

## **NUNEATON AND BEDWORTH BOROUGH COUNCIL**

An Extraordinary meeting of the Nuneaton and Bedworth Borough Council was held at the Town Hall, Nuneaton, on Wednesday, 13th September, 2017.

### **Present**

The Mayor (Councillor W.J. Hancox)  
The Deputy Mayor (Councillor C.M. Watkins)

Councillors D. Aldington, J.B. Beaumont, I.C. Bonner, K.L. Brindley, R.G. Copland, G. Daffern, P.M. Elliott, D.A. Gissane, J. Glass, C. Golby, S. Gran, J. Gutteridge, D. Harvey, J. Haynes, J.A. Jackson, K.A. Kondakor, A.A. Lloyd, I.K. Lloyd, B.J. Longden, C.S. Phillips, N.J. P. Phillips, G.D. Pomfrett, M. Pomfrett, J.A. Tandy, R. Tromans and K.D Wilson

Apologies for absence were received from Councillors C. Bennett, J. Sheppard and T.E. Sheppard.

### **CL35 Declarations of Interest**

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

Councillor J. Gutteridge declared a Disclosable Pecuniary Interest in the Borough Plan item by way of a family member owning land on an allocated site of the Borough Plan therefore, may not vote on this item however he would be allowed to speak. He left the room after speaking.

Councillor S.J. Margrave declared a Disclosable Pecuniary Interest in the Borough Plan item by way of being a Non Executive Director of Orbit Group Ltd and a Share Holder of Orbit Heart of Living Ltd trading as Orbit Living which is a Housing Association, in addition he is a Member of the Parochial Church Council (PCC), all Deanery Synods, Diocesan Synod and as such a member of the Coventry Diocesan Board of Finance Limited who will benefit from the sale of some land therefore, he may not vote on this item however he would be allowed to speak. He left the room after speaking

CL36 **Public Consultation**

a) Kyle Evans made the following statement:

This evening I would like to talk about why I believe members of the ruling Labour Group and the Green Party should vote for the Conservative Party motion tonight. The ruling Labour group have yet again decided to add more homes to the Borough. What angers me more is that this council has refused to give the residents of this Borough a consultation. Over 1500 homes have been added to this flooded plan, it's hardly something that is going to be unnoticed. It's very clear that this Council has tried to do the bare minimum and provide a third rate service to its customers. As someone said at the Borough Plan examination hearing 'a third rate consultation is better than none'. The Borough Plan consultation was an absolute shambles, the In Touch newsletter was not even distributed until the consultation ended. Residents living opposite, at some of the major housing sites, were not even told about the consultation events. The last consultation may have been legally compliant by the Council but it certainly did not meet the needs of the residents of Nuneaton, Bedworth and Bulkington. When talking to residents on HSG4 on the woodlands, which you may like to know flooded a few days ago and this is the Council's justification to build 700 homes there. There are literally residents living in front of the fields where the housing development will be placed who didn't even receive a letter about the consultation. It was seriously inadequate. Why not give the residents of this Borough a proper consultation on the new housing figure you want to push through with a block Labour vote.

HSG6 - School Lane, there is land that morally can not be in the plan because the owners doesn't want it in the plan. This is why you need a proper consultation, if people are deterred of having a say in these processes then things like this are going to happen, in fact the issue of HSG6 may put the whole plan into question and this might not have happened if there was adequate consultation. I asked the Portfolio Holder for Planning and Development Councillor Danny Aldington a question this evening, he answered one of the questions when he said the council spent £19,000 on a Barrister which is absolutely ridiculous but I also asked, would he make a public apology to the people of the Borough for what they have experienced with the public consultation, I didn't get an answer, I believe residents in this gallery tonight are still waiting for an apology.

Members of the Labour group tonight have a chance to do the right thing for once and stand up for there constituents. People at the last consultation were appalled by the process and they are now being denied the chance to be consulted on the next move to add more homes in the Borough Plan. This motion, very simply, asks for the

Council to let people have a say to these newly proposed developments, its something called democracy. This motion is not about accepting the new figures, which was put through last week by Labour, it simply asks for a consultation.

Councillor D. Aldington, Cabinet Member for Planning and Development responded as follows:

Mr Evans has said that extra houses have been added to the plan, that's simply not true Mr Mayor, I will say it again, that is simply not true. Our allocations have been sent through to the Planning Inspector which Mr Evans sat in on those deliberations a couple of weeks ago. The allocations have not changed, our policy has not changed. All that is changed is the Authority Monitoring report which is done every single year. We have new evidence which is factual evidence Mr Mayor that can not be disputed which must then be presented to the inspector so that he has all the facts, as I said to the Cabinet last week, Mr Mayor, I said the exact same thing at Cabinet last week. There was also another issue that was raised around HSG6 which is School Lane, I can say now with authority that the owner of that land submitted all of the land as part of the Call for Sites. They now want to remove that land, which is their prerogative and their right as the land owner. All we can do as a Council is take into account what we have at the time. If that landowner now wants to remove part or all of that land, that is their prerogative. So we have not gone behind anyone's back, we have not said we will take this bit of land and that bit of land, we can simply not do that. When we make a call for sites, all landowners across the Borough, whether their land is 10sqft or huge spaces of land, can put forward that land to be included in the Borough Plan. In addition as Mr Evans was at the meeting the other week, he would have known that developers and landowners simply argued against the Borough Plan because they wanted their land in the Borough Plan not out of the Borough Plan and that is the situation we are currently in.

b) Ljubisa Cvetkovic asked the following question:

I am speaking on behalf of Bulkington Residents Voice and the Whitestone Residents Action Group in support of the motion which is being put forward today.

In terms of the council's statement of community involvement, there has been no effective or meaningful interaction with the people of Bulkington or Whitestone. I brought this up at the cabinet meeting which was held on Monday 4th September. I reference document D8.1 pages 8 and 9 which is contained in the examination library.

I thought that my statement had fallen on deaf ears. I was delighted to receive a reply from the Council officers the following day. Alas there was no comment on the fact that the InTouch magazine had been held back and only been delivered the day after Consultation had finished and was in past tense which shows no intent to deliver the magazine to coincide with the consultation.

However I was delighted to find that the Bedworth and Bulkington Neighbourhood watch group meeting took place on the 6th August 2013 at 7pm at Poets Corner and was attended by 32 people! Is this really viewed as a successful exercise in community engagement? Surely the consultation also started on the 31st January 2017. So this was not a meeting about the borough plan as it had not been formulated yet.

In document D8.1 you also mention a 17 minute long video as part of your consultation for the borough plan. I could not find this video on you tube which is where the council said it could be found. Thank you for re uploading this. However this video is not about the Borough Plan specifically it is about Core Strategy Issues and Options 2009 consultation video. So actually it is not about the final plan at all, but options on what you may or may not develop. This document is so out of date that all the figures of how many houses are required in the borough are laughable. I did however note that on the options given many had advantages. For Bulkington and Whitestone there were no advantages presented only disadvantages, it also acknowledges that using your traffic light system these areas should only be used as a last resort, if at all.

Finally you say that you used Oak FM to advertise the borough plan, consultation for the plan began on the 31st January 2017. However Oak FM ceased to transmit on 28th July 2016. So how can it have been used to publicise the final borough plan and consultation?

I have passed these comments to the inspector Mr Spencer.

I would specifically like to ask the council:

1. Why have NBBC not done a grassroots consultation which focuses on reaching the largest number of people in all parts of the borough and not just a Nuneaton and Bedworth centric consultation?

Councillor D. Aldington, Cabinet Member for Planning and Development responded as follows:

Thank you Mr Mayor, the consultation on the Borough Plan included drop in sessions which took place in all localities of the Borough. The Council has produced several pieces of evidence which details the consultation which has been submitted to the Planning Inspector and

published on the Council's web site. This includes a statement on the media coverage and advertisement of the consultation. The consultation action plan and a copy of the consultation summary, which was widely available. It has also submitted a copy of a sample letter sent out to properties close by the strategic allocations' total of 5060 letters were sent out including 676 within Bulkington. All of this information has been submitted to the Planning Inspector for his consideration.

Karl Mayer asked the following question:

I would like to speak and ask questions of the Portfolio Holder at the Extraordinary meeting on 13th September 2017 at the Town Hall regarding housing numbers and how this Council came to the new figure of over 15,000 houses for their borough plan.

In Councillor Aldington's press release dated 25th August 2017 he states "The number of planning consents given in the last year is exceptional. Developers have exploited the National Policy which has left the Council powerless to refuse many major housing developments as the borough does not have a five year housing supply."

Also before the recent Stage One hearings began, the Inspector raised concerns with all parties involved. These included public consultation, and the duty to cooperate. Question 17 read "What dialogue has there been with other HMA Authorities between close of the publication consultation on 13th March 2017 and submission of the plan 6th June 2017?". The Council's response to this question seems to highlight them missing a lot of very important meetings on our behalf. In one particular paragraph it states that officers from the duty to cooperate group asked for one to one meetings with authorities and if possible the relevant Cabinet members. NBBC accepted this, however Cabinet member Councillor Aldington could not attend due to work commitments.

This comes as no surprise to the Action Group after hearing from legal eagles at the hearings who seem to think the paper trail and transparency regarding this council and its duty to cooperate/MOU meetings are non-existent. Like I said at last week's cabinet meeting, the sharks are circling. Councillor Aldington could not even be bothered to turn up to the hearings themselves and went six months without attending important meetings of this council prior to being appointed Portfolio Holder in 2015. Perhaps he should be called the Portfolio Holder for "Scarlet Pimpernelism?"

In Councillor Aldington's press release dated 25th August 2017, he stated "Planning consents in the last year have been exceptional, and developers have exploited National Policy which has left the council

powerless." Very interesting comment Councillor Aldington. Is this a dig at the planning committee - have they been powerless? Please justify your use of the word "powerless" in this statement.

Councillor D. Aldington, Cabinet Member for Planning and Development responded as follows:

The Planning Applications Committee has a difficult job to do and delivers its responsibilities to a high standard. The Council at all times has to demonstrate that it can deliver a 5 year supply of housing and so the planning applications for residential development is severely limited. For example Plough Hill in Nuneaton, this Council's Planning Application Committee refused planning permission but as you know Mr Mayor the planning laws being what they are – skewed towards developers – allowed the developer to appeal which they won. At present this Council cannot demonstrate a 5 year supply of housing and so the Planning Committee can feel powerless in dealing with Residential Planning Applications. I would also like to add that at cabinet last week, the main part of the meeting was about getting a 5 year land supply so that actually when you sit down on your Planning Committee (I am not on Planning Committee as you know) then you have all of that evidence behind you so you can feel less powerless.

Michele Kondakor made the following statement:

I think the wording of the motion is actually very poor, this consultation doesn't need to be just about the overspill, we have never had proper consultation on the figures themselves not alone about the overspill. So it is much more fundamental than accepting any overspill from Coventry or any other parts of Warwickshire. It's not about them against us, Coventry versus Nuneaton and Bedworth, or Nuneaton versus Bedworth, or Nuneaton versus Bulkington, no green belt should be used anywhere in the Country until all other available land has been used, it's as simple as that. There are so many other things that come into this, the numbers have a knock on affect on traffic flow and air quality. Councillor Longden's earlier answer to my question said in the Borough Plan the air quality will be alright by 2030, I don't care about 2030 at this moment in time, I care about all the years between now and then. We are getting poisoned, there is more and more evidence, speak to Public Health people in Warwickshire as I have, it is a real problem. This numbers game needs to be about the figures themselves right from the very beginning not just about any overspill and obviously numbers drop onto everything else.

Councillor D. Aldington, Cabinet Member for Planning and Development responded as follows:

Thank you Mr Mayor I just want to clarify a point about the brown field versus green belt land, we cannot legally demand that brown field sites are brought forward first above green field sites. Our brown field site currently equates to around 2,500 houses, quite clearly even if we were to go with Councillor Kondakor's reported 6,500 houses or even 7,900 houses which originally came up, there would still need to be houses built elsewhere. So we cannot legally as a Council say you will bring that site forward first, you will bring that site forward next.

CL37 **Notice of Motion – Housing Numbers**

In accordance with Procedure Rule Part 4A, Paragraph 3.1(iv) of the Council's Constitution, the Monitoring Officer requested the calling of an Extraordinary Meeting following a request from Councillors K. Wilson, C. Golby, R. Tromans, D. Gissane, S. Gran, J. Gutteridge, K. Brindley and R. Smith.

The Notice of Motion is as follows:

“This Council believes in protecting the interests of the residents of Nuneaton and Bedworth first and therefore believes that any increase in housing numbers to accommodate the requirements of Coventry overspill to be unfair on the residents of this Borough, particularly where it protects Coventry's green belt at the expense of our green belt.

This Council therefore resolves not to increase the housing numbers beyond those already consulted on until:

- a. Coventry City Council re-evaluates its housing land supply and de-classifies more of its own green belt land to accommodate its own housing requirements.
- b. A further consultation takes place with the residents of Nuneaton and Bedworth on any proposed increase in housing numbers and density of identified housing sites.”

An amendment to the motion was proposed by Councillor I. Bonner and seconded by Councillor K.A. Kondakor as follows:

To delete the words “and declassifies more of its own green belt land to accommodate its own housing requirements” in part a. of the motion.

A vote was taken on Councillor I. Bonner's amendment. The vote was lost.

A recorded vote was taken on the substantive motion proposed by Councillor K. Wilson:

For:

Councillors K. Brindley, D.A Gissane, C. Golby, S. Gran, R.T. Smith, R. Tromans and K.D. Wilson.

Against:

Councillors D. Aldington, J. D. Beaumont, I. Bonner, R.G. Copland, G. Daffern, P.M. Elliott, J. Glass, W.J. Hancox, D. Harvey, J. Haynes, J.A. Jackson, A.A. Lloyd, I.K. Lloyd, B.J. Longden, C.S. Phillips, N.J.P. Phillips, G.D. Pomfrett, M. Pomfrett, J.A. Tandy and C.M. Watkins.

Abstention: Councillor K.A. Kondakor

The Motion was lost.

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Mayor



## Council - Schedule of Declarations of Interests

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
	General dispensations granted to all members under s.33 of the Localism Act 2011			Granted to all members of the Council in the areas of: <ul style="list-style-type: none"> <li>- Housing matters</li> <li>- Statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992</li> <li>- An allowance, payment given to members</li> <li>- An indemnity given to members</li> <li>- Any ceremonial honour given to members</li> <li>- Setting council tax or a precept under the Local Government Finance Act 1992</li> <li>- Planning and Licensing matters</li> <li>- Allotments</li> <li>- Local Enterprise Partnership</li> </ul>
	D. Gissane		Member of Warwickshire County Council	
	C. Golby		Member of Warwickshire County Council	
	S. Gran		Member of Warwickshire County Council	
	D. Harvey		Director on the Pride of Camphill Board	
	D. Harvey		Non Executive Director with Nuneaton and Bedworth Community Enterprises Limited	Dispensation to speak & vote

	J.A Jackson	Any matter relating to the Employment policies and procedures of Nuneaton & Bedworth Borough Council or SLM Community Leisure (by reason of her husband's employment with Nuneaton and Bedworth Borough Council and Sport and Leisure Management)		Dispensation to speak and vote on matters that do not relate specifically to her husband's contract of employment or the service unit in which he is employed.
	J.A. Jackson		Non Executive Director with Nuneaton and Bedworth Community Enterprises Limited	Dispensation to speak and vote
	K.A. Kondakor		Member of Warwickshire County Council	
	A.A Lloyd		Governor of George Eliot hospital	
	A.A Lloyd		Representative on the Hospice Charity	
	B.J. Longden		Daughter and son-in-law work in the NHS	
	S. Margrave		A Non Executive Director with Orbit Group Ltd	
	S. Margrave		Share Holder of Orbit Heart of England Ltd trading as Orbit Living	
	S. Margrave		Lecturer with Worcester Business School	
	S. Margrave		Member of the General Synod of the Church of England	

	C.S Phillips		Member of Warwickshire County Council	
	G. Pomfrett		Warwickshire Police and Crime Panel	
	J. Sheppard		Partnership member of the Hill Top and Caldwell Big Local.	
	J. Sheppard		Director of Wembrook Community Centre.	
	J.A. Tandy		Partnership member of the Hill Top and Caldwell Big Local.	
	K.D Wilson		Non Executive Director with Nuneaton and Bedworth Community Enterprises Limited	Dispensation to speak and vote
	K.D Wilson	Employee of the courts service		