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Date: 30th September 2025

Dear Sir/Madam,

A meeting of the **CABINET** will be held in the Council Chamber, Town Hall, Nuneaton,
on **Wednesday, 8th October 2025** at **6.00 p.m.**

Yours faithfully,

Tom Shardlow

Chief Executive

To: Members of Cabinet

Councillor C. Watkins (Leader and Housing)
Councillor S. Hey (Deputy Leader and Resources & Central Services)
Councillor B. Hughes (Leisure & Health)
Councillor N. King (Business & Regeneration)
Councillor K. Price (Communities & Public Services)
Councillor T. Venson (Planning & Enforcement)

Observer

Councillor Kris Wilson

- Leader of the Main Opposition Group

AGENDA
PART I
PUBLIC BUSINESS

1. **EVACUATION PROCEDURE**

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

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 so that interests that are declared regularly by members can be viewed in a schedule on the Council website ([Councillor Declarations of Interests](#)). Any interest noted in the schedule on the website will be deemed to have been declared and will be minuted as such by the Democratic Services Officer. As a general rule, there will, therefore, be no need for those Members to declare those interests as set out in the schedule. There are, however, TWO EXCEPTIONS to the general rule:

1. When the interest amounts to a Disclosable Pecuniary Interest that is engaged in connection with any item on the agenda and the member feels that the interest is such that they must leave the room. Prior to leaving the room, the member must inform the meeting that they are doing so, to ensure that it is recorded in the minutes.
2. Where a dispensation has been granted to vote and/or speak on an item where there is a Disclosable Pecuniary Interest, but it is not referred to in the Schedule (where for example, the dispensation was granted by the Monitoring Officer immediately prior to the meeting). The existence and nature of the dispensation needs to be recorded in the minutes and will, therefore, have to be disclosed at an appropriate time to the meeting.

Note: Following the adoption of the new Code of Conduct, Members are reminded that they should declare the existence and nature of their personal interests at the commencement of the relevant item (or as soon as the interest

becomes apparent). If that interest is a Disclosable Pecuniary or a Deemed Disclosable Pecuniary Interest, the Member must withdraw from the room.

Where a Member has a Disclosable Pecuniary Interest but has received a dispensation from 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 10th September 2025 **(Page 7)**.
5. PUBLIC CONSULTATION – Members of the Public will be given the opportunity to speak on specific agenda items, if notice has been received.
Members of the public will be given three minutes to speak on a particular item and this is strictly timed. The Chair will inform all public speakers that: their comments must be limited to addressing issues raised in the agenda item under consideration: and that any departure from the item will not be tolerated.
The Chair may interrupt the speaker if they start discussing other matters which are not related to the item, or the speaker uses threatening or inappropriate language towards Councillors or officers and if after a warning issued by the Chair, the speaker persists, they will be asked to stop speaking by the Chair. The Chair will advise the speaker that, having ignored the warning, the speaker's opportunity to speak to the current or other items on the agenda may not be allowed. In this eventuality, the Chair has discretion to exclude the speaker from speaking further on the item under consideration or other items of the agenda.
6. BEDWORTH PHYSICAL ACTIVITY HUB UPDATE – a report of the Assistant Director – Recreation and Culture attached **(Page 10)**
7. CULTURE UPDATE – a report of the Assistant Director – Recreation and Culture attached **(Page 18)**
8. CONSULTATION ON THE BUDGET 2026/27 – a report of the Strategic Director – Corporate Resources attached **(Page 25)**
9. REGENERATION PROJECTS UPDATE – a report of the Strategic Director – Economy and Place attached **(Page 31)**

10. CIVIL ENFORCEMENT DISCRETION AND PENALTY CHARGE NOTICES CANCELLATION POLICY UPDATE – report of the Assistant Director – Economy and Regeneration attached (**Page 39**)
11. RECOMMENDATIONS FROM OVERVIEW AND SCRUTINY PANEL
None
12. 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)

Nuneaton and Bedworth Borough Council
Corporate Plan
Building Communities 2025 – 2029

United in Achievement.

Theme 1: Place and Prosperity

Strategic Aims:

1. Regenerate Nuneaton Town Centre; completing the Transforming Nuneaton Programme.
2. Establish an increased number of residential properties within the Town Centres
3. Help local businesses thrive, support new business incubation and reduce the number of vacant units.
4. Continue to promote and enable events across the Borough.
5. Continue to develop and help our markets to thrive.
6. Work with the business community to strengthen business in the whole Borough
7. Deliver a regeneration plan for Bedworth Town Centre.
8. Promote, and support our Town Centre economies.

Theme 2: Housing, Health and Communities

Strategic Aims:

1. Deliver the construction and opening of the Bedworth Physical Activity Hub (BPAH).
2. Focus on awareness and promotion of support services for mental health and wellbeing.
3. Facilitate warm, safe, sustainable and affordable housing.
4. Work with public health colleagues and partners to address community inequalities.
5. Promote active travel across the Borough.
6. Extend the housing home building programme to provide more Council homes.
7. Work with partners to prioritise community safety and empowerment.

Theme 3: Green Spaces and Environment

Strategic Aims:

1. Review the grounds maintenance contract for the Borough.
2. Celebrate the heritage within our green spaces, including museums, George Eliot and local industry.
3. Decarbonise our housing stock and promote the decarbonisation of homes in the private sector.
4. Support our residents to recycle more of their household waste.
5. Promote and develop play area facilities in line with the Parks and Green Space Strategy.
6. Reduce the carbon footprint of the Pingles Leisure Centre by 2026.
7. Establish a Climate Change Strategy and Delivery Plan by 2026.
8. Work with partners to improve air quality across the Borough.
9. Explore opportunities to promote, protect and enhance biodiversity in the borough.

Theme 4: Your Council

Strategic Aims:

1. Conduct a Local Government Association Peer Review by 2026.
2. Increase the level of resident engagement and consultation.
3. Deliver a refreshed Council change plan to modernise services.
4. Focus on civic pride, celebrating rich heritage and diverse communities.
5. Deliver continued forward financial planning to safeguard the finances of the Council.
6. Set ambitious and challenging budgets, to ensure taxpayers money is respected, and high-quality services are delivered.
7. Deliver a modern organisation with agile and effective structure that meet the needs of residents.
8. Strive for transparency and accountability in all that we do. Increase public scrutiny.

NUNEATON AND BEDWORTH BOROUGH COUNCIL

CABINET

10th September 2025

A meeting of Cabinet was held on Wednesday 10th September, 2025 in the Council Chamber at the Town Hall.

Present

Councillor C. Watkins (Leader and Housing)
Councillor S. Hey (Deputy Leader and Resources & Central Services)
Councillor B. Hughes (Leisure & Health)
Councillor N. King (Business & Regeneration)
Councillor K. Price (Communities & Public Services)
Councillor T. Venson (Planning & Enforcement)

CB34 **Apologies**

None

CB35 **Declarations of Interest**

RESOLVED that the Declarations of Interest for this meeting are as set out in the Schedule published on the website.

CB36 **Minutes**

RESOLVED that the minutes of the Cabinet meeting held on 16th July 2025, be approved, and signed by the Chair

CB37 **Public Space Protection Order - Highways**

The Assistant Director – Environment and Enforcement submitted a report requesting Cabinet to consider approval of a new Public Space Protection Order (PSPO) relating to highway vehicle sales under powers within the Anti-Social Behaviour, Crime and Policing Act 2014.

RESOLVED that the new PSPO in the form set out in Appendix A of the report be approved.

Speakers:

County Councillor Keith Kondakor
Councillor Kris Wilson
Councillor Michele Kondakor

Options

1. Implement a modified Public Space Protection Order - Complaint data, officer experience and public consultation demonstrate that the previous order was effective in reducing cars for sale on the highway. Expanding or extending the order either on a geographical basis or related to the nature of highway issues was weighed against the resource implications of enforcement by Environmental Health and the appropriateness of taking responsibility for interventions that could be undertaken by other e.g. County Highways.
2. Do nothing - evidence confirms ongoing concern and complaints about highway vehicle sales. A 'do nothing option' would not address this issue.

Reasons

The evidence supports that the implementation of a PSPO addresses the concerns and complaints regarding highway vehicle sales.

CB38 General Fund Budget Monitoring Q1

The Assistant Director – Finance submitted a report to Cabinet presenting the forecast revenue outturn position for the General Fund as of 30th June 2025.

RESOLVED that the forecast outturn position for the General Fund for 2025/26 be noted with consideration given to key variances.

Speakers:

County Councillor Keith Kondakor
Councillor Michele Kondakor

Options:

1. To approve the recommendations in full
2. To not approve the recommendations and ask for further information

Reasons:

The Council must report the financial performance of the council.

CB39 Housing Revenue Account and Budget Monitoring Q1

The Assistant Director – Finance submitted a report to Cabinet presenting the forecast revenue outturn position for the Housing Revenue Account (HRA) as of 30th June 2025

RESOLVED that the forecast outturn position for the HRA for 2025/26 be noted with consideration given to key variances.

Speakers:

County Councillor Keith Kondakor
Councillor Kris Wilson
Councillor Michele Kondakor

Options:

1. To approve the recommendations
2. To not approve the recommendations and ask for further information.

Reasons:

The Council must report the financial performance of the council.

CB40 Capital Budget Monitoring Q1

The Assistant Director – Finance submitted a report to Cabinet updating the Council's Q1 forecasted outturn position on capital expenditure for both the General Fund and Housing Revenue Account.

RESOLVED that

- a) the Q1 forecasted capital outturn position for 2025/26 for the General Fund and HRA be noted;

- b) It be recommended to Council that the updates to the 2025/26 Capital Budget under point 5 of the report be approved; and
- c) delegated authority be given to the Strategic Director for Place and Economy in consultation with the Portfolio Holder for Business and Regeneration to liaise with the Ministry of Housing, Communities and Local Government to re-allocate funding to Bridge to Living.

Speakers:

County Councillor Keith Kondakor
Councillor Michele Kondakor

Options:

- 1. To approve the recommendations
- 2. To not approve the recommendations and ask for further information.

Reasons:

The Council must report the financial performance of the council.

CB41 Recommendations from Overview and Scrutiny Panels

- i) **Extraordinary Health and Corporate Resources OSP – 19th August 2025**
Skilled Migrant Workers Policy and Procedure
Cabinet reviewed the recommendation made from the above meeting.

RESOLVED that the outcome of the Health and Corporate Resources OSP held on 19th August 2025 be noted.

- ii) **Extraordinary Housing and Communities OSP – 26th August 2025**
Consultation on Changes To Pool Bank Street Car Park
Cabinet reviewed the recommendation made from the above meeting.

Speakers:

County Councillor Keith Kondakor
Councillor Kris Wilson

RESOLVED that the outcome of the Housing and Communities OSP held on 26th August 2025 be noted.

CB42 Any Other Items

None

Chair

PUBLICATION DATE: 17TH SEPTEMBER 2025

DECISIONS COME INTO FORCE: 25TH SEPTEMBER 2025



AGENDA ITEM NO.6

NUNEATON AND BEDWORTH BOROUGH COUNCIL

| | |
|--------------------------------|--|
| Report to: | Cabinet |
| Date of Meeting: | 8 th October 2025 |
| Subject: | Bedworth Physical Activity Hub Update |
| Portfolio: | Leisure and Health |
| Responsible Officer: | Assistant Director – Recreation and Culture |
| Corporate Plan – Theme: | Housing, Health, and Communities |
| Corporate Plan – Aim: | Deliver the construction and opening of the Bedworth Physical Activity Hub (BPAH) 2026 |
| Ward Relevance: | All Wards |
| Public or Private: | Public |
| Forward Plan: | Yes |
| Subject to Call-in: | Yes |

1. Purpose of report

- 1.1 This report provides Cabinet with a Leisure Development update in relation to Bedworth Physical Activity Hub (BPAH) and the leisure management procurement.

2. Recommendations

- 2.1 That progress on the BPAH be noted and further reports and updates be brought back to Cabinet as appropriate.
- 2.2 The progress on entering the contract with the new leisure operator be noted.

3. Background

3.1 As part of the contract signing the construction delivery programme Revision 13 was agreed with the following key milestones being delivered:

- Construction Start on site – 2 September 2024
- Section 1 project completion – 6 March 2026 (new facility)
- Section 2 project completion – 9 October 2026 (all external works)

3.2 Warwickshire County Council have completed the construction of the new pedestrian toucan crossing point of the project on behalf of the Council. This has now provided a safe and direct route into and out of the Miners' Welfare Park to support users of the park and the new BPAH, to access Bedworth Town.

4. Body of report

4.1 Project delivery:

4.1.1 Construction of the Bedworth Physical Activity Hub commenced in September 2024 and remains firmly on track, with overall completion expected in October 2026.

4.1.2 Excellent progress has been achieved to date. The building's external envelope is close to completion, giving clear shape to the new facility, while internal works are advancing well with first fix installations nearing completion and final finishes set to begin shortly. The main building is programmed for completion by March 2026.

4.1.3 Attention will then turn to delivering the external landscaping scheme, which will provide high-quality surroundings for the new hub. This phase will follow handover of the facility and is due for completion by October 2026.

4.1.4 The project continues to move forward with strong momentum, positioning the council to deliver a landmark facility that will support health, wellbeing, and community activity for many years to come.

4.1.5 During the Value Engineering exercise that was undertaken to get to an agreed project sum and into contract, several areas of works were removed from the main contract. These have been revisited as part of "extra and over's" and costing sought from the BAM to undertake. Liaison with the Portfolio Holder is ongoing on this matter. The costs provided are in the main not an effective use of NBBC limited funds. Outside of several areas that are required to be delivered by BAM (to not affect warranties) all other areas will be reviewed and undertaken by NBBC direct with its framework contractors after hand over of the new build.

4.1.6 As part of the contractor's delivery BAM have continued to deliver against social value targets. They continue to make strong progress,

this project has delivered 13% social value add and substantial benefit to the local community to date.

- 4.1.7 The Council are working with the Leisure Operator on a wayfinding strategy to support the signage for both BPAH and Pingles Leisure Centre. Internally the Council are also reviewing the CCTV strategy for location of cameras around the new facility.
- 4.1.8 Cabinet members are continuing to be updated on project progress with the monthly dashboard being circulated and all members had the opportunity of a site visit at the BPAH on Friday 18th September to see the progress on the site and walk around the facilities.
- 4.1.9 The external project team, and Council Officers have been sharing best practice, lessons learned and showcasing the project achieved to date with other local authorities via a recent webinar session and case study document drafted for Sport England.

4.2 Leisure Operator Contract:

- 4.2.1 At Cabinet on 19th June 2025 Officers updated Cabinet on the successful award of the Leisure Operator Contract to Sport & Leisure Management (SLM) trading as Everyone Active (EA) for NBBC and authority was granted to the Strategic Director for Public Services and Assistant Director for Recreation and Culture to enter the new contract.
- 4.2.2 NBBC Legal Officers are working directly with the Leisure Operators Legal representation and external Legal consultant support to finalise the contract to start inline with the opening of BPAH.

5. Financial Implications

- 5.1 A contract is in place for the delivery of the BPAH the construction company BAM, within the agreed budget expenditure. The project was contained in the Capital Monitoring Quarter 1 Cabinet Report considered by Cabinet 10th September 2025 and the Capital Outturn 2024/2025 Cabinet report considered 16th July 2025.
- 5.2 Officers and the Portfolio Holder have approved vital 'extra and overs' that are required to be funded via the project to ensure that the external site works effectively, supports ease of access to residents within the area and also restricts access / security from unauthorised encampments. Many of these areas were taken out when value engineering was undertaken.

6. Legal Implications

- 6.1 Both the Leisure operator procurement and construction contract have been procured in accordance with the relevant public procurement legislation (Concession Contract Regulations 2016 and Public Contract

Regulations 2015) and thus in accordance the Council's Contract procedures Rules (CPR's).

- 6.2 Freeth's, external legal consultants, have been appointed and are supporting the Council on the leisure procurement and contract Legal matters.

7. Equalities implications

- 7.1 The development of new facilities take into consideration the requirements of all user groups.

8. Health implications

- 8.1 The adopted Leisure Facilities Needs Assessment Strategy supports the Council's Corporate Plan in improving health and wellbeing by providing opportunities and facilities for residents to access and take part in physical activity at all levels across the Borough.
- 8.2 The existing Bedworth Leisure Centre has a limited shelf life, without significant capital investment, which was previously considered at the commencement of the leisure strategy. Advice from Sport England and project consultants detailed that this would not be the most efficient use of resources and that a new build would provide longevity and a more efficient sustainable facility going forward and meet delivery outcomes as per our strategy.
- 8.3 Despite the descope of the project, the social value and return on investment for the Council, LUF/MHCLG and Sport England will still be significant to help to deliver opportunities for the communities to live a healthy and active lifestyle.
- 8.4 A key element of the leisure management specification is the requirement on the appointed operator to focus on programmes and activities which will increase participation, particularly by those who are inactive.

9. Climate and environmental implications

- 9.1 The new build facilities will conform to the latest building regulations and consequently will provide a greener footprint and a more environmentally friendly impact on utilities going forward. The project will provide a rating of "Very Good" against industry standards based upon the criteria of BREEAM but will not be BREEAM registered as part of value engineering undertaken in the de-scoped work.

10. Section 17 Crime and Disorder Implications

10.1 The increase or provision of new facilities or different leisure pursuits will give opportunities for more residents to take part in physical activities.

11. Risk management implications

11.1 The project is being managed by professional external consultants, supported by Sport England consultants with NBBC Officers.

11.2 Significant work has been undertaken to review and reduce the overall schemes costs and has meant a reduction from the original scheme but still meeting the required KPI's for the funders.

12. Human resources implications

12.1 There are no HR implications at this time.

13. Options considered and reason for their rejection

13.1 In formulating this report and recommendations, no other options identified as the report is for noting as progress update.

14. Appendices

Appendix 1 – Project Progress Images

15. Background papers

NBBC Capital Programme report

Cabinet 21st February 2024

Leisure Development – Bedworth Physical Activity Hub (BPAH)

Cabinet 10 November 2021 – Agenda Item 8 – Minute Number CB57

Bedworth Physical Activity Hub – project delayed.

Cabinet 11 January 2023 - Agenda Item 9 - Minute number CB93

Bedworth Physical Activity Hub Update.

Cabinet 26 July 2023 – Agenda Item 20 – Minute number CB35

Bedworth Physical Activity Hub Update.

Cabinet 6th September 2023 – Agenda Item 10 – Minute number CB43

Bedworth Physical Activity Hub Update.

Cabinet 6th March 2024 – Agenda Item 7 – Minute number CB115

Bedworth Physical Activity Hub Update.

Cabinet 9th October 2025 – Agenda Item 9 – Minute number CB43

16. Report Writer Details:

Officer Job Title: Assistant Director – Recreation and Culture

Officer Name: Katie Memetovic-Bye

Officer Email Address: katie.memetovicbye@nuneatonandbedworth.gov.uk

Appendix 1 – Project progress images







AGENDA ITEM NO.7

NUNEATON AND BEDWORTH BOROUGH COUNCIL

| | |
|--------------------------------|---|
| Report to: | Cabinet |
| Date of Meeting: | 8 th October 2025 |
| Subject: | Culture Update |
| Portfolio: | Leisure and Health |
| Responsible Officer: | Assistant Director – Recreation and Culture |
| Corporate Plan – Theme: | Your Council |
| Corporate Plan – Aim: | Focus on Civic Pride, celebrating rich heritage and diverse communities |
| Ward Relevance: | All Wards |
| Public or Private: | Public |
| Forward Plan: | Yes |
| Subject to Call-in: | Yes |

1. Purpose of report

- 1.1 To provide Cabinet with an update on actions being delivered following the adoption of the Culture Strategy and for approval to develop a large-scale public art event.

2. Recommendations

- 2.1 That the Cultural update be noted and further reports and updates be brought back to Cabinet as appropriate.
- 2.2 That the submission of an Expression Of Interest (EOI) for a large scale cultural event be noted and that subject to approval of the EOI delegated authority be given to the Strategic Director for Corporate Resources and Strategic Director for Public Services in consultation with the Assistant Director for Recreation & Culture, the Portfolio Holders for Leisure & Health and, Resources & Central Services to

submit a formal bid and if successful accept the funding award from Arts Council England.

3. Background

3.1 The Culture Strategy was adopted by Cabinet in September 2023, the strategy outlined multiple recommendations for taking culture forward within the Borough. Despite capacity restraints significant work has been completed to deliver key recommendations. This work has been made possible through the council partnering with other agencies, strong support from the community and accessing external funding.

3.2 Officers are now working towards delivery of the Public Art Strategy, developing a Cultural Compact and enabling a large-scale community event.

4. Body of report and reason for recommendations

4.1 Cultural Compact:

4.1.1 A Cultural Compact is a cross-sector partnership designed to develop and implement a shared cultural vision for local growth and engagement. Originally championed by Arts Council England (ACE), they involve collaboration between:

- Local authorities
- Cultural leaders and creative industries
- Education, health, and community stakeholders
- Businesses and funders

4.1.2 There is a real need for Nuneaton and Bedworth to proceed with creating a Cultural Compact at this time due to:

- Momentum with partners, audiences and funders is high, given the end of Creative Explorers and recent work to complete the Creative People and Places application.
- Nuneaton and Bedworth is an area of low engagement and a priority area of ACE. The Borough Council is well-placed to lead the development of this proposal, having led the development of a Cultural Strategy for the borough and managed the recent Creative Explorer (Place Partnership) project. It will be supported in this work by Warwickshire County Council in the form of its library service which has a strategic cultural presence in the Borough being the only resident NPO.
- The establishment of a Cultural Compact in Nuneaton and Bedworth directly aligns with the core recommendations of the UK Cultural Cities Enquiry (CCE), which calls for place-based partnerships that acts as an influential cross-sectoral group to take full advantage of a place's cultural resources, embed culture into local and regional planning, and develop new innovative investment models for culture and creativity in place.

- Arts Council England have expressed an interest in supporting our development with support funding. This would typically require match funding, potentially around 33%.

4.1.3 Recommendation from adopted Culture Strategy:

| AIM: | ACTION: | WHO: | WHEN: |
|---|--|---|--|
| Develop the foundations to work towards a Cultural Compact for the borough. | Bring together place-based partners to begin to look at ways that Culture can be invigorated for higher place-based impact. This should include NBBC, local businesses, local arts organisations and tourism (WCC), health and wellbeing, local policing/community safety. | NBBC facilitates this: to include local businesses, Cultural Forum, tourism (WCC), health and wellbeing, local policing | Begin partnership in 2025; develop Aims, Objectives and an Action Plan and implement 2026-2028 |

4.2 Public Art Strategy

4.2.1 A public art strategy is a plan that guides the development and implementation of art in public spaces. It outlines the vision, goals and purpose for integrating art into a specific area. By providing a proper framework for decision making about new or existing public art within the borough it will ensure that future works deliver on the council's aspirations to regenerate Nuneaton & Bedworth's Town Centres, and celebrate heritage within our green spaces.

4.2.2 The strategy will require input from multiple areas of the Council to ensure we capture the need across not just Culture but also, town centers, regeneration, parks and communities. Public art can transform public spaces, making them more vibrant, visually appealing, and engaging. There are excellent examples where the strategy can incorporate requirements within regeneration projects that see the installation of public art which street furniture is saving on project installation costs and enhancing the environment.

4.2.3 Officers have put a specification together and are currently engaging with consultants to move the delivery of the Strategy forward.

4.2.4 Recommendation from adopted Culture Strategy:

| AIM: | ACTION: | WHO: | WHEN: |
|------------------------------------|--|------|-------|
| Develop a Public Art Strategy that | Develop a Public Art Strategy as part of the regeneration programmes that creates an overall and coherent vision, informed | NBBC | 2024 |

| | | | |
|--|--|--|--|
| develops distinctiveness and creates walking trails. | by local communities, which links in to walking trails, outdoor space developments and new housing developments. | | |
|--|--|--|--|

4.3 Large Scale Cultural Event

4.3.1 The Council have an opportunity to apply to Arts Council England for funding to support the development of a major touring event scheduled for 2027. This would include the building of a large-scale mechanical model of a much-loved fictional character in 2026, which would then be toured around the rest of the Country in 2027/2028. The application will seek support of a large-scale funding application.

4.3.2 This project will provide an opportunity to utilise the skills of the area alongside community engagement. In doing so it will deliver on the Cultural Strategy in the following areas

- Bringing cultural activity to where people are
- Involving local artists and local people in working with professional artists to raise ambition and develop skills
- Developing skills and celebrate the talent of children and young people.

4.3.3 Recommendation from adopted Culture Strategy:

| AIM: | ACTION: | WHO: | WHEN: |
|--|---|---|--------------|
| Festivals, large scale community celebrations: celebrating the borough, showcasing talent, shared identity, celebrating diversity, revitalising town centres. Link the existing Festivals to create an enhanced, expanded and coordinated annual programme: Nuneaton Festival of Arts, Street Eats and Beats, Reel People, Imagineer's Combustion events, Dance Academy showcases, schools' showcases, Art Alert, Craft Centre, Heritage Festivals | Connect local arts festivals and NBBC Events teams, perhaps through the Cultural Forum, to create a coordinated approach to delivering an annual programme of festivals and events, thus sharing marketing and promotion and audiences, and potentially working together to access funding to enable more ambitious events. | Cultural Forum, local festivals, arts and heritage groups | 2024 ongoing |

5. Consultation with the Public, Members, Officers and Associated Stakeholders
 - 5.1 Consultation has been undertaken with the Portfolio Holder and Directors in relation to items detailed within the report.
6. Financial Implications
 - 6.1 Budget has been identified to support the delivery of a Public Art Strategy within Recreation and Culture.
 - 6.2 Arts Council England have identified a possible funding stream to support the setup of the compact, this would require match funding of around £10k by NBBC. Officers have identified funds that could support the match funding.
 - 6.3 The large-scale cultural event is budgeted to be a £1.8m programme over three years, with a significant amount of the funding subject to a successful ACE application. The remaining funding will be sort via external cultural partners with no expectation at current of NBBC needing to contribute financially.
7. Legal Implications
 - 7.1 Consultation will be undertaken with Legal when considering areas of the Public Art Strategy and before entering into any funding agreement.
 - 7.2 Subject to approval of the funding for the large-scale event, the Council would look to enter into a service contract for delivery with a Cultural partner.
8. Equalities implications
 - 8.1 The opportunity of a large-scale event would help to deliver access, and opportunities within Culture for all members of the Borough including for protected groups.
 - 8.2 The Public Art Strategy will take into consideration equality implications.
9. Health implications
 - 9.1 The delivery of a range of arts / cultural events / festivals to bring communities together which will help provide health and well-being outcomes.
10. Climate and environmental implications
 - 10.1 Consideration would be given to climate and environmental implications through the planning and design process of any event.

11. Section 17 Crime and Disorder Implications
 - 11.1 Improved focus on Culture across the Borough will provide opportunities and access to cultural services or activities which could reduce anti-social behaviour in individuals.
12. Risk management implications
 - 12.1 Consideration needs to be made in relation to the commitments to be made by the Council and risks associated with applying for large scale funding taking into account the capacity and resources within the team and any financial commitments required.
13. Human resources implications
 - 13.1 Support will be required via consultants to deliver the Public Art Strategy and Officer capacity will be required to deliver all elements detailed within the report.
14. Options considered and reason for their rejection
 - 14.1 In formulating this report and recommendations, the following other options were identified. Reasons for their rejection or why the option and recommendation proposed in section 2 of the report has been selected are outlined below.

| Option Ref | Option Title | Reason for rejection or why the option and recommendation proposed in section 2 of the report has been selected |
|------------|--|---|
| A | Do nothing | Failure to develop a Public Art Strategy and Cultural Compact will prevent the delivery of the adopted Cultural Strategy Actions being delivered and could stagnate Culture within Nuneaton and Bedworth. |
| B | Not approve entering the funding agreement | This would prevent national coverage of Nuneaton and Borough within the Cultural landscape and reduce the accessibility of large-scale cultural events to residents of the Borough. |

15. Appendices

None attached

16. Background papers

Culture Strategy - Cabinet 6 September 2023 - Agenda Item 9 - Minute number CB42

17. Report Writer Details:

Officer Job Title: Assistant Director – Recreation and Culture

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AGENDA ITEM NO. 8

NUNEATON AND BEDWORTH BOROUGH COUNCIL

Report to: Cabinet

Date of Meeting: 8 October 2025

Subject: Consultation on the Budget 2026/27

Portfolio: Resources and Central Services

Responsible Officer: Strategic Director of Corporate Resources

Corporate Plan – Theme: All

Corporate Plan – Aim: All

Ward Relevance: All

Public or Private: Public

Forward Plan: Yes

Subject to Call-in: Yes

1. Purpose of report

- 1.1. To seek delegated authority from Cabinet to produce and run a public consultation as part of the Council's budget setting process for 2026/27.

2. Recommendations

- 2.1. Delegated authority be granted to the Strategic Director of Corporate Resources in consultation with the Portfolio Holder for Resources and Central Services to produce and run a public consultation ahead of the Council's budget setting for 2026/27.
- 2.2. It be noted the outcome of the consultation will be issued back no later than 18th February 2026 to ensure proposals

for the 2026/2027 budget have considered feedback provided in the consultation.

3. Background

- 3.1. Local authorities in England have a statutory duty to consult on certain aspects of their budget-setting process under the Local Government Finance Act 1992.
- 3.2. The act specifically references the requirement to consult with representatives of business rate payers, and a requirement to publish notices of Council Tax.
- 3.3. However, the best practice suggest that the Council should extend this consultation on a wider public basis, seeking to gather feedback on budget proposals from those whom the budget is intended to serve.

4. Body of report and reason for recommendations

- 4.1. The Council is required under Section 65 of the Local Government Finance Act 1992 to consult with representatives of non-domestic ratepayers prior to setting its budget. While this statutory requirement is limited in scope, it is widely recognised that broader public consultation represents good governance and supports transparency and accountability in decision-making.
- 4.2. Engaging the wider public in the budget-setting process allows the Council to better understand community priorities, identify potential impacts of proposed changes, and ensure that resources are allocated in a way that reflects the needs and expectations of residents and stakeholders.
- 4.3. The proposed public consultation will provide an opportunity for individuals, community groups, businesses, and other stakeholders to comment on the Council's budget proposals for 2026/27. This feedback will be considered alongside other evidence and statutory requirements in finalising the budget.
- 4.4. Delegating authority to the Strategic Director of Corporate Resources, in consultation with the Portfolio Holder, will enable the timely development and delivery of the

consultation process, ensuring that it aligns with the Council's budget timetable and statutory deadlines.

- 4.5. It is proposed to hold the consultation for a minimum of eight (8) weeks in line with the Constitution, given the development of the Budget forms part of the Budget and Policy Framework. The proposed timetable is as follows assuming no call-in:

- 4.5.1. Cabinet Meeting: 8th October 2025
- 4.5.2. Decisions come into force: Expected on or around 21st October 2025
- 4.5.3. Consultation launched: 21st October 2025 assuming no call in.
- 4.5.4. Consultation ends no later than: 17th December 2025 assuming no call in.

- 4.6. Should a call-in occur, it may not be possible, subject to the schedule of meetings, to maintain the eight (8) week consultation period in order to allow sufficient time for the consultation feedback to be received in good time to inform final budget proposals.

- 4.7. The consultation will take place via a survey on the Council website, with other options available for the public for accessibility purposes where it is not possible for completion via the website.

- 4.8. The content of the survey and consultation will cover key themes and topics such as asking for views on delivery of key services, opportunities for growth, opportunities for savings and/or delivery of key services of importance to residents.

5. Consultation with the public, members, officers and associated stakeholders

- 5.1. Consultation with the Council's Corporate Executive Team, and Cabinet.

6. Financial Implications

- 6.1. The consultation will help shape the forthcoming budget. Associated costs will be met from existing resources within Corporate Resources.

7. Legal Implications

- 7.1. Consultation will satisfy the legal requirement under Section 65 of the Local Government Finance Act 1992. Broader public engagement also aligns with the principles of transparency and accountability under the Local Government Act 1999.

8. Equalities implications

- 8.1. None identified; however, any consultation will be designed to ensure wide accessibility.

9. Health implications

- 9.1. No specific implications have been identified; however, consultation may allow this theme to be better represented in the budget, following feedback.

10. Climate and environmental implications

- 10.1. No specific implications have been identified; however, consultation may allow this theme to be better represented in the budget, following feedback.

11. Section 17 Crime and Disorder Implications

- 11.1. No specific implications have been identified; however, consultation may allow this theme to be better represented in the budget, following feedback.

12. Risk management implications

- 12.1. No direct risk management implications have been identified unless consultation is delayed. Please note 4.6 of the report

13. Human resources implications

- 13.1. No direct human resource implications have been identified.

14. Options considered and reason for their rejection

- 14.1. In formulating this report and recommendations, the following other options were identified. Reasons for their rejection or why the option and recommendation proposed

in section 2 of the report has been selected are outlined below.

| Option Ref | Option Title | Reason for rejection or why the option and recommendation proposed in section 2 of the report has been selected |
|------------|--------------|---|
| A | Do nothing | The Council could choose to only comply with the letter of the legislative requirement and not consult on a wider public basis. However, it is widely recognised that public consultation is best practice. |
| B | Delay | Delaying consultation could risk misalignment with budget-setting timelines and reduce the opportunity for meaningful feedback. Furthermore, as the development of the Budget forms part of the Budget and Policy Framework under the Council Constitution, consultation shall be no less than eight (8) weeks. It is also noted that the budget will need to be finalised and included as a key report for 18 th February 2026 Cabinet and Council meeting. |

15. Conclusion

15.1. In line with statutory requirements and best practice, the Council recognises the importance of engaging with stakeholders in the budget-setting process. While the legal duty to consult is limited to representatives of non-domestic ratepayers, a broader public consultation will enhance transparency, accountability, and community involvement. This will be undertaken no less than eight (8) weeks in line with the Constitution.

15.2. Delegating authority to the Strategic Director of Corporate Resources, in consultation with the Portfolio Holder, will ensure that the consultation is designed and delivered effectively, in a way that is timely, inclusive, and aligned with the Council's strategic priorities and financial planning cycle.

15.3. The feedback received through the consultation will be used to inform the final budget proposals for 2026/27, helping to ensure that the Council's resources are targeted

in a way that reflects the needs and aspirations of the communities it serves.

16. Appendices

16.1. Please note there are no appendices attached to this report.

17. Background papers

17.1. Please note there are no background papers attached to this report.

18. Report Writer Details:

Officer Job Title: Chief Executive Officer (drafted for the Strategic Director of Corporate Resources).

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AGENDA ITEM NO. 9

NUNEATON AND BEDWORTH BOROUGH COUNCIL

Report to: Cabinet

Date of Meeting: 8th October 2025

Subject: Update on regeneration projects

Portfolio: Business and Regeneration

Corporate Plan – Theme:

- 1 – Place and Prosperity (P&P)
- 2 – Housing, Health and Communities (HHC)
- 3 – Green Spaces and Environment (GSE)

Corporate Plan – Aim:

- P&P – aim 1 Regenerate Nuneaton Town Centre, Completing the Transforming Nuneaton programme.
- HHC – aim 1 Deliver the construction and opening of Bedworth Physical Activity Hub (BPAH) 2026
- GSE – aim 2 Celebrate our heritage within our green spaces, including museums, George Eliot and local history

Ward Relevance: St Mary's, Attleborough, Poplar

Public or Private: Public

Forward Plan: Yes

Subject to Call-in: Yes

1. Purpose of Report

- 1.1 To provide Cabinet with an update on the progress of regeneration projects taking place within the Borough; and

- 1.2 To seek approval to enter into a lease agreement for the Leisure unit contained in the Grayson Place Development on Abbey Street.

2. Recommendations

- 2.1. The content of the report and attached Dashboard be noted.
- 2.2. That delegated authority be granted to the Strategic Director – Place and Economy in consultation with the Leader of the Council and Portfolio Holder for Business and Regeneration, to secure and enter into a lease agreement for the leisure unit on Abbey Street.
- 2.3. That Cabinet approve the use of Phase 3 land as open space and external leisure provision and that delegated authority be granted to the Strategic Director – Place and Economy in consultation with the Leader of the Council and Portfolio Holder for Business and Regeneration, to design and procure the final landscape arrangements.

3. Regeneration Project Updates

- 3.1. Appendix A to this report contains a Dashboard which gives members the up-to-date position on where the Council is with the various regeneration sites that are being delivered by the Council. We are coming to a crucial time with many of these projects scheduled for completion March 2026. Focus at the moment is lease agreements for the occupiers of the new building on the Abbey Street development and the demolition of the Bridge to Living site to provide an open area linking the town centre to George Eliot gardens and Riversley Park whilst longer term development options for the site are being appraised. The completion of Abbey Street and the redevelopment of Vicarage Street led by Warwickshire County Council will provide the opportunity to thoroughly assess what is right in the long term for this site.

4. Abbey Street Redevelopment – Leisure Unit

- 4.1. With construction of buildings nearing completion on site, the team are now prioritising securing the lease agreements with future occupiers. The key to most operators coming formally on board is the agreement of the leisure unit lease. This is progressing. After extensive marketing by leasing agents, who

are experts in the leisure and food industry a robust selection process was undertaken with interviews with a number of interested occupiers.

- 4.2. This part of the report seeks Cabinet approval for the appointment of Corte Sport/Hayes Sports Partnership Ltd trading as 'Te Amo Padel' (Spanish for I love Padel) as the preferred tenant/operator of the leisure unit within Grayson Place following the selection process. Following extensive due diligence and evaluation of alternative options, Corte Sport is recommended on the basis of their, sector expertise, high-quality delivery model, and alignment with our wider community and strategic objectives.
- 4.3. Corte Sport is a specialist leisure operator with a proven track record in building and operating padel tennis facilities in the Midlands. Their main facility sits within The Hayes at Kings Norton, a well-established community focused football facility with 4G pitch and pavilion which is operated by a related company The Hayes Sports Partnership Ltd and has operated since 2016 and benefits from a long lease from Birmingham City Council. Corte Sport and The Hayes Sports Partnership Limited have an experienced management team with backgrounds in sport, property, and finance currently operating multiple successful venues, demonstrating both demand and operational capacity. Their ethos emphasises accessibility, affordability, and community participation, which aligns with the vision for Grayson Place and the Council's social strategies. One key differentiator from other padel tennis companies was their track record in running successful community events at their Hayes venue. These include music festivals and community events throughout the year.
- 4.4. This section summarises the due diligence undertaken to date.
 - 4.4.1. Financial: Reviewed latest accounts, projections, and funding arrangements – confirming capital commitment by Corte Sport into the facility, to fit out of the indoor and outdoor courts together with associated front and back of house facilities.
 - 4.4.2. Legal / Know Your Client: Standard AML and company checks completed, no issues identified.
 - 4.4.3. Operational: Two site visits were undertaken, initially by advisors and then by Council officers together with the Leader and other Cabinet Members.

- 4.4.4. Reputation: Industry references indicate strong credibility and focus on long-term partnerships. High quality delivery of their padel courts compared to other operators. An associated Director specialises in padel tennis court construction across the UK.
- 4.5. The proposed offer is commercially sensitive therefore not disclosed in full in this report, however, below are the core elements that have been agreed.
 - 4.5.1. Proposed terms provide both security and upside: a blend of fixed rent and turnover top up element should they exceed target turnover thresholds.
 - 4.5.2. Initial annual rent payable per annum exclusive of service charges, business rates and utilities.
 - 4.5.3. Turnover rent based on a percentage of revenue when operator occupancy exceeds a percentage.
 - 4.5.4. a 15 year lease term.
- 4.6. A capital payment of £107,500 plus VAT is to be paid to tenant by the Council to undertake landlord works to form the foundations for the external courts and deliver floor screed to the internal unit. Alternative leisure uses; cinema, bowling, active leisure would have required the Council to provide capital contributions of between £500,000 and £1.3million plus VAT. The capital payment is within the overall Grayson Place development budget.
- 4.7. Business plan demonstrates robust financial modelling (whilst maintaining sensible court hire prices for the public) with sustainable cashflow.
- 4.8. In terms of physical delivery, Corte Sport will deliver a modern, high-quality padel and sports facility with ancillary social spaces Furthermore:
 - 4.8.1. Investment in fit-out ensures a best-in-class design standard.
 - 4.8.2. The scheme will be fully integrated into the wider development, enhancing footfall and placemaking.
 - 4.8.3. Project programme indicates delivery within agreed timescales, i.e. to be open and trading by Spring 2026 (subject to planning for external courts).
- 4.9. Financial best value is of course a key consideration but so is the social and community value. Furthermore, other benefits include:

- 4.9.1. Strong community outreach: schools programme, grassroots coaching, and local club partnerships and plans for inter club regional competitions to drive visitors to Nuneaton.
 - 4.9.2. Employment opportunities: direct staffing plus apprenticeships and training pathways.
 - 4.9.3. Health & wellbeing benefits: promoting active participation in sport, particularly among both young and senior members of the local community. They will also run programs to help vulnerable members of society, including those experiencing mental health challenges, to access sport.
 - 4.9.4. Positive alignment with local authority priorities on inclusion, health, and community engagement.
- 4.10. In terms of strategic benefits this scheme differentiates the scheme by introducing a high-demand, fast-growing sport. Furthermore, it enhances destination appeal and drives additional footfall across the wider site, supports ESG commitments such as wellbeing, social inclusion, and sustainability and finally, strengthens reputation of landlord and Council as progressive and community-minded stakeholders.
- 4.11. This paragraph sets out the mitigation of risks, but it is worth noting, the success of the operation is subject to the management and operation of the facility by the operator. No lease is without risk, but the Council will work with the operator as is deemed reasonable to ensure it is successful.
- 4.11.1. Financial performance risk: mitigated by significant upfront investment by the tenant towards the fit out, plus rent deposit and guarantees.
 - 4.11.2. Delivery risk: mitigated through robust project programme, funding proof, and landlord step-in rights.
 - 4.11.3. Reputational risk: operator has good operational track record and has been well established in Kings Norton, Birmingham for many years.
- 4.12. Corte Sport is the preferred tenant due to their high-quality delivery model, and commitment to social value. They will deliver significant physical, financial, and community benefits, with contractual structures protecting the landlord's position. Therefore, Cabinet approval is sought to proceed with finalising legal agreements and enter a lease with Corte Sport.

5. Abbey Street Phase 3

5.1. As members will be aware with the rise in construction costs Phase 3 of the development was shelved as it could not be delivered within the specified budget. In order to help with the marketing and usage of Phase 1 and 2 of the development it would however be of benefit not to just hoard off that part of the site so working within budget the team are looking at seeding the Phase 3 element in the shortterm to make it a usable outdoor recreation space.

5.2. In addition landscaping may be undertaken to this area, to give opportunity for this space to be used for external outdoor events. No final scheme has been designed and will be subject to any available budget. At this stage Members are being asked to delegate authority, as per the recommendations, as to not impair any built development potential of Phase 3 in the future but will add to the aesthetics of the project. In relation to the Phase 3 land the negotiations with the potential occupier may also see them wanting to use a proportion of that land for outdoor activity.

6. Consultation with the public, members, officers and associated stakeholders

6.1 Consultation undertaken prior to commencement of project with regular Cabinet updates given.

7 Financial Implications

7.1 All activity taking place is within the agreed budget provision but please also see section 4 of the report.

8. Legal Implications

8.1 External specialist lawyers being used to advise and draft contracts.

9. Equalities implications

9.1 A review has been undertaken, and it has been identified that no assessment is required following consultation and liaison with the appropriate officer.

10. Health implications

10.1 No specific health implications have been identified following the completion of an impact assessment.

11. Climate and environmental implications

11.1 No direct climate and/or environmental implications have been identified all buildings are to building control requirements.

12. Section 17 Crime and Disorder Implications

12.1 No direct Section 17 crime and disorder implications have been identified. Designing out crime has been incorporated into project development.

13. Risk management implications

13.1 Included within Appendix A.

14. Human resources implications

14.1 No direct human resource implications have been identified.

15. Options considered and reason for their rejection

15.1 In formulating this report and recommendations, the following other options were identified. Reasons for their rejection or why the option and recommendation proposed in section 2 of the report has been selected are outlined below.

| Option Ref | Option Title | Reason for rejection or why the option and recommendation proposed in section 2 of the report has been selected |
|------------|--------------|---|
| A | Do nothing | Could result in empty units and loss of revenue to the Council. Furthermore the regenerative impacts of the scheme may be lessened. |
| B | Amend | This is a risk, as significant amendments to what is proposed will likely lengthen the development scheme and may increase cost. A delay would result in a delay of revenue to the Council. Furthermore, the regenerative impacts of the scheme may be stalled. |

| | | |
|---|---------|---|
| C | Approve | Will allow for the most effective use of public resource both in terms of the new built development and the aesthetics of the whole area. |
|---|---------|---|

16. Conclusion

16.1 It is recommended that the update on regeneration projects is noted and that approval is given to some leisure uses on Phase 3 Abbey Street; and

16.2 Delegated authority given to the Strategic Director for Place & Economy in consultation with the Leader of the Council and Portfolio Holder for Business and Regeneration to agree and enter into a lease for the leisure unit as part of the Grayson Place development along Abbey Street, to align with the projects objectives.

17. Appendices

17.1 Please note the following appendices:

i. Appendix A – Regeneration Projects Dashboard

18. Background papers

18.1 Previous Regeneration Updates Cabinet and Business, Regeneration and Planning OSP Reports.

[Cabinet - 29th January 2025](#) CB85 i

[Cabinet - 11th September 2024](#) CB31

[Cabinet - 21st February 2024](#) CB110

[Business, Regeneration and Planning OSP - 12th June 2025](#)
BRP 5

[Business, Regeneration and Planning OSP - 7th December 2023](#) BRP 24

19. Report Writer Details:

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AGENDA ITEM NO. 10

NUNEATON AND BEDWORTH BOROUGH COUNCIL

Report to: Cabinet

Date of Meeting: October 2025

Subject: Policy Update - Civil Enforcement Discretion
and PCN Cancellation Policy – Car Parking

Portfolio: Business and Regeneration

Responsible Officer: Assistant Director – Economy & Regeneration

Corporate Plan – Theme: Place and Prosperity

Corporate Plan – Aim: Regeneration of our Town Centres

Ward Relevance: All

Public or Private: Public

Forward Plan: No

Subject to Call-in: Yes

1. Purpose of report

- 1.1. Request for Cabinet to grant approval of the updated Civil Enforcement Discretion and PCN Cancellation Policy – Car Parking

2. Recommendations

- 2.1. That Cabinet approve the Civil Enforcement Discretion and PCN Cancellation Policy as at appendix A of the report to ensure it reflects the latest legislation.

3. Background

- 3.1. Following a service area audit in 2024 it was highlighted that the Council has Civil Parking Enforcement (CPE) Policy for the enforcement and cancellation of Penalty Charge Notices, was last updated in May 2012.
 - 3.2. It was recommended that the CPE Guidance policies for the enforcement and cancellation of Penalty Charge Notices May 2012 should be reviewed and up to dated
4. Body of report and reason for recommendations
 - 4.1. There is no single unified Civil Enforcement Discretion and PCN Cancellation Policy for the UK, guidance is provided by national legislation such as the Traffic Management Act 2004 and the 2022 Regulations on civil enforcement.
 - 4.2. The new policy (Appendix A. Civil Enforcement Discretion and PCN Cancellation Policy) reflects the key amended requirements outlined in 2022 Regulations on civil enforcement, notably:
 - Requirement for evidence of contraventions to be produced
 - Changing rules around who pays PNC's relating to hired vehicles.
 - 4.3 Although the amended requirements were adapted by the service area, they were not reflected in the written policy and as such the proposed updated policy now reflects these amendments.
5. Consultation with the public, members, officers and associated stakeholders
 - 5.1. No consultation requirement
6. Financial Implications
 - 6.1. No financial implications
7. Legal Implications
 - 7.1. Failure to maintain an update policy can lead to legal challenges, as it may violate the Traffic Management Act 2004 and associated regulations. Enforcement authority must maintain policies that reflect current legislation and provide fair and transparent process for appeal and allow for case-by-case discretion.

8. Equalities implications

- 8.1. A review has been undertaken, and it has been identified that no assessment is required following consultation and liaison with the appropriate officer.

9. Health implications

- 9.1. No specific health implications have been identified following the completion of an impact assessment.

10. Climate and environmental implications

- 10.1. No direct climate and/or environmental implications have been identified.

11. Section 17 Crime and Disorder Implications

- 11.1. No direct Section 17 crime and disorder implications have been identified.

12. Risk management implications

- 12.1. The following risk management implications have been identified:
- i. Failure to maintain an update policy can lead to legal challenges, as it may violate the Traffic Management Act 2004 and associated regulations
- 12.2. It is proposed to mitigate the above by implementing the following mitigations:
- i. Formal adoption of new policy to be approved by Cabinet

13. Human resources implications

- 13.1. No direct human resource implications have been identified.

14. Options considered and reason for their rejection

- 14.1. In formulating this report and recommendations, the following other options were identified. Reasons for their rejection or why the option and recommendation proposed

in section 2 of the report has been selected are outlined below.

| Option Ref | Option Title | Reason for rejection or why the option and recommendation proposed in section 2 of the report has been selected |
|------------|--------------|--|
| A | Do nothing | Enforcement authority must maintain policies that reflect current legislation and provide fair and transparent process for appeal and allow for case-by-case discretion. |
| | | |
| | | |

15. Conclusion

15.1. It is recommended that the attached policy be adopted by the Council and a copy to be provided on the website to reflect current legislation and provide fair and transparent process for appeal and allow for case-by-case discretion.

16. Appendices

16.1. Please note the following appendices:

- i. Appendix A – Civil Enforcement Discretion and PCN Cancellation Policy insert title

17. Background papers

17.1. Please note there are no background papers attached to this report.

18. Report Writer Details:

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Civil Enforcement Discretion and PCN Cancellation Policy

NUNEATON & BEDWORTH BOROUGH COUNCIL OFF-STREET PARKING ENFORCEMENT POLICY

Update: July 2025

Jonathan White

Assistant Director – Economy & Regeneration

Introduction

NBBC operates off-street car parking enforcement only

This policy aims to inform the public and guide Council Officers and Members on the enforcement of parking regulations and notice processing of Penalty Charge Notices; this is consistent with current best practice and aims to provide clarity, consistency and transparency within the enforcement process and compliance with the aspirations of the Traffic Penalty Tribunal and the Local Government Ombudsman.

This policy represents a foundation upon which fairness and discretion can be applied, recognising that discretion may often be best applied retrospectively in the presence of all available evidence. The importance of flexibility in these matters has been recognised by the courts and, consequently, decisions made by councils must not be fettered by being unduly formulaic.

This policy addresses the following:

- The required and recommended PCN information
- The statutory grounds upon which representations may be made
- When cancellation of a PCN is necessary
- The mitigating circumstances that may warrant a PCN being waived

It is important to recognise each case will be considered on its own merits, matters of proportionality, objectivity, fairness, and reasonableness should be paramount.

The following is therefore a guide for information and non-prescriptive.

This policy will be frequently reviewed to ensure it reflects current local and national legislation, regulation, statutory guidance, and best practices. However, if this policy does contradict, then the appropriate legislation, regulation, or statutory guidance must be followed first.

PCN Cancellation

A PCN will be cancelled if the issuing CEO fails to record, or incorrectly records, any information required by the following regulations:

S.I. 2022/71, Schedule 2, Paragraphs 1 and 2

S.I. 2022/576, Regulation 3

Cabinet - 8th October 2025

The statutory guidance also recommends additional information be recorded. An extract of the appropriate information from each regulation and guidance can be read in **Appendix 1. (Required and Recommended PCN Information)**

Where a cancellation is to be made in accordance with this policy, that decision will be made by the appropriate Officer. The decision will be final as far as the Council is concerned in respect of upholding or cancelling a PCN where the circumstances are clearly in accordance with this policy. The decision will be explained in writing (by email or other digital means where possible) to the person who has contested the ticket and will aim to do so within 20 working days for informal challenges and within the statutory 56 days for formal representations.

PCN Waiving

In instances where mitigation, by way of evidence or other statement provided by the appellant is sufficient, a PCN may be waived. This differs in nature to instances where cancellation is necessary, as it relies on the submission of mitigation by the appellant.

The circumstances contained in the following table highlight exemplar mitigations where discretion might be applied. Discretion could be cited as a ground for challenge by motorists. The full facts of any case would be taken into consideration as it is an underlying principle of CPE that no case is binding on any other and each case shall be considered on the balance of its own merits. This is to be read in conjunction with the Operational Guidance issued by the Department for Transport.

Therefore, the mitigations and actions in **Appendix 2 (Mitigating Circumstances)** serve as an indication and must be treated as guidance only, both to appellants and council officers alike.

Where a PCN is to be waived in accordance with this policy, that decision will be made by the appropriate Officer. The decision will be final as far as the Council is concerned in respect of upholding or waiving a PCN where the circumstances are clearly in accordance with this policy. The decision will be explained in writing (by email or other digital means where possible) to the person who has contested the ticket and with the aim to do so within 20 working days for informal challenges and within the statutory 56 days for formal representations.

Important note:

*The mitigations in **Appendix 2 (Mitigating Circumstances)** are in addition to the Statutory Grounds to make a formal representation, which is afforded only once a Notice to Owner letter has been sent to the DVLA registered owner/keeper of the vehicle. These Statutory Grounds are listed in **Appendix 3 (Statutory Grounds for Representation)**. In accordance with a directive issued by the Local Government Ombudsman, full consideration will be given, and account taken of all formal representations received, whether they fall within the description of “Statutory Grounds” or not. Any other information the motorist or owner/keeper would like the Council to consider, has been included.*

Appendix 1 – Required and Recommended PCN Information

S.I. 2022/71, Schedule 2, Paragraphs 1 and 2

“Meaning of “regulatory matters”

1. In this Schedule “the regulatory matters”, in relation to an alleged relevant road traffic contravention, means—
 - a. the name of the enforcement authority,
 - b. the registration mark of the vehicle involved in the alleged contravention,
 - c. the date on and the time at which the alleged contravention occurred,
 - d. the amount of the penalty charge, and
 - e. the manner in which the penalty charge must be paid.”

“Particulars to be included in a penalty charge notice given under regulation 9

2. The information to be included in a penalty charge notice served under regulation 9 is—

- a. the date on which the notice is served,
- b. the regulatory matters,
- c. the grounds on which the civil enforcement officer issuing the notice believes that a penalty charge is payable,
- d. that the penalty charge must be paid within the period of 28 days beginning with the date on which the alleged contravention occurred,
- e. that if the penalty charge is paid no later than the applicable date, the penalty charge will be reduced by the amount of any applicable discount, and
- f. that if the penalty charge is not paid within the period of 28 days referred to in sub-paragraph (d), a notice to owner may be served by the enforcement authority on the owner of the vehicle.”

S.I. 2022/576, Regulation 3

“Information about right to make representations or appeal to be included in regulation 9 penalty charge notices and enforcement notices

3. —

1. A regulation 9 penalty charge notice must include the following information—
 - a. that a person on whom a notice to owner is served may, in accordance with these Regulations, make representations to the enforcement authority against the penalty charge and, if those representations are rejected, appeal to an adjudicator;
 - b. that if, before a notice to owner is served, representations against the penalty charge are received at such address as may be specified in the notice for the purpose those representations will be considered by the enforcement authority;
 - c. that if a notice to owner is served despite the representations mentioned in sub-paragraph (b), representations against the penalty charge must be made to the enforcement authority in the form and manner and at the time specified in the notice to owner.
2. An enforcement notice must include the following information—
 - a. that—
 - i. the recipient may make representations against the penalty charge in accordance with regulation 5 of these Regulations, but
 - ii. any such representations made outside the period of 28 days beginning with the date on which the notice is served (“the payment period”) may be disregarded;
 - b. the nature of the representations which may be made under regulation 5;
 - c. the form in which representations must be made;
 - d. the address to which representations must be sent, including, as appropriate—
 - i. an email address,
 - ii. telephone number,
 - iii. the address of any website where representations may be submitted online (and the place on that website where the relevant facility may be accessed), as well as a postal address;
 - e. that the recipient may appeal to an adjudicator against any decision of the enforcement authority not to accept representations which are made—
 - i. within the payment period, or
 - ii. outside that period but not disregarded by the authority;
 - f. the form and manner in which an appeal may be made;
 - g. where the enforcement notice is a regulation 10 penalty charge notice served under regulation 10(2)(a) of the 2022 General Regulations (an “approved device notice”), the effect of paragraphs (3) and (4).

3. The recipient (“R”) of an approved device notice may, by notice in writing, request that the enforcement authority—
 - a. makes available, at one of its offices specified by R, free of charge and at a time during normal office hours so specified, for viewing by R or R’s representative the record of the alleged relevant road traffic contravention produced by the approved device pursuant to which the penalty charge was imposed, or
 - b. provides R, free of charge, with such still images from that record as, in the authority’s opinion, establish the alleged relevant road traffic contravention.
4. The enforcement authority must comply with any request under paragraph (3) within a reasonable time.”

Statutory Guidance

“It is recommended that it also gives:

- detailed location of the vehicle (full street name)
- the contravention code
- observation start and finish times
- penalty charge notice number (all should be uniquely identifiable)
- CEO identification number”

| Mitigating Circumstance (MC) | May Accept Representations | May Reject Representations | Other Evidence or Notes |
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| MC01 where the motorist claims to have become unwell while driving. | <p>If the motorist provides proof of a medical condition, temporary or permanent, that is consistent with the conditions described.</p> <p>When the notes made by the Civil Enforcement Officer support the motorist's representations.</p> <p>Medical conditions which affect a person's ability to drive must be reported to DVLA.</p> | <p>If the motorist cannot provide some proof of a medical condition, temporary or permanent, consistent with the conditions described.</p> <p>Or</p> <p>Where other evidence contradicts the motorist's claims.</p> | <p>Written medical evidence: The keeper should provide a letter from his/ her doctor or the passenger's doctor either confirming that he/ she has a medical condition that can result in the need for urgent stops or that such an incident is known to have occurred on the time & date in question.</p> |
| MC02 where the motorist claims to be a doctor, nurse, health visitor, or carer attending a patient in an emergency. | <p>If the motorist concerned possesses a Medical Dispensation badge (BMA, HEBS) that the Council concerned recognises and approves and/or is exempt under the relevant Order.</p> <p>Or</p> <p>If the motorist produces evidence that they were responding to an emergency and there was no nearby legal parking place.</p> | <p>If the motorist was not attending a patient in urgent circumstances or if there was legal parking spaces nearby.</p> <p>If motorist was parked outside their practice or other place of work for any reason other than to collect supplies for an urgent call.</p> <p>If motorist was parked in an area which does not correspond with claims made in representations, i.e. far from patients property, say, in a car park.</p> | |
| MC03 where the motorist stopped the vehicle so they, or any vulnerable adult or child passenger, could use the toilet. | <p>On production of medical evidence confirming a relevant medical condition and in support of the circumstances described in a representation.</p> | <p>In all other circumstances.</p> | <p>The keeper should provide a letter from their doctor, or their vulnerable adult or child passenger's doctor, confirming either:</p> |

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| | | | <p>They a medical condition that can result in the need for urgent stops, or</p> <p>Such an incident is known to have occurred on the time and date in question.</p> |
| MC04 where the motorist was delayed in returning to their vehicle and parking time purchased had expired. | Only in exceptional circumstances such as a medical emergency. | <p>If the delay described by the motorist was entirely avoidable, e.g. queuing in a shop.</p> <p>If the motorist simply underestimated the time needed and could have reasonably purchased more time, i.e. when conducting business, shopping or commuting.</p> <p>If the motorist was unable to drive since parking due to excess alcohol in the body or had been detained and charged by the police.</p> | |
| MC05 where the motorist “fed” a meter or pay & display machine by buying subsequent time to park in the same place or returned to the same place within a specified and prohibited time period. | In no circumstances. | If the motorist overstays initial period of time purchased or returns within a period of ‘No return’. | |
| MC06 where the motorist left the vehicle parked unattended in a pay and display location without a valid pay and ticket, season ticket, or voucher to obtain | If the motorist returns to the vehicle with a valid pay and ticket, season ticket, or voucher (physical or digital) and the Civil | If the Civil Enforcement Officer’s notes indicate that the motorist returned to their vehicle, having completed their | |

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| change for the pay and display machine and purchase a valid pay and ticket, season ticket, or voucher. | Enforcement Officer is still at the vehicle. | purpose for parking, while the PCN was being issued, i.e. carrying shopping, or had left vehicle in car park, or on-street pay and display area, while obtaining change. | |
| MC07 where the motorist claims to have been unaware of charges or restrictions on the highway or in the off-street car park relating to vehicle's class or weight. | If reference to restrictions on adjacent signage or tariff board(s) are incorrect. | In all other circumstances. | |
| MC08 where the motorist claims to have been unaware of recent rise in tariff. | If statutory notices were not erected in accordance with procedural regulations. | If statutory notices were erected in accordance with procedural regulations and tariff board(s) were correct | |
| MC09 where the motorist had parked with one or more wheels outside of a marked bay in a car park. | Only in the most exceptional of circumstances that were outside the motorists control. Otherwise in no circumstances. | When clear and incontrovertible supporting evidence (authentic photographs/Sketch plan of the actual parking event, and not a later pose) is available. Note that civil Enforcement Officers generally take photographs of the actual position of the vehicle. | |
| MC10 where the motorist is a Blue Badge holder, or transporting a Blue Badge holder, and they did not have their Blue Badge and clock clearly on display. | In no circumstances. | If the motorist has previously had a PCN cancelled for the same contravention and has been warned to display a valid badge /time clock correctly in the future (prior warning). If the Blue Badge holder was not present in the vehicle at the time it was parked. | |

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| <p>MC11 where the motorist is a Blue Badge holder, or transporting a Blue Badge holder, and their Blue Badge and/or clock on display could not be read or had expired.</p> | <p>Only in exceptional circumstances.</p> | <p>If the motorist has previously had a PCN cancelled for the same contravention and has been warned to display a valid badge /time clock correctly in the future (prior warning).</p> <p>If the motorist was parked on a waiting restriction beyond the 3 hour time limit permitted by the Blue Badge Scheme, or on another restriction for which the Blue Badge does not provide an exemption.</p> <p>If the Blue Badge holder was not present in the vehicle at the time it was parked.</p> <p>If the badge was not authentic, was out of date, or otherwise invalid.</p> | |
| <p>MC12 where the motorist claims to have been unaware of the existence of a controlled parking zone.</p> | <p>If it can be established that the signing and marking of the CPZ is at fault.</p> | <p>In all other circumstances.</p> | |
| <p>MC13 where the motorist is parked with an expired authorisation, whether digital or on physical display.</p> <p>i.e. dispensation / waiver, parking place suspension, season ticket, or resident's, business, or visitor's permit.</p> | <p>If the renewal of the authorisation was delayed by the Council's administrative processes.</p> <p>If it can be established that other reasonably unforeseen circumstances delayed the renewal of an authorisation to park, e.g. sickness on the part of the applicant (supported by appropriate evidence).</p> | <p>In all other circumstances.</p> <p>In the event of more than one vehicle registration included on season ticket or permit, subsequent production of the season ticket will not necessarily cause automatic cancellation of the PCN as the season ticket or permit may</p> | |

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| | | have been used on some other vehicle. | |
| MC14 where the motorist is parked in contravention of a waiting / parking prohibition with an active resident, business, or visitor permit, whether digital or on physical display. | In no circumstances. | In all circumstances. | |
| MC15 where the motorist is a new resident or business within a controlled parking zone and is parked in a permit bay/zone without a valid permit, whether digital or on physical display. | In no circumstances. | In no circumstances. | |
| MC16 where the motorist assumed they were entitled to “a period of grace” before the PCN was issued. | The only grace period is in a paid for or limited waiting bay when 10 minutes additional time is to be given. | In all other circumstances. | |
| MC17 where the motorist claims that snow, foliage, fallen leaves or flooding covered the signs or markings. | If it can be established that such conditions prevailed and it is likely that signs and markings were obscured as claimed (at the time of the alleged contravention, and not some later time) and there was no alternative indication of the restriction. | <p>If it can be established that such conditions did not cause lines and signs to be obscured as claimed.</p> <p>If the Civil Enforcement Officer’s notes, photographic evidence etc. directly contradict the motorist’s version of events.</p> <p>If any reasonable alternative indication of the restriction was available to the motorist.</p> <p>If the location of the contravention was unlikely to be subject to the natural conditions described by the</p> | |

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| | | motorist, i.e. it was under cover. | |
| MC18 where the motorist claims that their vehicle had broken down. | <p>If the motorist is able to provide evidence of a breakdown and the vehicle could not be driven further.</p> <p>i.e. proof of vehicle recovery (e.g. VAT receipt from a garage or recovery note from a recognised roadside assistance service) or a bill of sale for repair or parts (e.g. VAT receipt for appropriate parts).</p> | <p>If the motorist is unable to provide evidence of any kind that their vehicle had broken down.</p> <p>If the cause of the vehicle “breaking down” was due to negligence on the part of the motorist, i.e. the vehicle had not been properly maintained, had run out of petrol or water or a similar reason If the Civil Enforcement Officer’s notes contradict the motorist’s version of events.</p> | |
| MC19 where the motorist claims that they were attending an emergency or another vehicle that had broken down. | <p>If the motorist is able to provide reasonable proof of the emergency, i.e. a credible report of an accident or incident, or that they were attending to another vehicle that had broken down.</p> | <p>If the motorist is unable to provide evidence of any kind that they were attending an emergency or another vehicle which had broken down.</p> <p>If the Civil Enforcement Officer’s notes photographic evidence etc. contradict the motorist’s version of events, i.e. the motorist was not seen attending an emergency or another vehicle which was broken down.</p> | |
| MC20 where the motorist has purchased a P&D ticket but claims to have used the wrong P&D machine or, if a digital purchase, location. | <p>If it is agreed that the position of the ticket machine or, if a digital purchase, signage used by the motorist is likely to cause confusion.</p> | <p>If the ticket machine or, if a digital purchase, signage used by the motorist is positioned in such a place that confusion is</p> | |

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| | | not likely. If the motorist has had representations accepted for a similar contravention previously. | |
| MC21 where the vehicle in question was on police, fire brigade or ambulance duties. | If a senior officer of the service concerned supports the representations and there is no reason to doubt that the vehicle was engaged on operational activities. | In all other circumstances. | |
| MC22 where the motorist claims to have been collecting or depositing monies at a bank. | In no circumstances. | In all circumstances. | |
| MC23 where the motorist claims to have been unaware of a temporary parking restriction or special event restriction. | If the motorist claims that there was no indication of the restriction, and the Civil Enforcement Officer's notes, photographic evidence etc. do not confirm that appropriate signing was in place. If the process followed to make the temporary order was defective in some way. | If the Civil Enforcement Officer's notes, photographic evidence etc. confirm that the vehicle was parked in an area restricted by the Temporary Order or Notice, and that appropriate signing was in place and clearly visible. | |
| MC24 where the registered keeper liable for payment of the PCN is expected to be absent for a long period of time, e.g. is living abroad or is in prison. | In no circumstances. | In all circumstances. | |
| MC25 where the registered keeper liable for payment of the PCN is said to have died. | Where a copy of the death certificate is provided. | Where no supporting evidence is provided. | |

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| MC26 where the vehicle driven by the motorist is diplomatically registered. | <p>In all circumstances.</p> <p>A Notice to Owner should never be sent to the keeper of a diplomatically registered vehicle. Essex CC should be informed of all penalty charges unrecovered from keepers of diplomatically registered vehicles. They will pass information concerning these debts onto the Foreign and Commonwealth Office[Source – Secretary of State’s Traffic Management and Parking Guidance, Vienna Convention on Diplomatic Relations, Diplomatic Privileges Act 1964 and Government Report on Review of Vienna Convention...]</p> | In no circumstances. | |
| MC27 where the motorist received a Fixed Penalty Notice (FPN) from a police officer when parked in the same location. | To prevent ‘double jeopardy’, if confirmation and evidence provided by the police that proceedings for a criminal offence in connection with the same parking/waiting incident have been instituted. | In all other circumstances. | |
| MC28 where a Council officer or Member parked in contravention and claims to have been on Council business. | If the officer was carrying out emergency or other statutory work. | In all other circumstances. | |
| MC29 where the motorist stopped to drop off someone. | <p>If the circumstances are seen by the Civil Enforcement Officer and boarding and/or alighting are permitted.</p> <p>If, in exceptional circumstances and subject to observations times, the motorist had to escort a passenger (vulnerable adult or child) to home, or school.</p> | If motorist was parked/stopped on school keep clear markings, pedestrian crossing, bus stop clearway. | |

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| MC30 where motorist was unaware of the Overnight Waiting Ban/Commercial Vehicle waiting restriction. | If motorist was instructed / authorised to park in contravention of the restriction by the police and evidence of such is provided. | In all other circumstances. | |
| MC31 where motorist states they were in police custody when PCN issued. | <p>If evidence from the Police has been provided that they had instructed the motorist to leave the vehicle.</p> <p>If evidence from the Police of the time of arrest provides confirmation the motorist was legally parked and was unable to move vehicle before the restriction started.</p> | <p>If no evidence is provided.</p> <p>If the vehicle could have been legally parked before arrest.</p> | |
| MC32 where motorist states they were visiting a friend or relative in urgent circumstances. | If due to an emergency the parking contravention could not be avoided due to the exceptional nature of the incident. | <p>If motorist has already received a PCN, which has been cancelled for the same reason.</p> <p>If the Civil Enforcement Officer's contemporaneous computer handheld notes provides significant reason to doubt the sincerity of the representation.</p> | |
| MC33 where the motorist claims they were parked on private property. | If land search maps confirm location is private property & not subject of the relevant Traffic Regulation Order. If there is insufficient evidence to establish location of vehicle. | In all other circumstances. | |
| MC34 where the motorist was delayed in returning to their vehicle parked in a limited waiting parking place. | If supported by appropriate evidence, the motorist's representations claim that the delay in returning to the vehicle was caused by circumstances that were entirely unforeseen, unavoidable, and exceptional. | <p>If the delay described by the motorist was not exceptional, i.e. queuing in a shop.</p> <p>If the motorist simply underestimated the time</p> | |

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| | <p>If the motorist's vehicle had broken down, subject to concurrence with policy MC25, above).</p> <p>If the motorist was unable to drive, since parking the vehicle.</p> | <p>needed and could have reasonably purchased more time.</p> <p>If the motorist was unable to drive since parking due to excess alcohol in the body or had been detained by the police for any reason, unless subsequently released without charge or proven innocent.</p> | |
| MC35 where motorist had parked while asking directions / opening gates to private property. | If evidence provided by the Civil Enforcement Officer does not contradict representations. | In all other circumstances. | |
| MC36 where the motorist stopped to answer mobile phone. | In no circumstances. | In all circumstances. | |
| MC37 where the motorist states that the details on the PCN are incorrect, e.g. location. | If there is reason to doubt that the PCN was issued correctly, considering evidence provided by the Civil Enforcement Officer. | If the Penalty Charge Notice was fully and correctly completed. | |
| MC38 where the motorist states they were unaware of enforcement on Bank/Public holidays. | In no circumstances. | In all circumstances. | |
| MC39 where the motorist states that restriction was marked after the vehicle had been parked. | If records confirm that signing / lining / placement of cones or suspension notices was likely to have taken place after the vehicle parked. | If there is evidence to show that markings were already in place at the time of parking. | |

Other events

| Circumstance | Evidence | Notes |
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| MC80 – Representation accepted – keeper not owner at time new keeper not known. | Written proof of disposal &, if possible, new keeper's details. | The alleged keeper must provide evidence that they were not the keeper at the time; e.g. bill of sale, DVLA confirmation or insurance confirmation. If there is no such evidence (e.g. the named keeper was never in fact the keeper) officers should ask him/her to swear an affidavit to this effect. |
| MC81 – Emergency services vehicle. | Written statement from the relevant organisation. | Officers should seek written confirmation from a senior officer of the service in question that the vehicle was on duty on the date & time in question. |
| MC82 -Police vehicle on duty. | Written statement from the relevant organisation. | Officers should seek written confirmation from a senior officer of the service in question that the vehicle was on duty on the date & time in question. |
| MC83 – Foreign vehicle. | Self-evident. | DVLA records do not include foreign vehicles. Whilst it is possible to make an enquiry to the national agency concerned (if known) this is unlikely to be pursued unless there are, for example, a large number of PCNs involved. |
| MC84 – DVLA information incorrect. | DVLA confirmation. | The information supplied by DVLA is that held on their databases at the time of the enquiry & may not be up to date. It is sensible to close the case (or to pursue a 'new' keeper) if the alleged keeper subsequently provides DVLA written confirmation that the information provided was incorrect as to his/ her ownership. |
| MC85 – DVLA information – keeper not known. | DVLA confirmation. | If the response to a DVLA enquiry provides such information the case should be closed since enforcement is clearly impossible if a keeper cannot be identified. |
| MC86 – DVLA information – vehicle scrapped. | DVLA confirmation. | Not applicable |
| MC90 – Keeper moved no trace. | Notices returned by Royal Mail. | Name/ address databases checked; Electoral Register checked. Officers need to exercise care before relying on this information since it is known for keepers to instigate the return. It is better perhaps to either check the information through proprietary address databases or to allow the case to progress through for bailiffs to visit the address, particularly if there are several PCNs for a specific keeper. |
| MC91 – CEO error – Other. | Depends on circumstances. | Examples are missing or wrong information; e.g. CEO has omitted to specify a contravention. |
| MC92 – CEO error – PCN defaced/ altered/illegible. | Sight of original PCN. | Depends on circumstances. Alterations may mean that the downloaded details do not tally with the document the motorist received. If the PCN is defaced & illegible the motorist may not have been aware of important details (e.g. the alleged contravention). |

Statutory Grounds for representation which are detailed on a Notice to Owner are:

1. **'The contravention did not occur'** – The Civil Enforcement Officer (CEO) or Council got it wrong.
2. **'The penalty charge exceeded the relevant amount'** – You were overcharged.
3. **'The Traffic Regulation Order was invalid'** – The Council added a new restriction, such as a yellow line and did not follow proper procedures in doing so.
4. **'The motorist was not the owner/keeper of the vehicle at the time of the contravention'** – You were not the owner when the 'offence' took place.
5. **'The vehicle had been taken without owner's consent'** – Your vehicle was stolen and the thief committed the offence.
6. **'The owner is a hire company and have supplied the name of the hirer'** – A Hire Car Company owns the car. However, it was rented out to someone at the time of the PCN and their name and address has been given to the Council.
7. **'There has been a procedural impropriety on behalf of the authority'** – The Council made an administrative error.
8. **'Penalty Charge Notice was paid, either in full or at discounted rate within the discount period'** – You have paid the relevant fine in time, so it should not have been increased.

The below only applies to postal PCNs.

9. The CEO was not prevented from serving the penalty charge in accordance with regulation 9 or 9a. The PCN was sent by post because:

- The authority claims that the CEO was prevented from putting it on the vehicle or handing it to the driver but in fact, the CEO was not.

* = or other specified time **** = or other number

| Off-Street Lower Level Penalty Charge | | |
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| Code | Contravention | Penalty Charge |
| 73 | Parked without payment of the parking charge | £50 |
| 80 | Parked for longer than the maximum period permitted | £50 |
| 82 | Parked after the expiry of paid for time | £50 |
| 83 | Parked in a car park without clearly displaying a valid pay & display ticket or voucher or parking clock | £50 |
| 84 | Parked with additional payment made to extend the stay beyond time first purchased | £50 |
| 86 | Parked beyond the bay markings | £50 |
| 90 | Re-parked within one hour* of leaving a bay or space in a car park | £50 |
| 93 | Parked in car park when closed | £50 |
| 94 | Parked in a pay and display car park without clearly displaying two**** valid pay and display tickets when required. | £50 |
| 95 | Parked in a parking place for a purpose other than the designated purpose for the parking place. | £50 |
| 96 | Parked with engine running where prohibited | £50 |
| Off-Street Higher Level Penalty Charge | | |
| Code | Contravention | Penalty Charge |

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| 70 | Parked in a loading area during restricted hours without reasonable excuse | £70 |
| 74 | Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited | £70 |
| 81 | Parked in a restricted area in a car park | £70 |
| 85 | Parked in a permit bay without clearly displaying a valid permit | £70 |
| 87 | Parked in a disabled person's parking space without clearly displaying a valid disabled person's badge | £70 |
| 89 | Vehicle parked exceeds maximum weight and/or height and/or length permitted in the area | £70 |
| 91 | Parked in an area not designated for that class of vehicle | £70 |
| 92 | Parked causing an obstruction | £70 |