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Date: 4<sup>th</sup> January, 2022

Dear Sir/Madam,

A meeting of the **CABINET** will be held in the Council Chamber, Town Hall, Nuneaton, on **Wednesday, 12<sup>th</sup> January, 2022** at **6.00 p.m.**

The public can follow the decision making online:-  
[www.nuneatonandbedworth.gov.uk/virtual-meeting](http://www.nuneatonandbedworth.gov.uk/virtual-meeting).

Please note that meetings are recorded for future broadcast.

Yours faithfully,

BRENT DAVIS

Chief Executive

To: Members of Cabinet

Councillor K. Wilson (Leader of the Council and Business and Regeneration)  
Councillor C. Golby (Deputy Leader and Housing and Communities)  
Councillor S. Croft (Finance and Corporate)  
Councillor S. Markham (Public Services)  
Councillor R. Smith (Planning and Regulation)  
Councillor J. Gutteridge (Health and Environment)

Also invited:

Councillor C. Watkins (Leader of the Main Opposition Group and Observer)

## AGENDA

### PART I

#### PUBLIC BUSINESS

##### 1. MEETING PROTOCOL

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 Virgin Money Bank (formerly the Yorkshire Bank) on the opposite side of the road.

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.

I would also advise that all or part of the meeting will be recorded for future broadcast.

##### 2. APOLOGIES - To receive apologies for absence from the meeting.

##### 3. DECLARATIONS OF INTEREST

To receive declarations of Disclosable Pecuniary and Other Interests, in accordance with the Members' Code of Conduct.

###### 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 6**). Any interest noted in the Schedule at the back of the agenda papers will be deemed to have been declared and will be minuted as such by the Committee Services Officer. As a general rule, there will, therefore, be no need for those Members to declare those interests as set out in the schedule.

There are, however, TWO EXCEPTIONS to the general rule:

1. When the interest amounts to a Disclosable Pecuniary Interest that is engaged in connection with any item on the agenda and the member feels that the interest is such that they must leave the room. Prior to leaving the room, the member must inform the meeting that they are doing so, to ensure that it is recorded in the minutes.

2. Where a dispensation has been granted to vote and/or speak on an item where there is a Disclosable Pecuniary Interest, but it is not referred to in the Schedule (where for example, the dispensation was granted by the Monitoring Officer immediately prior to the meeting). The existence and nature of the dispensation needs to be recorded in the minutes and will, therefore, have to be disclosed at an appropriate time to the meeting.

Note: Following the adoption of the new Code of Conduct, Members are reminded that they should declare the existence and nature of their personal interests at the commencement of the relevant item (or as soon as the interest becomes apparent). If that interest is a Disclosable Pecuniary or a Deemed Disclosable Pecuniary Interest, the Member must withdraw from the room.

Where a Member has a Disclosable Pecuniary Interest but has received a dispensation from Audit and Standards Committee, that Member may vote and/or speak on the matter (as the case may be) and must disclose the existence of the dispensation and any restrictions placed on it at the time the interest is declared.

Where a Member has a Deemed Disclosable Interest as defined in the Code of Conduct, the Member may address the meeting as a member of the public as set out in the Code.

Note: Council Procedure Rules require Members with Disclosable Pecuniary Interests to withdraw from the meeting unless a dispensation allows them to remain to vote and/or speak on the business giving rise to the interest.

Where a Member has a Deemed Disclosable Interest, the Council's Code of Conduct permits public speaking on the item, after which the Member is required by Council Procedure Rules to withdraw from the meeting.

4. MINUTES - To confirm the minutes of the Cabinet meeting held on the 8<sup>th</sup> December, 2021 (**Page 9**)
5. PUBLIC CONSULTATION – Members of the Public will be given the opportunity to speak on specific agenda items or have their submitted statement read by an officer of the Council, if notice has been received.
6. LOCAL ENFORCEMENT PLAN (PLANNING) – ADOPTION - report of the Director – Planning and Regulation attached (**Page 19**) (**Appendices are separate to this document**)
7. GYPSY AND TRAVELLER SITE ALLOCATIONS DEVELOPMENT PLAN DOCUMENT (DPD) – PUBLICATION CONSULTATION – report of the Director – Planning and Regulation attached (**Page 25**) (**Appendices are separate to this document**)(**Appendix B to follow**)
8. SUPPLEMENTARY PLANNING DOCUMENTS ADOPTION TRANSPORT DEMAND MATTERS - PARKING STANDARDS SPD AND CONSERVATION AREAS APPRAISALS AND MANAGEMENT PLAN SPDS – report of the Director – Planning and Regulation attached (**Page 33**) (**Appendices are separate to this document**)

9. ARBURY STRATEGIC HOUSING ALLOCATION DESIGN CODE SUPPLEMENTARY PLANNING DOCUMENT CONSULTATION – report of the Director – Planning and Regulation attached (**Page 42**) (**Appendices A, C, D and E are separate to this document**)
  
10. ANY OTHER ITEMS - which in the opinion of the Chair of the meeting should be considered as a matter of urgency because of special circumstances (which must be specified).
  
11. EXCLUSION OF PUBLIC AND PRESS  
**RECOMMENDED** that under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following item, it being likely that there would be disclosure of exempt information of the description specified in paragraph 3 and 5 of Part I of Schedule 12A to the Act.
  
12. PUBLIC CONVENIENCES & CAR PARKS – NABCEL – report of the Head of Town Centres

# Nuneaton and Bedworth Borough Council

## Delivering our Future 2019 – 2031

**Vision:** *To aim to achieve the greatest improvement in quality of life in Warwickshire by 2031*

**Background:** The 'Delivering Our Future' plan outlines how Nuneaton and Bedworth Borough Council will achieve its vision and ambitions over the next 12 years. It aims to do this by focusing and aligning its delivery to the themes and priorities outlined within this document.

**Theme one: Transformation –** We want to take the Borough forward to reach its full potential, we want to create and develop opportunities to deliver the following priorities:

**Priority one: Economy and business –** *building on our strong economic record, growing our economy, capitalising on our strengths, promoting our Borough, telling our story*

**Priority two: People –** *promoting skills and improving health within our communities, empowering and supporting our employees to deliver excellent services for residents*

**Priority three: Housing and communities –** *enabling housing development to match our aspirations for the Borough; building homes, investing in safe, empowered, sustainable communities*

**Priority four: Technology –** *maximising the opportunities presented by technology for our communities and services*

**Theme two: Collaboration – achieving more by working together** - We recognise the importance of working with others to deliver our vision and recognise that collaboration needs to be central to our work. Our areas of focus will be:

**Priority one:** *we will work with our communities*

**Priority two:** *we will work with our partners, businesses, suppliers*

**Priority three:** *we will work with our employees and elected members*

**Theme Three: Investment – making the most of what we have** - We want to build and enhance what we have already. We want to encourage investment within the following priorities:

**Priority one: Getting the most from our assets –** *from our people, land and property*

**Priority two: Maximising funding –** *identifying and securing funding opportunities, being creative, maximising income streams*

**Priority three: Managing our resources –** *maintaining our robust financial management arrangements to deliver efficient, economic and effective services*

**Priority four: Promoting a sustainable, green economy; minimising our carbon footprint**

**Priority five: Empowering** *our communities to make the most of their resources*

**Priority six: Environment –** *cherishing our physical environment; enhancing our built environment and open spaces, maximising the value of our green spaces, improving our infrastructure*

## Cabinet - Schedule of Declarations of Interests – 2021/2022

	<b>Name of Councillor</b>	<b>Disclosable Pecuniary Interest</b>	<b>Other Personal Interest</b>	<b>Dispensation</b>
	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>
	S. Croft	Employed at Holland & Barrett Retail Ltd	Treasurer of the Conservative Association Member of the following Outside Bodies: <ul style="list-style-type: none"> <li>• Champion for Safeguarding (Children and Adults)</li> <li>• Local Government Superannuation Scheme Consultative Board</li> <li>• West Midlands Employers</li> </ul>	
	C. Golby		Member of Warwickshire County Council Member of the following Outside Bodies: <ul style="list-style-type: none"> <li>• Coventry, Warwickshire and Hinckley and Bosworth Joint Committee</li> <li>• District Leaders</li> <li>• Local Enterprise Partnership</li> <li>• Nuneaton and Bedworth Community Enterprises Ltd. (NABCEL)</li> <li>• Nuneaton and Bedworth Home Improvement Agency</li> <li>• NBBC representative on the George Eliot Hospital NHS Trust – Public/User Board</li> <li>• NBBC representative on</li> </ul>	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			George Eliot Hospital NHS Foundation Trust Governors	
	J. Gutteridge	Joint shareholder in a factory unit on Bayton Road Industrial Estate	Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>• Warwickshire Health and Wellbeing Board</li> <li>• Age UK (Warwickshire Branch)</li> </ul> Member of NABCEL	To speak and vote on any matters involving the Borough Plan related to land at Leyland Road Bulkington
	S. Markham	County Councillor – W.C.C.	Member of the following Outside Bodies: <ul style="list-style-type: none"> <li>• Bedworth Neighbourhood Watch</li> <li>• Governor at Ash Green School</li> <li>• Bedworth Neighbourhood Watch</li> <li>• Governor at Ash Green School</li> <li>• Sherbourne Asset Co Shareholder Committee;</li> <li>• Nuneaton and Bedworth Sports Forum;</li> <li>• Warwickshire Direct Partnership;</li> <li>• Warwickshire Waste Partnership;</li> </ul>	
	R. Smith		Chairman of Volunteer Friends, Bulkington; Trustee of Bulkington Sports and Social Club.  Member of the following Outside Bodies: <ul style="list-style-type: none"> <li>• A5 Member Partnership;</li> <li>• Patrol (Parking and Traffic Regulation Outside of London) Joint Committee;</li> <li>• Building Control Partnership Steering Group</li> <li>• Bulkington Village Community and Conference Centre</li> <li>• Representative on the Nuneaton and Bedworth Older Peoples Forum</li> <li>• Digital Infrastructure Board</li> </ul>	
	C. Watkins	Landlord of a privately rented property	Representative on the following outside bodies: <ul style="list-style-type: none"> <li>• Nuneaton and Bedworth Community Enterprises Ltd. (NABCEL)</li> </ul>	

	<b>Name of Councillor</b>	<b>Disclosable Pecuniary Interest</b>	<b>Other Personal Interest</b>	<b>Dispensation</b>
	K.D. Wilson	Acting Delivery Manager, Nuneaton and Warwick County Courts, HMCTS, Warwickshire Justice Centre, Nuneaton	Nuneaton Conservative Association	
			Corporate Tenancies: properties are leased by NBBC to Nuneaton and Bedworth Community Enterprises Ltd, of which I am a Council appointed Director.	
			Representative on the following: <ul style="list-style-type: none"> <li>• Director of Nuneaton and Bedworth Community Enterprises Ltd (NABCEL)</li> <li>• Coventry, Warwickshire and Hinckley &amp; Bosworth Joint Committee</li> <li>• District Council Network</li> <li>• Local Government Association</li> <li>• Director of Coventry and Warwickshire Local Enterprise Partnership Ltd (CWLEP)</li> <li>• West Midlands Combined Authority</li> <li>• Deputy Chairman – Nuneaton Conservative Association</li> <li>• District Council Network</li> <li>• Local Government Association (LGA)</li> </ul>	



**Cabinet**

**Report Summary Sheet**

<b>Date:</b>	12 <sup>th</sup> January 2022
<b>Subject:</b>	Gypsy and Traveller Site Allocations Development Plan Document (DPD) – Publication Consultation
<b>Portfolio:</b>	Planning and Regulation (Councillor Richard Smith)
<b>From:</b>	Director – Planning and Regulation
<b>Summary:</b>	The purpose of this report is to seek Cabinet approval to consult on the Gypsy and Traveller Site Allocations Development Plan Document (DPD) – Publication document.
<b>Recommendations:</b>	<ol style="list-style-type: none"> <li>1. That the Gypsy and Traveller Site Allocations DPD Publication document (as set out in Appendix A to the report) together with the supporting documents (as set out in Appendices B, C, D, E, F, and G) be approved for public consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).</li> <li>2. That the period of statutory public consultation will begin on 28<sup>th</sup> January 2022 and end on 25<sup>th</sup> March 2022, or such later dates (but for the same duration) as agreed between the Head of Planning and the Cabinet Member for Planning and Regulation.</li> <li>3. That delegated authority be given to the Head of Planning in consultation with the Cabinet Member for Planning and Regulation to make any minor amendments to the documentation prior to consultation.</li> </ol>
<b>Options:</b>	<ol style="list-style-type: none"> <li>1. To accept the recommendation and proceed to public consultation.</li> <li>2. Not to proceed to consultation on the document.</li> </ol>
<b>Reasons:</b>	To continue the process of producing a Gypsy and Traveller Site Allocations DPD. Once adopted the DPD will provide a planning policy framework for

allocating new land for providing gypsy and traveller pitches. To meet the milestones and timescales set out in the adopted Local Development Scheme.
<b>Consultation undertaken with Members/Officers/Stakeholders:</b> Consultation with portfolio holder – Planning and Regulation. Consultation with key stakeholders regarding the three potential sites for accommodating additional pitches.
<b>Subject to call-in:</b> Yes.
<b>Ward relevance:</b> All.
<b>Forward plan:</b> Yes.
<b>Delivering Our Future Theme:</b> 1, 2, and 3.
<b>Delivering Our Future Priority:</b> All.
<b>Relevant statutes or policy:</b> Planning and Compulsory Purchase Act 2004 (as amended), the associated Town and Country Planning (Local Development) (England) Regulations 2004 (as amended), and the Environmental Assessment of Plans and Programmes Regulations 2004. Nuneaton and Bedworth Borough Plan. National Planning Policy Framework (NPPF)/National Planning Policy Guidance (NPPG).
<b>Equalities implications:</b> The DPD will have a positive effect on parts of the community which have protected characteristics.
<b>Human resources implications:</b> None.
<b>Financial implications:</b> Plan production and updating of evidence documents would need to be met through existing budgets.
<b>Health Inequalities Implications:</b> None.
<b>Section 17 - Crime and Disorder Implications:</b> None.

**Risk management implications:**

This 'Publication' stage is part of the statutory 'Regulation 19' stage. If this stage is not undertaken, it is unlikely that a DPD can be found 'sound' and/or legally compliant by the Planning Inspector undertaking the examination.

**Environmental implications:**

None.

**Legal implications:**

The commitment to produce a Gypsy and Traveller Site Allocations Development Plan Document (DPD) is set out in the Council's Local Development Scheme (LDS) – adopted in September 2020. Publication of the LDS is a statutory requirement under the Planning & Compulsory Purchase Act 2004. The requirements for Plan Review are set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

**Contact details:**

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## **AGENDA ITEM NO.7**

### **NUNEATON AND BEDWORTH BOROUGH COUNCIL**

**Report to:** Cabinet – 12<sup>th</sup> January 2022

**From:** Director - Planning and Regulation

**Subject:** Gypsy and Traveller Site Allocations Development Plan Document (DPD) – Publication Consultation

**Portfolio:** Planning and Regulation (Councillor Richard Smith)

**Delivering Our Future Theme:** 1, 2, and 3.

**Delivering Our Future Priority:** All.

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#### 1. Purpose of Report

- 1.1 The purpose of this report is to seek Cabinet approval to consult on the Gypsy and Traveller Site Allocations Development Plan Document (DPD) – Publication document.

#### 2. Recommendations

- 2.1 That the Gypsy and Traveller Site Allocations DPD Publication document (as set out in Appendix A to the report) together with the supporting documents (as set out in Appendices B, C, D, E, F, and G) be approved for public consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).
- 2.2 That the period of statutory public consultation will begin on 28<sup>th</sup> January 2022 and end on 25<sup>th</sup> March 2022, or such later dates (but for the same duration) as agreed between the Head of Planning and the Cabinet Member for Planning and Regulation.
- 2.3 That delegated authority be given to the Head of Planning in consultation with the Cabinet Member for Planning and Regulation to make any minor amendments to the documentation prior to consultation.

#### 3. Background

- 3.1 The Nuneaton and Bedworth Borough Plan was adopted on the 11<sup>th</sup> June 2019. Policies DS4 – Overall development needs and H3 – Gypsies and Travellers set out the need for new pitches by 2031/2032 to be at least 39 residential and 5 transit pitches. Policy H3 does not

set out where the new pitches would be provided but sets out the criteria that will be used to identify potential locations for residential and permanent pitches through the Gypsy and Traveller Site Allocations Development Plan Document (DPD). It is through this DPD that land would be identified and allocated for future traveller sites.

- 3.2 Like the Borough Plan, the Gypsy and Traveller Site Allocations document is a Development Plan Document (DPD). This means that it is subject to the same requirements for preparation and, therefore, would require statutory public consultation and independent examination by the Planning Inspectorate. Once adopted, the DPD forms part of the planning policy framework for the Borough and would be used by planning officers to determine whether development proposals for new gypsy and traveller pitches are acceptable in planning terms.
- 3.3 To be found 'sound' by the Planning Inspectorate, the DPD would have to meet legal and national planning policy requirements. This means that the DPD has to meet the soundness tests set out in national policy i.e., that it is:
  - **Positively prepared** – a strategy which meets the areas objectively assessed need and is consistent with achieving sustainable development;
  - **Justified** – an appropriate strategy, taking into account reasonable alternatives;
  - **Effective** – deliverable over the plan period; and
  - **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework.
- 3.4 Production of the Gypsy and Traveller Site Allocations DPD accords with the Council's adopted Local Development Scheme (2020), which lists the planning policy documents to be produced over a three-year period and the timescales for production.
4. Scope and content of the Issues and Options Gypsy and Traveller Site Allocations DPD document
  - 4.1 The purpose of the DPD is to produce a vision for the provision of new pitches, objectives to achieve the vision, and policies and allocations to guide new gypsy and traveller developments.
  - 4.2 The Issues and Options stage for a DPD is mandatory and identified the key issues facing the provision of new gypsy and traveller sites. Different development options were provided which were explored to guide the strategy for providing additional gypsy and traveller pitches .
  - 4.3 A new assessment of the accommodation needs for the travelling communities was commissioned. This updated the figures that were

used to form the requirements set out in the Borough Plan and expanded the timescale covered to align better with the review of the Borough Plan. The Borough Plan set out a need for at least a further 39 residential and 5 transit pitches by 2031/2032. Whereas the new assessment advised that there is a need for 16 additional residential and no transit pitches by 2036/37 to meet the needs of those defined as travellers, although this increases by another 4 pitches to meet the cultural need in the borough. For those defined as travellers this is a change of 23 residential pitches and 5 transit pitches from those figures published in the Borough Plan (both decreasing). The document offered options for the numbers to be used as the basis for any subsequent provision. Options were also provided on the strategy for the locating of new traveller pitches.

- 4.4 In accordance with legislative requirements, a Sustainability Appraisal (SA) was undertaken for each of the options whereby each development option was assessed against different social, environmental, and economic objectives.
5. Consultation on the Gypsy and Traveller Site Allocations DPD Issues and Options
  - 5.1 The Council undertook public consultation on the DPD Issues and options document for a period of 8 weeks, which started on 11<sup>th</sup> June 2021 and ended on 6<sup>th</sup> August 2021. Nine responses were received on the DPD and these responses along with draft officer comments on how to deal with the issues raised can be seen in Appendix H.
6. Scope and content of the Publication Gypsy and Traveller Site Allocations DPD document
  - 6.1 The DPD sets out a vision for the provision of new pitches, objectives to achieve that vision, and policies and allocations to guide new gypsy and traveller developments. The DPD uses the newer data from the 2021 assessment (Appendix D) as the starting point for assessing the accommodation needs of the travelling communities, sets out a locational strategy for selecting sites for additional pitch provision, allocates three parcels of land to provide new pitches, and safeguards the existing travelling showpeople site in Nuneaton. Of the 16 traveller pitches that are required by 2036/37 the document allocates up to 15 pitches, the remainder would be dealt with by turnover at The Griff.
  - 6.2 To support the DPD it is accompanied by a Sustainability Appraisal (SA) and a Habitat Regulation Assessment, both legislative requirements. There is also an independent assessment of the three sites that have been allocated (Appendix E), and the Council's own assessments of the sites with input by key stakeholders (Appendices F and G). Together these all set out how the sites have been assessed against key environmental, land use, planning policy, and other requirements; they have helped to formulate the policies in the DPD.

7. Consultation on the Publication Gypsy and Traveller Site Allocations DPD

- 7.1 The Council is required to undertake public consultation on the DPD Publication document in accordance with the Council's adopted Statement of Community Involvement (SCI) which reflects the requirements of the Town and Country Planning (Local Planning)(England) Regulations 2012.
- 7.2 It is recommended that a period of 8 weeks be allowed for the public consultation process, starting on 28<sup>th</sup> January 2022 and ending on 25<sup>th</sup> March 2022. Consultation will take the form of publication on the Council's website and contact with all those on the Council's planning policy consultation database. Copies of the documents will also be available at Nuneaton Town Hall.
- 7.3 Following the consultation the DPD would then be submitted to the Secretary of State for independent examination (scheduled for July 2022). Subject to the document being found sound and legally compliant, the Adoption of the DPD is currently anticipated in February 2023.

8. Conclusion

- 8.1 That the Gypsy and Traveller Site Allocations DPD Publication document and its supporting documents be approved for public consultation.

9. Appendices

Appendix A - Gypsy and Traveller Site Allocations Development Plan Document (DPD) – Publication Consultation.

Appendix B – Sustainability Appraisal Report Gypsy and Traveller Site Allocations Development Plan Document (DPD) Publication – TO FOLLOW.

Appendix C – Habitat Regulation Assessment Report Gypsy and Traveller Site Allocations Development Plan Document (DPD) Publication.

Appendix D – Gypsy and Traveller and Travelling Showperson Accommodation Assessment Dec 2021 Update.

Appendix E – Gypsy and Traveller Site Assessment 2021.

Appendix F – Site Assessments and the Green Belt.

Appendix G – Site Assessment Spreadsheet.

Appendix H – Responses received on the Issues and Options document and officers' draft responses.

10. Background Papers

Gypsy and Traveller Site Allocations Development Plan Document (DPD) – Issues and Options Consultation.

<https://www.nuneatonandbedworth.gov.uk/downloads/file/4308/gypsy-and-traveller-site-allocations-dpd-issues-and-options-2021>

Sustainability Appraisal Report Gypsy and Traveller Site Allocations Development Plan Document (DPD) Issues and Options.

<https://www.nuneatonandbedworth.gov.uk/downloads/file/4309/sustainability-appraisal-report-gypsy-and-traveller-dpd-site-allocations-issues-and-options-2021>

Gypsy and Traveller and Travelling Showperson Accommodation Assessment (2021).

<https://www.nuneatonandbedworth.gov.uk/downloads/file/4323/gypsy-and-traveller-and-travelling-showperson-accommodation-assessment-2021>