across the Council which will in turn generate savings and income and is essential to ensure the Council remains financially viable.

The HRA budget monitoring report as it stands in June 2024 was considered and approved by Cabinet. There are identified spend pressures as a result of the cost of inflation and dealing with repairs issues are affecting the day-to-day operation of the HRA.

A review of the HRA Business Plan is underway and will lay out the future plan for income generation and cost mitigation. With the changes to housing legislation and expectations on housing providers, the profile of expenditure is likely to alter.

The Capital Forecast Q1 report was considered and approved by Cabinet and covers many projects for both the General Fund and Housing Revenue Account. Currently the capital programme is fully funded with the biggest risks to the Council being inflation, price increases for building supplies and any delays which could occur resulting in funding being withdrawn.

d)Other items considered

a) Recommendations from OSP

- Integrated Performance Report - (Business, Regeneration and Planning OSP)
- 196/198 Church Road – (Health and Corporate Resources OSP)
- Cemetries – Attleborough and Bucks Hill – (Environment and Leisure OSP)

4. West Midlands Combined Authority (WMCA)

There are no specific reports to highlight to Council. The WMCA minutes are available on the WMCA website.

5. Conclusion

This report is presented on behalf of Cabinet, and, as always, my colleagues and I are only too happy to take any questions in relation to this report.

Councillor C. Watkins
Leader of the Council on behalf of Cabinet

NUNEATON AND BEDWORTH BOROUGH COUNCIL

Report to: Audit and Standards Committee – 10 September 2024

From: Monitoring Officer

Subject: Recommendations from the Constitution Review Working Party

1. Purpose of the report

- 1.1 To consider and approve the recommendations from the Constitution Review Working Party and recommend changes to the Constitution.

2. Recommendations

- 2.1 That the recommendations as set out in the report and appendices be approved, and;
- 2.2 IT BE RECOMMENDED TO COUNCIL that the Constitution be amended accordingly.

3. Background

- 3.1 On the 20th August 2024 the Constitution Review Working Party met and consider proposals to update the Council's Constitution. The changes are summarised below and are shown in the Appendices attached to this report.

4. Recommended changes

- 4.1 Update Officer details to the Confidential Reporting Code

The working party considered and agreed changes to the Whistleblowing Officer role from the Head of Audit and Governance to the Assistant Director – Democracy and Governance.

In November 2023 the Audit and Standards Committee considered a report on the review of the internal audit services to improve resilience and management to ensure risk control across the Council. As part of this review it was proposed that the internal audit service was moved to the Central Midlands Audit Partnership (CMAP) from 1st April 2024.

Following the move of the Internal Audit Service to CMAP, the Head of Audit was transferred to CMAP and is therefore no longer employed directly by the Council.

It was therefore recommended by Management Team that the responsibility for the Whistleblowing Officer be moved to the Assistant Director - Democracy and Governance.

The changes are as highlighted in Appendix A – Confidential Reporting Code.

4.2 Updates to Council Procedure Rule 4A.9.2 and 4A.10.3

The working party considered amendments to Rule 4A.9 sub paragraph 4.9.2 AND 4.10.3 (a) of the Council Procedure Rules which allow for the public and members to submit questions or statements at Council Meetings.

The current deadline for submitting the questions/statements for both the public and members is 12 noon on the day before the meeting. The working party considered proposals from officers to change the deadline from Tuesday noon to Monday noon & change this to “2 clear working days” in the event that a meeting should take place on any other day and the deadline would fall on a bank holiday.

The proposals received support from the working party as they agreed this would provide both members and officers who may be asked to provide information to support the responses sufficient time to be able to prepare and provide a better response.

The changes to the relevant rules are shown in square brackets and wording proposed to be removed shown with the strike through formatting as follows:-

4A.9 PUBLIC PARTICIPATION

4.9.1 General

At each Ordinary Meeting or Extra Ordinary Meeting of the Council, 20 minutes (which can be extended at the discretion of the Mayor) shall be set aside for questions or statements from the public gallery by any resident of the Borough in relation to matters in respect of which the Council has powers or duties, or which affect the Borough. In the case of an Extra Ordinary Meeting the question or statement must relate to the business of that meeting.

4.9.2 Notice of Questions and Statements

No such question shall be asked, or statement made, unless it shall have been delivered in writing to the Head of Paid Service no later than 12 noon ~~on the day~~ [2 working days] before the meeting of the Council.

.....

4.10.2 Questions on Notice at Full Council

At each meeting a Member of the Council may ask no more than one question (but see 4.10.3(b) below) on any matter in relation to which the Council has powers or duties, or which affects the Borough. A Member may choose to ask their permitted question of either:

- *a Member of the Cabinet; or*
- *the Chair of any Committee, Panel or Sub-Committee*

4.10.3 No such question under paragraph 4.10.2 shall be asked unless:

- (a) *the question has been delivered in writing to the Head of Paid Service and Leader [2 working days] before ~~12 noon~~ on the day before [of] the meeting of the Council; or*
- (b) *where the question relates to urgent matters, they have the consent of the Mayor or the Leader of the Council or the Portfolio Holder to whom the question is to be put or in the case of a Committee, Panel or Sub-Committee, the Chair, and the content of the question is given to the Head of Paid Service at least three hours before the time that the meeting is due to start.*

4.10.4 The Member who put the question may ask one supplementary question of the Member to whom the first question was asked if it arises directly out of the original question or the reply, and shall be put and answered without discussion.

WAHEEDA SHEIKH

AGENDA ITEM NO. 10c

NUNEATON AND BEDWORTH BOROUGH COUNCIL

Report to: Audit and Standards Committee – 10th September 2024

From: Finance Manager - Treasury

Subject: Treasury Management 2024/25 – Quarter 1 Review

1. Purpose of Report

1.1. The Council is required through the CIPFA Code of Practice on Treasury Management (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code) to report to full Council a mid-year review.

1.2. This report sets out the Council's treasury position as at 30th June 2024 and therefore any decisions made after this date are not reflected in this report.

2. Recommendations

2.1. That it be recommended to Council that the Treasury Management Report for 2024/25 – Quarter 1 be noted.

3. Background

3.1. The Council operates a balanced budget, which broadly means cash raised during the year will meet cash expenditure. Part of the purpose of treasury management operations is to ensure cashflow is planned, with surplus monies being invested in low-risk counterparties, providing adequate liquidity to meet cashflow before considering optimising investment returns.

3.2. The second main function of the treasury management service is the funding of the Council's capital plans. These capital plans provide a guide to the borrowing need of the Council, essentially the longer-term cash flow planning to ensure the Council can meet its capital spending operations. This management of longer-term cash may involve arranging long or short-term loans, or using longer-term cash flow surpluses, and on occasion any debt previously drawn may be restructured to meet Council risk or cost objectives.

3.3. Accordingly, Treasury Management is defined by the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice as: "The management of the local authority's borrowing, investments and cash flows, its banking, money market and capital

market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.”

3.4. This report has been written in accordance with the requirements of the CIPFA’s Code of Practice for Treasury Management. The primary requirements of the Code are as follows:

- i.) Creation and maintenance of a Treasury Management Policy Statement which sets out the policies and objectives of the Council’s treasury management activities.
- ii.) Creation and maintenance of Treasury Management Practices which set out the way the Council will seek to achieve those policies and objectives.
- iii.) Receipt by the full Council of an annual Treasury Management Strategy Statement – including the Annual Investment Strategy and Minimum Revenue Provision Policy – for the year ahead, a Mid-year Review Report (this report) and an Annual Report covering activities during the previous year.
- iv.) Delegation by the Council of responsibilities for implementing and monitoring treasury management policies and practices and for the execution and administration of treasury management decisions.
- v.) Delegation by the Council of the role of scrutiny of treasury management strategy and policies to a specific named body. For this Council, the delegated body is the Audit & Standards Committee.

3.5. This mid-year report has been prepared in compliance with the Code and covers the following:

- An economic update for the first three months of 2024/25.
- A review of the Council’s investment portfolio as of Q1 2024/25.
- A review of the Council’s debt portfolio as of Q1 2024/25.
- A review of any debt rescheduling undertaken during 2024/25.

4. Economic Update for Q1 of 2024/25

4.1. The Council’s in-house team of qualified finance staff monitor and maintain the Council’s Treasury Management activity in line with the Council’s Strategy. The Council employs Link Group as its treasury management advisor and officers hold regular meetings with them concerning existing and future potential economic circumstances regarding both investments and short/long-term borrowing.

4.2. The first quarter of 2024/25 saw:

- UK GDP fell to 4.6% in April 2024 from 4.9 in December 2023 and 8.1% in April 2023.
- Sales in the Retail section increased by 2.9% in May 2024 above the market expectation of 1.5%, and the GPI Consumer confidence index improved to -14 in June 2024 (the highest value since November 2021)

- CPI inflation fell to 2.8% in May 2024 down from 3.8% in February.
- The unemployment rate rose to 4.4% in April 2024 (from 4.3%) The highest figure since September 2021.
- Despite the increase in unemployment, average weekly earnings, including bonuses in the UK, rose by 5.9% y/y to in the three months to April, better than the market was expecting.
- Bank Rate stayed at 5.25% over the quarter. However, speculation is that the Bank of England Monetary Policy Committee (MPC) will reduce the Bank Rate soon as two members have voted for a cut in June 2024 with our advisors expecting a reduction in September 2024 to 5.0%

4.3. The consequence of the above is that PWLB rates have rose slightly since our last update. PWLB 5 to 50 years Maturity Rates are, generally, in the range of 5.03% to 5.60%. This means it costs a little more to take out new borrowing now than previously. We are expecting, as the bank rate decreases, the PWLB rates to reduce, as well as other possible lenders.

4.4. We view the markets have built in decreases in the long-term gilt rates, but there are some differences in opinions on when a rate cut will occur meaning some variances in the short-term gilt market which will affect short term borrowing and the rates of any Money Market Funds (MMFs).

4.5. The Prime Minister had called for a general election on the 4th July 2024. This may lead to a new Prime Minister and different budgetary policy for the government. This has added a little, very short-term uncertainty, but this is in markets that the Council does not trade in.

4.6. Overall, there are predicted improvements to the UK economy, which will lead to reductions of the Bank of England Base Rate however the speed and amount of them will change.

5. The Council's Investment Portfolio as at 30th June 2024

5.1. The Treasury Management Strategy Statement (TMSS) for 2024/25, which includes the Annual Investment Strategy, in accordance with the CIPFA Treasury Management Code of Practice, it sets out the Council's investment priorities as being:

- Security of capital
- Liquidity
- Yield

5.2. A list of all investments held as at 30th June 2024 is shown below:

Counterparty	Amount Invested	Deposit Period	Maturity Date	Interest Rate
Fixed Term Deposit:				
Blackpool Council	£5.0m	3 Months	Jul 2024	5.30%
Cheshire East Council	£5.0m	4 Months	Aug 2024	5.30%
Hull City Council	£4.0m	3 Months	Jul 2024	5.30%
Bournemouth, Christchurch and Poole Council	£5.0m	2 Weeks	Jul 2024	5.20%
Total Fixed Term Deposits	£19.0m			5.27%
Notice Accounts:				
Total Notice Accounts	£0.0m			N/A
Property Funds				
CCLA Local Authority Property Fund	£2.0m	N/A	N/A	4.76%
Total Property Funds	£2.0m			4.76%
Money Market Funds:				
Federated Prime Rate	£2.0m	N/A	N/A	5.17%
Total Money Market Funds	£2.0m			5.17%
Instant Access/Call Accounts				
Lloyds Bank (Current Account)	£3.74m	Overnight	N/A	5.15%
Total Instant Access	£3.74m			5.15%
Total Investments	£26.74m			5.21%

5.3. Investment Counterparty criteria

The current investment counterparty criteria selection approved in the TMSS is meeting the requirement of the treasury management function.

6. The Council's Debt Position as at 30th June 2024

6.1. The Council's borrowing activity for the first 3 months of the financial year can be summarised as follows:

- No new loans were taken out
- £2.5m of debt matured
- £70.205m of debt is outstanding as at 30th June 2024 at an average rate of 3.54%. There are three loans due to be repaid in 24/25 totalling £7.5m

6.2. Due to the high interest rates, the Treasury Team is minimalizing the amount of new external debt that the council is undertaking, and are waiting for the rates to drop unless there is a cashflow reason for

6.3. The Council's Debt Position as at 30th June 2024 is shown below:

Borrowing	2024/25 Opening Balance £m	Balance as of 30th June 2024 £m	2024/25 Closing Forecast £m
General Fund			
PWLB	6.75	6.75	33.48
Market LOBO	2.00	2.00	2.00
HRA			
PWLB	63.96	61.46	63.96
Total	72.71	70.21	98.57

7. Debt Rescheduling

7.1. Debt rescheduling opportunities have been very limited in the current economic climate and following the various increases in the margins added to gilt yields which have impacted PWLB new borrowing rates. No debt rescheduling has therefore been undertaken to date in the current financial year.

7.2. The Council is currently breaching their Debt Maturity limits when the full Debt of both the General Fund and the HRA is considered. This is mainly due to HRA debts that were transferred from Central Government to the Council in 2011/12 which are expecting to mature in the next 5 years.

7.3. Part of the reason for the breach has been the use of internal borrowing over the last few years. Whilst making financial sense due to the high interest rates, this has indirectly led to the breach as the council is not borrowing more long-term debt, and therefore the percentage of debt that is maturing shortly is higher. As the CPR figure earlier showed, the council has more capacity for debt and therefore this is not as much a problem as if we were over-borrowed.

The Council is expecting to use external borrowing later this year, which should assist with correcting the Debt Maturity breach, even if you include the HRA figures.

Total Debt Maturity Profile				
Debt Maturity within	£m	% of Total Debt	% of Running Total Debt	% for Lower and Upper Limit of Debt
Under 6 months	7.5	10.6%	10.6%	0%-30%
1 Year	0.0	00.0%	10.6%	0%-35%
2-5 Years	38.7	55.1%	65.6%	0%-50%
5-10 Years	16.0	22.7%	88.6%	0%-75%
10 Years and Over	8.0	11.3%	100.0%	0%-100%
Total Debt	70.2	100.0%	100.0%	

7.4. If we look at just the General Fund Debt, there is no breach of the Debt Maturity limits. There is also room for capital loans in the 5-10 year region if needed, but this would have to be evaluated over the Council's priorities and the expected lifespan of the asset linked to the capital spend.

General Fund Maturity Profile				
Debt Maturity within	£m	% of Total Debt	% of Running Total Debt	% for Lower and Upper Limit of Debt
Under 6 months	0.00	0.0%	0.0%	0%-30%
1 Year	0.00	0.0%	0.0%	0%-35%
2-5 Years	3.75	42.9%	42.9%	0%-50%
5-10 Years	0.00	0.0%	42.9%	0%-75%
10 Years and Over	5.00	57.1%	100.0%	0%-100%
Total Debt	8.75	100.0%	100.0%	

8. Conclusion

8.1. That Cabinet is recommended to note the Treasury Management 2024/25 Quarter 1 review

9. Appendices (if none, state none)

9.1. None

10. Background Papers (if none, state none)

10.1. None

Report Summary Sheet

Date: 11th September 2024

Subject: Updates to the wording and timetable to the Local Development Scheme

Portfolio: Cabinet Member for Planning and Enforcement (Councillor. R. Roze)

From: Director – Place and Economy (Maria Bailey)

Summary:

The purpose of this report is to recommend to Cabinet and Full Council that wording and timetable amendments are carried out to the Local Development Scheme (LDS) and that the new LDS be adopted by Full Council.

Recommendations:

IT BE RECOMMENDED TO COUNCIL THAT:
a) the amendments to the LDS be noted; and
b) the amended LDS be adopted.

Options:

- To endorse the recommendations and adopt the amended LDS.
- To recommend an alternative timetable.
- Not to endorse the recommendations.

Reasons:

To enable the Council to comply with the requirements of the Planning and Compulsory Purchase Act 2004 (as amended) in line with the timetable established within the amended LDS.

<p>Consultation undertaken with Members and Officers:</p> <p>Consultation with the Portfolio Holder – Planning and Enforcement.</p>
<p>Subject to call-in: Yes.</p>
<p>Ward relevance: All.</p>
<p>Forward plan: Yes</p>

<p>Building a Better Borough Aim: All.</p>
<p>Building a Better Borough Priority: All.</p>
<p>Relevant statutes or policy:</p> <p>Planning and Compulsory Purchase Act 2004 (as amended) and the associated Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).</p> <p>National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG).</p>
<p>Equalities implications: None.</p>
<p>Human resources implications:</p> <p>The proposed LDS timetable accounts for existing known staffing and resource levels.</p>
<p>Financial implications:</p> <p>None for the amendments to the LDS.</p>
<p>Health Inequalities Implications: N/A.</p>
<p>Section 17 - Crime and Disorder Implications: N/A.</p>

Risk management implications:

None to the amendments to the LDS.

Environmental implications:

None within the LDS.

Legal implications:

The LDS, is statutory requirement under the Planning & Compulsory Purchase Act 2004 and the associated Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

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AGENDA ITEM NO.10d

NUNEATON AND BEDWORTH BOROUGH COUNCIL

Report to: Cabinet – 11th September 2024

From: Director – Place and Economy

Subject: Updates to wording and timeframes within the Local Development Scheme

Portfolio: Planning and Enforcement (Cllr R. Roze)

Building A Better Borough Aim: All

Building a Better Borough Priority: All

1. Purpose of Report

1.1 The purpose of this report is to recommend to Cabinet and Full Council that wording and timetable amendments are carried out to the Local Development Scheme (LDS) and that the new LDS be adopted by Council at the 18th of September 2024 meeting. The proposed LDS is set out in appendix A of this agenda.

2. Recommendations

2.1 IT BE RECOMMENDED TO COUNCIL THAT:

- a) the amendments to the LDS be noted; and
- b) the amended LDS be adopted.

3. Background

3.1 The current 2023 LDS adopted in December last year stated that the Borough Plan Review would be submitted to the Secretary of State for Examination in January 2024 and that the prediction for adoption would be December 2024.

3.2 The current LDS provided a timetable for Examination and adoption of the Gypsy and Traveller Site Allocations DPD because at that time, the DPD was still under Examination with the Secretary of State.

3.3 The two Development Plan Documents have subsequently moved on since December 2023 and therefore the LDS needs to be updated to match the new current and proposed time frames.

4. Current situation

4.1 *The Borough Plan Review*

4.2 The Borough Plan Review was submitted to the Secretary of State on the 12th of February 2024 which was 12 days later than previously quoted. Two Planning Inspectors have now been appointed to Examine the Review. Matters, Issues and Questions (MIQ's) have been published by the Inspectors and the final responses are due to be sent to the Inspectors by the 2nd of September. Three blocks of Hearings have been set up to allow Respondents from the Publication (Regulation 19 stage) to speak in public in relation to the MIQ's so that the Inspectors can review and question the Respondents and Officers on the matters that they have raised. This is to enable the Inspectors to consider whether the Review is legally compliant and sound. The Hearings have been scheduled for the weeks commencing the 9th of July, 24th of September and the final week is proposed to sit from the 8th of October 2024. Block 1 has already been undertaken and Officers are currently preparing for blocks 2 and 3. The Council also carried out a call for sites for employment land between August and September 2024 to ensure the evidence base is up to date during the Review progress.

4.3 The Inspectors have noted the present timeframes in the LDS from December 2023 and have suggested that this requires amending. Whilst the period for the Examination is still relatively unknown, the timetable has been amended to provide a more realistic current time frame bearing in mind the Hearing dates and likely requirements for consultation on Main Modifications. The following timetable has therefore been provided within the new LDS:

Borough Plan Review DPD

Stage	Timescale	Opportunity for Public Involvement
Commencement/ scoping	June 2019 – May 2021	No
Issues and Options Consultation	May 2021	Yes
Consultation on Preferred Options	June 2022	Yes
Publication (Regulation 19) consultation	September 2023	Yes
Submission to Secretary of State	February 2024	No
Examination in Public	February 2024 to	Yes

Stage	Timescale	Opportunity for Public Involvement
(dependent on Planning Inspectorate's work programme) and likely consultation on Main Modifications.	February 2025	
Receipt of Inspector's Report (dependent on Planning Inspectorate's work programme)	February 2025	No
Adoption (prediction only – dependent on Planning Inspectorate's work programme)	April to June 2025	No

Table 1: Borough Plan Review Timetable

4.4 *Gypsy and Traveller Site Allocations Development Plan Document*

4.5 The December 2023 LDS provided a timetable for the Gypsy and Traveller Site Allocations DPD because at that time the DPD was still under Examination with the Secretary of State. The Document has now been considered sound and legally compliant by the Inspector, subject to Main Modifications. The DPD was therefore formally adopted by the Council on the 18th of January 2024 subject to the Main Modifications. The requirement under the DPD's monitoring targets is that a new Gypsy, Traveller and Showpeople Accommodation Assessment will need to be carried out within five years of adoption. This is anticipated to commence in 2028 and the DPD may consequently need to be reviewed.

4.6 As the DPD is now adopted this has been removed from section 3 of the LDS which refers to emerging Documents and instead has been added into Section 2 which refers to existing Documents.

4.7 *Further minor changes to the LDS*

4.8 The whole LDS has been reviewed and further minor amendments have been carried out to the Document, such as updating outdated web links. The Validation Checklist Supplementary Planning Document (SPD) has been added to section 2.2 for the list of adopted SPD's. This Document was adopted by the Planning Team on the 11th of July 2024. The Document will be used by the Planning Team to make sure that new planning applications, before they are made valid, have all the necessary and appropriate supporting information. This is so that all applications have the required information to enable the Planning Team to assess and evaluate applications thoroughly and efficiently.

4.9 The section under SPD's has also been amended (paragraph 3.10) to acknowledge that some of the adopted SPD's are likely to require some amendments and subsequent consultation following the adoption of the Borough Plan Review. This is so that the SPD's are brought into line with the Policy requirements within the Borough Plan Review Document.

5 Conclusion

5.1 The amendments to the LDS should be noted to bring the Document in line with the current progress of the Council's Planning Documents and that it be recommended to Council that the September 2024 LDS be adopted to supersede the LDS from December 2023.

6.1 Appendices

Appendix A – Proposed LDS (September 2024).

7 Background Papers

The existing current adopted LDS from December 2023 can be found at:

[Local Development Scheme | Borough Plan | Nuneaton and Bedworth Borough Council](#)

Nuneaton and Bedworth Borough Council

Local Development Scheme September 2024

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1. INTRODUCTION

1.1 This Local Development Scheme (LDS) has been prepared in accordance with the requirements of the Planning and Compulsory Purchase Act 2004 (as amended). The LDS has two main functions:

1. To identify the current planning policy documents that are being applied in Nuneaton and Bedworth.
2. To provide a three-year project plan that outlines what the replacement planning policy documents will be and their stages of preparation.

1.2 The document is divided into the following sections:

- ***Existing Planning Policy***

Section 2 of the document provides an overview of the existing planning policy documents and guidance that cover the Borough.

- ***Documents to be Prepared***

Section 3 outlines the type and function of the documents that the Council will produce in forthcoming years.

- ***Supporting Statement***

Section 4 makes reference to the evidence base which will be used to inform emerging policy along with the Sustainability Appraisal work that will be required. A programme for monitoring and reviewing documents, the political framework for approval, the resources available and an assessment of the risks associated with the delivery of the LDS are also identified.

1.3 The Council's Authority Monitoring Report is produced annually and is required to assess Development Plan Document progress against the targets and milestones in the LDS. Where the milestones have not been met, up-to-date information will be provided on the Council's webpages.

2. EXISTING PLANNING POLICY DOCUMENTS

Local planning policies

- 2.1 The Nuneaton and Bedworth Borough Plan was adopted on 11th June 2019. On adoption, the Borough Plan superseded the saved policies of the 2006 Nuneaton and Bedworth Local Plan. The Council has committed to a review of the Plan following its adoption in order to consider the implications of the updated National Planning Policy Framework and associated guidance.
- 2.2 There are adopted Supplementary Planning Documents (SPD) and Guidance (SPG) documents providing additional information or guidance on certain matters. These include:
- Affordable Housing SPD (2020)
 - Air Quality SPD (2020)
 - Concept Plan SPDs (for each of the strategic housing and employment allocations) (2020)
 - Health Impact Assessment SPD (2021)
 - Open Space and Green Infrastructure SPD (2021)
 - Planning for a Healthier Area – Hot Food Takeaways SPD (2020)
 - Shopfronts and Advertisements Design Guide SPG (1994)
 - Sustainable Design and Construction SPD (2020)
 - Transport Demand Management Matters – Parking Standards SPD (2022)
 - Conservation Area Appraisal and Management Plan SPDs (2022)
 - HSG2 Arbury Design Code SPD (2022)
 - First Homes Interim Policy Statement (2022)
 - Validation checklist (SPD) (2024)
- 2.3 Please note that limited weight can be afforded to the 1994 Shopfronts and Advertisements Guide SPG due to its age, however it has never been formally revoked.

Gypsy and Traveller Site Allocations DPD

- 2.4 The purpose of this policy document is to allocate sites to meet the Borough's identified need. The Document has gone through the Examination process and was considered sound and legally compliant by the Inspector subject to Main Modifications. The DPD was subsequently formally adopted by the Council on the 18th January 2024 subject to those Main Modifications. The requirement under the DPD's monitoring targets is that a new Gypsy, Traveller and Showpeople Accommodation Assessment will need to be carried out within five years of adoption. This is anticipated to commence in 2028 and the DPD may subsequently need to be reviewed.

Warwickshire planning policies

- 2.5 Warwickshire County Council adopted a Waste Core Strategy Development Plan Document on 9th July 2013. This strategy guides the future strategy and development of all new waste facilities in the County up to 2028. Further information on the Waste Core Plan can be viewed at:
[Waste development framework – Warwickshire County Council](#)
- 2.6 The adopted Warwickshire County Council Minerals Local Plan (2018-2032) provides the planning policies to guide future minerals development within the County. Further information on the Minerals Plan can be viewed at:
[Minerals Local Plan – Warwickshire County Council](#)

3. THE EMERGING PLANNING POLICY FRAMEWORK

- 3.1 This section identifies how the Council will deliver its future planning policy framework which comprises Development Plan Documents. The timetable forecasts provided below are the best estimates available at the time of publication. Where the milestones have not been met, up-to-date information will be provided on the Council's webpages. Periodic updates will also be provided to the Council's Borough Plan Committee, which meets on a quarterly basis.

Development Plan Documents

Borough Plan Review

- 3.2 The Council has committed to undertaking a review of the adopted Borough Plan following updates to the National Planning Policy Framework. All aspects of the updated NPPF will need to be re-examined, but in particular the updated 'standard method' for assessing housing need and associated Housing Delivery Test have changed how Local Plans calculate housing requirements and will be central to the Borough Plan Review.
- 3.3 The Borough Plan Review 'Issues and Options' consultation document explored key policy issues in detail as well as potential options for addressing the issues. Such issues included meeting housing and employment needs, infrastructure delivery, town centre regeneration, Green Belt, climate change adaptation/mitigation, biodiversity, sustainable transportation and design. The Council also undertook a 'call for sites' which informed the Preferred Options. The Borough Plan Review needs to be underpinned by robust and up-to-date evidence to ensure 'soundness' and legal compliance for the examination stage and the evidence base was subsequently reviewed and updated. The Preferred Options stage was consulted upon between 13th June 2022 and 22nd July 2022. The Publication stage was consulted upon between the 4th September 2023 to the 16th October 2023.

3.4 The Borough Plan Review was submitted to the Secretary of State for Levelling Up, Housing and Communities on Monday 12th of February 2024 in accordance with Regulation 22(3) of the Town and Country Planning (Local Planning) (England) Regulations 2012. The Examination in Public has commenced with three blocks of Hearings in July, September and October 2024. Therefore, the timetable below has been amended to take into consideration the Examination process and the likely adoption date. A call for sites for employment land was carried out between August and September 2024 to ensure the evidence base is up to date during the Examination process. In addition, the Council will continue to monitor any proposed legislative or policy changes.

Stage	Timescale	Opportunity for Public Involvement
Commencement/ scoping	June 2019 – May 2021	No
Issues and Options Consultation	May 2021	Yes
Consultation on Preferred Options	June 2022	Yes
Publication (Regulation 19) consultation	September 2023	Yes
Submission to Secretary of State	February 2024	No
Examination in Public (dependent on Planning Inspectorate’s work programme) and likely consultation on Main Modifications.	February 2024 to February 2025	Yes
Receipt of Inspector’s Report (dependent on Planning Inspectorate’s work programme)	February 2025	No
Adoption (prediction only – dependent on Planning Inspectorate’s work programme)	April to June 2025	No

Table 1: Borough Plan Review Timetable

Policies Map

3.5 The purpose of the Policies Map is to illustrate the main proposals, designations and area-based policies covering the Borough. The Policies Map will be developed alongside the Borough Plan Review and other DPDs. The map will be reviewed as each additional new policy document is produced.

Community Infrastructure Levy

- 3.6 The Community Infrastructure Levy (CIL) is a charge which can be levied by local authorities on new development in their area.
- 3.7 In 2020, consultants Dixon Searle Partnership were appointed to develop a draft charging schedule of rates, based on updated viability analysis. The proposed charging rates were included in a Draft Charging Schedule and this was consulted on in October 2020.
- 3.8 Further detailed analysis was undertaken following the consultation process to compare how the proposed CIL rates would compare with the existing 'section 106' (s106) arrangements by assessing different planning applications of various types and sizes. It was concluded that for strategic scale developments, existing s106 processes would generate significantly more infrastructure funding than CIL, although CIL may generate more funding for smaller scale developments. Given the administrative burdens and costs associated with CIL implementation, it was considered that CIL may not be beneficial in the round compared to existing s106 arrangements. On the 26th May 2021, the Council's Cabinet resolved¹ that the CIL Charging Schedule should not be submitted to the Secretary of State for independent examination. The Council will continue to monitor emerging legislation and policy changes (e.g. the potential National Infrastructure Levy proposed as part of the 'Planning for the Future') and review whether a revised Levy approach is appropriate for the Council to pursue.

Supplementary Planning Documents (SPDs)

- 3.9 The Council is also preparing a number of SPDs that provide more detailed advice and guidance in relation to the implementation and interpretation of planning policies set out in the Borough Plan/DPDs. SPDs are not subject to examination but are subject to public consultation. Currently, the following SPDs are due to be progressed:
- Town Centres SPD (to be progressed alongside the Borough Plan Review).
 - Heritage SPD.
- 3.10 Subsequent to the adoption of the Borough Plan Review; the current adopted SPD's will be reviewed and where necessary amended and consulted upon to bring the SPD's in line with the new adopted Borough Plan. If it becomes apparent that additional SPDs are required (i.e. to provide necessary clarity to adopted policies), further information will be provided on the Council's Planning Policy webpages.

¹ <https://www.nuneatonandbedworth.gov.uk/meetings/meeting/2293/cabinet>

4. EVIDENCE, RESOURCING AND RISK

Evidence Base

- 4.1 Development Plan Documents must be based on up-to-date, robust evidence for them to be considered sound. In preparing the policy documents there is a need to undertake technical research and other background work. This work will be undertaken by the Council as well as external consultants on behalf of the Council where information of a specialist nature is required or where the time needed to undertake the work is not available in-house. All background/technical documents will be made available alongside the policy document to which they relate. Details of the existing evidence base can be found on the Council's Planning Policy webpages.

Sustainability Appraisal (SA) / Strategic Environmental Assessment (SEA)

- 4.2 Notwithstanding the emerging national policy planning reforms, existing legislation requires that all DPDs will be subject to a SA (which incorporates SEA). The purpose of SA/SEA is to assess the likely environmental, economic and social implications of the policies/ proposals in the documents. External groups and organisations are consulted on the SA and invited to contribute to the appraisal. The key stages of SA preparation are provided in table 3 below.

Stage	Key tasks
<u>Stage A</u> – Development of the SA framework and production of Scoping Report	<ul style="list-style-type: none"> • Identify other relevant policies, plans, programmes and sustainability objectives • Collect baseline information • Identify sustainability issues and problems • Develop the SA framework • Consult on the scope of the sustainability appraisal
<u>Stage B</u> – Appraisal of plan options	<ul style="list-style-type: none"> • Test the Plan objectives against the SA framework • Develop the plan options including reasonable alternatives • Assess the likely effects of each of the options • Consider ways of mitigating adverse effects and maximising beneficial effects • Propose measures to monitor the significant effects of implementing the plan
<u>Stage C</u> – Preparation of the final SA report	<ul style="list-style-type: none"> • Produce the final SA report based on the final plan ('Publication' version), documenting the appraisal process
<u>Stage D</u> – Consultation on the SA report	<ul style="list-style-type: none"> • Consult on the options/policies and SA report at the 'Publication' (regulation 19) stage
<u>Stage E</u> – Post adoption monitoring	<ul style="list-style-type: none"> • Prepare and publish post adoption statement • Monitor significant effects of implementing the Plan • Respond to adverse effects

Table 3: SA process

4.3 SPDs are exempt from the requirements for SA. Unless significant environmental effects are likely to result from implementation of the SPD, SEA is not required.

Monitoring

4.4 The process of monitoring and review is an important part of the current planning system. Central to this is an Authority Monitoring Report (AMR) which will be published by December each year. The AMR will:

- Identify how well the Council is performing when assessed against the targets/ milestones set out in the LDS.
- Examine the success of planning policies through the use of key indicators and targets.
- Advise on the need to review the LDS and amend/ revise policies contained in policy documents.

Political Framework

4.5 Before submission to the Secretary of State for consideration, or formal adoption by the Council (in the case of SPDs), each document in the planning policy framework will require political approval. The level of approval will be determined by the status of the document and the stage it has reached in the preparation process. Listed in table 4 below are the levels of approval different types of documents will require at different stages of their preparation.

Document	Stage of Preparation	Level of Approval
Local Development Scheme	Publication	Cabinet Full Council
Development Plan Documents	Issues and Options consultation Publication consultation Submission to Secretary of State Adoption	Cabinet Cabinet Cabinet & Full Council Cabinet & Full Council
Supplementary Planning Documents	Consultation on Draft SPD Adoption	Cabinet Full Council
Authority Monitoring Report	Publication	-

Table 4: Political Approval Framework

Resources

4.6 The work associated with the production of the planning policy framework, its monitoring and review will primarily be undertaken by the Planning Policy

team with contributions from other services within the Council as and when required. Input from the Council's other services will be particularly valuable at the evidence gathering stage of policy development to help ensure that the Council's other Plans/ Strategies are integrated into the planning policy framework. In preparing documents, specialist services provided by consultants will also be utilised where necessary.

- 4.7 The cost of producing the planning policy framework is currently being met through the existing service budget. Both staffing and budgetary resources will need to be monitored to ensure that there is adequate provision to enable the delivery of the LDS.

Risk Assessment

- 4.8 This LDS has been drafted on the basis of what is considered deliverable, based on information available at the time of drafting. Nevertheless, there are a number of risks which could jeopardise the Council's ability to deliver the documents that make up the planning policy framework within the timeframe identified (such as the proposed Government planning reforms). The Council has however attempted to minimise the risks by putting in place mitigation measures. The risks, their rating (in terms of likelihood and impact) and the mitigation measures that have been put in place to moderate and manage the risks are summarised in the table 5. The risk rating scores included are net risk scores and account for risk control and mitigation measures.

Risk	Likelihood (L)	Impact (I)	Rating (L x I)	Mitigation Measures
Internal Resources	2	3	6	<ul style="list-style-type: none"> • Early identification of budget requirements. • Keep budget under review.
Staff Turnover (Loss of staff and difficulty to recruit replacements, reflecting national shortage)	3	2	6	<ul style="list-style-type: none"> • Advertise posts as soon as possible to minimise length of vacancy. • Appoint consultants.
Additional Unforeseen Work/ Pressure on Staff Time	3	2	6	<ul style="list-style-type: none"> • Work associated with delivery of DPDs and SPDs prioritised within work programme.
Lack of In House Expertise for Specialist Areas of Work (E.g. Sustainable Appraisal, background work)	2	3	6	<ul style="list-style-type: none"> • Employ consultants to undertake work. • Train staff where appropriate.
Capacity of External Organisations (Planning Inspectorate (PINs) and Statutory Consultees)	2	3	6	Capacity is outside the Council's control but will minimise impact by: <ul style="list-style-type: none"> • Sending organisations a copy of LDS so aware of timetable. • Maintain Service Level Agreement with PINs. • Consult statutory consultees as early as possible.
New/ Replacement Government Policies and Guidance (E.g. Planning for the Future White Paper, revised NPPF/NPPG)	3	3	9	<ul style="list-style-type: none"> • Keep up to date on emerging policies and guidance to enable early response to changes
Political Decision Making	3	3	9	<ul style="list-style-type: none"> • Early involvement of Members in preparation of documents to maximise support.
Significant Opposition to Policy or Proposal	3	3	9	<ul style="list-style-type: none"> • Early and effective engagement in the consultation process (however it is unlikely that consensus will be reached between all stakeholders).
Timing of Committee Meetings (Dates of meetings only set on annual basis)	3	1	3	<ul style="list-style-type: none"> • Where necessary special meetings can be called.
Soundness of DPDs	3	3	9	<ul style="list-style-type: none"> • Documents to be based on robust evidence. • Community engagement undertaken in line with the Statement of Community Involvement. • Sustainability Appraisal undertaken. • Carry out soundness self assessment. • Work closely with PINs.
Legal Challenge	3	3	9	<ul style="list-style-type: none"> • Ensure 2004 Act and associated regulations followed. • Implement audit trail of processes and procedures.

Table 5: Risks associated with delivery of LDS

Key to Scoring

Likelihood

1. Low
2. Significant
3. High
4. Very High

Impact

1. Low
2. Moderate
3. Serious
4. Major

Rating

- 1 - 4 Low (green)
- 5 - 9 Medium (orange)
- 10+ High (red)

5. CONTACT DETAILS

5.1 For more information on this Local Development Scheme please contact: -

Planning Policy Team
Nuneaton and Bedworth Borough Council
Town Hall
Coton Road
Nuneaton
CV11 5AA

Tel: 024 7637 6328

Email: planning.policy@nuneatonandbedworth.gov.uk.

5.2 This document, and all other documents that make up the Planning Policy Framework, can be made available to view upon request at the Town Hall reception. Please check the Council's webpages² for the latest opening times and whether appointments are required. All documents will also be available on the Council's website: www.nuneatonandbedworth.gov.uk

²

https://www.nuneatonandbedworth.gov.uk/info/20052/get_involved_with_us/271/contacting_and_visiting_us