

Regulatory Committee

Date: Tuesday 9 January 2024
Time: 10.30 am
Venue: Committee Room 2, Shire Hall

Membership

Councillor Jill Simpson-Vince (Chair)
Councillor John Cooke (Vice-Chair)
Councillor Jeff Clarke
Councillor Judy Falp
Councillor Dave Humphreys
Councillor Andy Jenns
Councillor Jack Kennaugh
Councillor Justin Kerridge
Councillor Chris Mills
Councillor Caroline Phillips
Councillor Tim Sinclair
Councillor Adrian Warwick

Items on the agenda: -

1. General

(1) Apologies

To receive any apologies from Members of the Committee.

(2) Disclosures of Pecuniary and Non-Pecuniary Interests

(3) Minutes of the Previous Meeting 5 - 10

2. Delegated Decisions 11 - 12

Members are asked to note the applications dealt with under delegated powers since the last meeting.

Planning Applications

3. S73 application seeking permission for the variation of condition 2 of planning permission [RBC/22CC007](#) for a New fire rescue training centre including a 'hot smoke house' Minerva fire simulation training facility, a welfare building, on-site parking, 13 - 36

4. Appointments to External Organisations 37 - 40

5. Reports Containing Confidential or Exempt Information

To consider passing the following resolution:

‘That members of the public be excluded from the meeting for the items mentioned below on the grounds that their presence would involve the disclosure of exempt information as defined in paragraph 7 of Part 1 of Schedule 12A of the Local Government Act 1972.’

6. Planning Enforcement Report December 2023

41 - 56

Monica Fogarty
Chief Executive
Warwickshire County Council
Shire Hall, Warwick

Disclaimers

Webcasting and permission to be filmed

Please note that this meeting will be filmed for live broadcast on the internet and can be viewed on line at warwickshire.public-i.tv. Generally, the public gallery is not filmed, but by entering the meeting room and using the public seating area you are consenting to being filmed. All recording will be undertaken in accordance with the Council's Standing Orders.

Disclosures of Pecuniary and Non-Pecuniary Interests

Members are required to register their disclosable pecuniary interests within 28 days of their election of appointment to the Council. Any changes to matters registered or new matters that require to be registered must be notified to the Monitoring Officer as soon as practicable after they arise.

A member attending a meeting where a matter arises in which they have a disclosable pecuniary interest must (unless they have a dispensation):

- Declare the interest if they have not already registered it
- Not participate in any discussion or vote
- Leave the meeting room until the matter has been dealt with
- Give written notice of any unregistered interest to the Monitoring Officer within 28 days of the meeting

Non-pecuniary interests relevant to the agenda should be declared at the commencement of the meeting.

The public reports referred to are available on the Warwickshire Web
<https://democracy.warwickshire.gov.uk/uuCoverPage.aspx?bcr=1>

Public Speaking

Any member of the public who is resident or working in Warwickshire, or who is in receipt of services from the Council, may speak at the meeting for up to three minutes on any matter within the remit of the Committee. This can be in the form of a statement or a question. If you wish to speak please notify Democratic Services in writing at least three working days before the meeting. You should give your name and address and the subject upon which you wish to speak. Full details of the public speaking scheme are set out in the Council's Standing Orders.

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Regulatory Committee

Tuesday 5 September 2023

Minutes

Attendance

Committee Members

Councillor Jill Simpson-Vince (Chair)
Councillor John Cooke (Vice-Chair)
Councillor Jeff Clarke
Councillor Judy Falp
Councillor Dave Humphreys
Councillor Justin Kerridge
Councillor Chris Mills
Councillor Adrian Warwick
Councillor Caroline Phillips
Councillor Andy Jenns

Officers

Helen Barnsley, Senior Democratic Services Officer
Caroline Gutteridge, Delivery Lead Commercial & Regulatory
Deborah Moseley, Democratic Services Team Leader
Georg Urban, Senior Planner
Scott Tompkins, Director of Environment, Planning & Transport

Others Present

Anna Gillings - Agent representing the applicant.
Andy Mitchell- Press

1. General

Councillor Jill Simpson-Vince apologised for the delay in starting the meeting which was due to technical issues.

(1) Apologies

Apologies were received from Councillor Jack Kennaugh and Councillor Tim Sinclair.

(2) Disclosures of Pecuniary and Non-Pecuniary Interests

Councillor Jeff Clarke declared that he would leave the meeting for item four due to his position at Nuneaton and Bedworth Borough Council.

Councillor Caroline Phillips wished it to be noted that she is a member of Warwickshire County Council's Corporate Parenting Panel – in relation to item four on the agenda.

(3) Minutes of the Previous Meeting

The minutes of the meeting held on Tuesday 1 August 2023 were approved as a true and accurate record.

There were no matters arising.

2. Delegated Decisions

Members noted the delegated decision made by officers since the last meeting, as set out in the report.

3. Appointments to External Organisations

Deborah Moseley, Democratic Services Team Leader, presented the report in relation to the outside appointments as attached in Appendix 1. It was confirmed that if the report was approved by the Committee, then the appointments would take effect immediately.

The Committee was asked to note that the appointment to the West Midlands Combined Authority Overview & Scrutiny was an annual appointment. In addition, the appointment to the post of Director of Warwick Technology Park Management Company 1 and 2 Limited was an officer appointment.

Councillor Judy Falp raised the fact that the Council does not receive any feedback from the appointments to outside bodies and confirmed that it is common practice in another local authority where reports are presented to scrutiny committees. Deb Moseley confirmed that this process is not in place at Warwickshire County Council but that she would take the comments away for review.

The recommendation was proposed by Councillor Jill Simpson-Vince and seconded by Councillor John Cooke. A vote was held and the Committee voted unanimously in favour of the recommendation.

Resolved

That the Regulatory Committee agree and/or confirm the proposed appointments as set out in the appendix to the report.

4. Planning Application NBB/23CC002: Change of use of existing dwelling house (Use Class C3a) to a Children's Care Home (Use Class C2) including conversion of the garage to office, external alterations and provision of parking spaces - 18 Staines Close,

Georg Urban, Senior Planner gave an overview of the report, highlighting the application location and details of the local area. Councillors noted the existing premise and the proposed changes, including two additional parking spaces at the front of the property and the pond in the back garden being filled in. There would also be an additional shower room added and the garage is proposed to be turned into an office.

It was noted that the proposed site is on an established estate within Nuneaton considered to be an acceptable and sustainable location.

It was confirmed to the Committee that in relation to planning policy H1, the proposed application will not adversely affect environmental assets in the area. It was confirmed that there had been no objection from the county ecologist.

It was noted that the application confirms to the need for the housing in the area, due to the responsibility of Warwickshire County Council to care for looked after children within the county. Currently, children in care are sometimes placed outside of Warwickshire. Provision has also been created in Stratford and Leamington but is lacking in the north of the county.

The Committee noted that one response in objection to the application was in relation to the site being an inappropriate location but no clear reason given by objectors as to why the location is inappropriate.

In response to the objection in relation to the design and appearance of the application site, the Committee was informed that design considered to be acceptable and in keeping with the area.

In response to the objection in relation to the fear of crime, the Committee was informed that National Planning Policy Framework guidance states that fear of crime can be considered as a material planning consideration only if there is evidence of previous crime in the area. The police have confirmed that this is not the case in the proposed area.

Questions

Councillor Adrian Warwick asked, in relation to the changes at the front of the house if there were any plans for plants/screening to keep the look of a residential property. Georg Urban confirmed that there is a requirement for an ecological enhancement scheme for the property and that officers can add a requirement for the planting at the front of the property to be replaced as appropriate and in keeping with the other properties, It was noted that it would be preferable to keep as much of the original vegetation as possible. Caroline Gutteridge, Delivery Lead Commercial & Regulatory, confirmed that additional proposals for the front of the property could be added to Condition Six of the application.

Councillor Dave Humphreys requested confirmation that the home would be for Warwickshire children in care. It was confirmed that the proposal was to accommodate and meet the need of children in care in Warwickshire but that it could not be guaranteed that children from outside the county would never be housed there.

Public Speaking

Mr. R.V. Scrine stated that the meeting was the first opportunity he has had to properly meet with councillors face to face in relation to the proposal and that any consultation up until this point had been patronising and disgraceful.

Mr. Scrine provide the Committee with details of past experiences he and his family have had with challenging and anti-social behaviours previously and stated that they should not be expected to live next door to a similar situation. Mr. Scrine stated that the council was living in fantasy to expect

that the proposed application would result in a “normal” family home and that undoubtedly, the council will expect the neighbours to be responsible for monitoring the home and reporting the issues.

Emma Patchwell, agent representing the application spoke to confirm that the application is in response to a need to uphold Warwickshire County Council’s duty to provide accommodation for children in care and that the home would be for 13–17-year-olds.

It was confirmed that application does not depend in anyway or require the local residents to support it in anyway. It will be difficult to distinguish the difference to any other home in the area other than the coming and going of carers. It is a vital development to provide much-needed accommodation for children in care.

Debate

Councillor Jill Simpson-Vince stated that it was important to note that just because the application is a Warwickshire County Council application does not mean it will be treated anymore fairly by the Committee. In fact, the Committee has a history of being incredibly firm with their own applications.

Councillor Adrian Warwick raised concerns in relation to the possibility that the property would look like a care home; stating that it needs to look like a residential property. Councillor Warwick confirmed that he would like to see an enhancement of the condition in relation to the appearance at the front of the property.

In addition, Councillor Warwick added that it is clear that officers could have engaged in a much better way with the local residents. That is something that must be looked into for future applications.

Councillor John Cooke stated that this is not the first time he has experience of applications such as the one presented today. When they were first proposed they were also challenged but once the applications were approved, not one single complaint was made. Councillor Cooke continued that often there is the fear of the worse rather than the consideration that it will all work out for the best. It is essential that the children are given the change to grow up in a family setting. It is a planning matter – and there is no reason for it not to be approved. Councillor Cooke proposed the matter, with the addition as discussed by Councillor Warwick.

Councillor Dave Humphries stated that with personal experience of care homes, he understands this from a different point of view. Words are easy, but actions are difficult. Councillor Humphreys continued that he would want to see that there is a real investment in the children that are placed there and asked for confirmation that everything in place to provide support not only to the children but also the neighbours such as Mr Scrine?

Councillor Chris Mills added that he would also perhaps feel the same as the neighbours, adding that, as Councillor Humphries said, the council must make sure that there is support in place for the neighbours as well as the children.

Councillor Judy Falp stated that she was sorry that the neighbours have had to wait until this meeting today to be able to raise concerns, adding that a planning meeting is not the place for the

concerns highlighted by Mr. Scrine and that they should have been addressed beforehand. There is no evidence to suggest there are any planning reasons to refuse this application.

Following the proposed from Councillor John Cooke, Councillor Justin Kerridge seconded the proposal. Councillor Jill Simpson-Vince confirmed that she would review the additions to Condition Six as discussed which the Committee agreed to.

A vote was held and the Committee voted unanimously in favour of the recommendation.

Resolved

That the Regulatory Committee authorises the grant of planning permission for the change of use of an existing dwelling house (Use Class C3a) to a children's care home (Use Class C2), including the conversion of the property's garage to an office, external alterations and the provision of parking spaces, subject to the conditions and for the reasons contained within Appendix B of the report of the Strategic Director for Communities.

5. Reports Containing Exempt or Confidential Information

Resolved

That the motion to exclude the public from the remainder of the meeting be approved.

6. Exempt Minutes of the Previous Meeting

The exempt minutes of the meeting held on Tuesday 1 August 2023 were approved as a true and accurate record.

There were no matters arising.

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Regulatory Committee – 9th January 2024

Applications Dealt with Under Delegated Powers

Recommendation

That the Regulatory Committee notes the content of the report

Delegated Powers

C. APPLICATIONS DEALT WITH UNDER DELEGATED POWERS		
Application reference & valid date electoral division case officer	Site location & proposal	Decision date
<u>RBC/21CM011</u> Lawford Heath Sally Panayi Senior Planner	Ling Hall Quarry Landfill Site, Coalpit Lane, Lawford Heath, CV23 9HH Retention of the existing concrete batching plant on site for a period of three years at Ling Hall Quarry Landfill, Coalpit Lane, Lawford Heath without complying with Condition 1 of planning permission RBC/16CM007	Approved 4 th December 2023
<u>RBC/21CM012</u> Lawford Heath Sally Panayi Senior Planner	Ling Hall Quarry Landfill Site, Coalpit Lane, Lawford Heath, CV23 9HH Retention of the existing roadstone coating plant on site for a period of 3 years at Ling Hall Quarry Landfill, Coalpit Lane, Lawford Heath without complying with condition 4 of planning permission RBC/16CM008.	Approved 4 th December 2023

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Regulatory Committee

9 January 2024

Application under Section 73 of the Town and Country Planning Act (as amended) seeking permission for the variation of condition 2 of planning permission RBC/22CC007 for a new fire rescue training centre including a 'hot smoke house' Minerva fire simulation training facility, a welfare building, on-site parking, road way, fencing and planting, Warwickshire County Council owned land, former Land & Chippings site, Paynes Lane, Rugby, CV21 2UH.

RBC/23CC007

Application No.: RBC/23CC007

Advertised date: 16/11/2023

Applicant: Mr Lee Jones
Warwickshire County Council
Assistant Director for Enabling Services
Warwickshire County Council
Shire Hall Post Room
Northgate Street
Warwick
CV34 4SP

Agent: Charlie Drucquer
Corporate Architecture Ltd
Venari House
1 Trimbush Way
Rockingham Road
Market Harborough
LE16 7XY

Registered by: The Strategic Director for Communities on 6 October 2023

Proposal: S73 application seeking permission for the variation of condition 2 of planning permission RBC/22CC007 for a new fire rescue training centre including a 'hot smoke house' Minerva fire simulation training facility, a welfare building, on-site parking, road way, fencing and planting at Paynes Lane, Rugby.

Site & location: Warwickshire County Council owned land, Paynes Lane former Land & Chippings site, Paynes Lane, Rugby, CV21 2UH. [Grid ref: 275464, 448793].

See plan in Appendix A

Recommendation

That the Regulatory Committee authorises the grant of a planning permission for the construction of a new fire rescue training centre including a 'hot smoke house' Minerva fire simulation training facility, a welfare building, onsite parking, roadway, fencing, and planting, without complying with condition 2 of planning permission reference RBC/22CC007 (development to be carried out in accordance with the approved plans and details), subject to the conditions and for the reasons contained within Appendix B of the report of the Strategic Director for Communities.

1. Application details

- 1.1 In June 2023, the Regulatory Committee resolved to grant permission for the use of land at Paynes Lane, Rugby, as a fire training centre under application reference RBC/22CC007. The application proposed the construction of a “fire house” located in the centre of the site, a filtration section adjacent to it, and a two storey welfare building in the north eastern corner of the site. A row of 14 car parking spaces (including 1 disabled bay) would be constructed along the south-eastern site boundary. An internal road would loop around the fire house and filtration building.
- 1.2 Condition 2 of planning permission reference RBC/22CC007 requires that the development shall be carried out in accordance with the approved plans and details. Since the granting of the planning permission, the detailed design of the facility has undergone some minor changes. For this reason, the applicant now requests permission under Section 73 of the Town and Country Planning Act 1990 (as amended) to carry out the previously approved development, but without complying with the condition that requires compliance with the previously approved details.
- 1.3 Under the proposed amended scheme, the general layout of the site would remain unchanged. The fire house in the centre of the site would still be constructed from adapted shipping containers which would be combined to form a building with a footprint of approximately 12 m by

21 m, the central part of which would consist of containers stacked three to four levels high, giving a maximum height of approximately 12 metres.

- 1.4 Attached to the south side of the fire house would be a filtration unit comprising a rectangular container at its base and a cylindrical tank above it. The filtration unit would measure approximately 5 m x 12 m with a height of approximately 12 metres and be connected to the main fire house structure by a horizontal duct approximately 10 metres above ground.
- 1.5 The proposed training welfare building with a footprint of 9 m x 22 m would be located in the north-eastern part of the site, in the same position as previously approved. The detailed design of the building, its internal layout and external finishes are to be determined following the appointment of a building manufacturer.
- 1.6 The amended proposal includes the construction of a single storey equipment store along the northern site boundary, adjacent to the welfare training building. The equipment store would be 10.2 m long x 2.8 m deep, with a single-pitch roof with a maximum height of 5.4 m at the rear (northern) elevation, rising to 6.2 m at the front (southern) elevation. This is a new element which was not part of the previously approved scheme.
- 1.7 The site would be accessed via the existing access point on Paynes Lane in the south west corner of the site.
- 1.8 The perimeter of the site is currently enclosed by a 2.5 metre high galvanised steel palisade security fence, which would be retained.
- 1.9 The preparation of the site would require the existing hardstanding to be broken up. It is now proposed to use this material in the landscaping of the site and create an elongated mound up to 3 metres in height along the western site boundary, and two smaller mounds of similar height in the north eastern corner between the proposed welfare building and the Lawford Road/A4071 crossing and in the southern part of the site adjacent to the site entrance.
- 1.10 The proposed facility would be used in a number of ways. The fire house would be used for training involving “hot fire” scenarios, such as entering a building on fire or filled with smoke, breathing apparatus training, multi-pump exercises, collaboration between Police and fire services or partnership working with other fire services, and training for retained firefighters. Some elements of the training would be undertaken in the training and meeting room located in the welfare building.
- 1.11 The current application does not seek to vary the consented operating times. To recap, given the number of different courses that need to be

run in order to satisfy the statutory training requirements for the fire service, the facility would be used on approximately 194 days per annum. Daytime training sessions would take place between 0800 and 1800 hours, evening sessions would last from 1800 to 2200 hours. Daytime and evening sessions may take place on the same day or on separate days. The previous permission is subject to a condition limiting the hours of operation of the facility to 0800 to 2200 Monday to Friday inclusive and 0800 to 1400 hours on Saturdays, with no operations taking part at any time on Sundays or Public or Bank Holidays. It is not proposed to amend these permitted hours of operation.

- 1.12 During training exercises, the facility would be used by a maximum of 6 instructors plus 12 trainees and 2 officers for each training session.
- 1.13 No changes are proposed to the operation of the site. The training sessions would involve fires being lit inside the fire house in order to simulate realistic scenarios. The emissions and smoke produced by such fires would be captured by means of collection hoods above all exit points, i.e. doors and windows. The emissions are then drawn upwards through the hoods and via interconnecting ductwork to the filtration plant on the south side of the building, where particles and gases are scrubbed before the clean air is released from the fan outlet stack.

2. Consultation

- 2.1 **Rugby Borough Council – Planning:** Has no comments in relation to this application, subject to no objection from relevant technical consultees, residents and businesses in the Rugby Borough Council area.
- 2.2 **Rugby Borough Council – Environmental Health Officer:** No objection, subject to the following observation: As the development is within the Rugby Smoke Control area it should be ensured that if installed, any chimney-based exhaust ventilators from the hot smoke rooms are adequately controlled to prevent smoke emissions. The emission of dark smoke would be an offence under the Clean Air Act 1993 part 1.
- 2.3 **WCC Highways:** No objection.
- 2.4 **County Archaeologist:** No response received.
- 2.5 **County Ecologist:** No response received. In response to the previous application (reference RBC/22CC007) the County Ecologist had no objections to the proposal, subject to conditions requiring the submission of a Construction Environmental Management Plan (CEMP), which should include pre-commencement checks for breeding birds, reptiles and hedgehog and appropriate working practices and

safeguards for wildlife that are to be employed whilst works are taking place on site, and the submission of a combined ecological and landscaping scheme. (Note: This requirement was incorporated into a planning condition on the previous permission which would be replicated if permission is granted for the current proposal.)

- 2.6 **County Landscape Architect:** No response received. In response to the previous application (reference RBC/22CC007) the County Landscape noted that the maximum height of the new buildings is approximately 13 m and that the third and fourth floors would be visible from the road, adjacent footways and the public right of way 33/RB15/1 - 333/RB15/2 and suggested that further details should be provided on the proposed landscaping of the site.
- 2.7 **Warwickshire Fire & Rescue Service – Fire Protection:** Responded to the original application in February 2023 and have no further comment to make (no objection, subject to the standard criteria for access to the site as set out in standard response letter FPP2 being met).
- 2.8 **Warwickshire Fire & Rescue Service – Water Department:** No comment, as the site has been assessed as satisfactory with existing water supply.
- 2.9 **Environment Agency:** No response received.
- 2.10 **Severn Trent Water:** No response received.
- 2.11 **Cadent Gas – Plant Protection:** No response received.
- 2.12 **Planning Policy Team:** No response received.
- 2.13 **Coventry Airport:** No response received.
- 2.14 **Cllr Peter Butlin:** No response received.
- 2.15 **Cllr Sarah Feeney:** No response received.
- 2.16 **Cllr Barbara Brown:** No response received.

3. Publicity

- 3.1 Four site notices were displayed on 26 October 2023, at the entrance to the site on Paynes Lane, at the junction of Lawford Road and Paynes Lane, on a lamppost at the junction of Lawford Road and the A4071 Rugby Western Relief Road, and one to the south of the site on the A4071, at the public footpath leading to Paynes Lane.

3.2 12 residential properties and 8 businesses on roads surrounding the site (Paynes Lane, Lawford Road, Upton Road and Lawford Bridge Close) were individually notified on 26 October 2023.

3.3 No representations were received.

4. Previous Planning History

4.1 In the 1950s, part of the site was occupied by a grain silo building. Aerial photographs taken in 1999 show the site to be vacant and disused. During the construction of the Rugby Western Relief Road in 2009, the site contained the contractor's welfare and site office accommodation.

4.2 Aerial photographs since 2010 show the temporary buildings associated with the Relief Road construction removed; the hardstanding areas retained on the site and the whole application area used for the storage of road chippings. While there was no approved use for the land in the planning record, the use of the site for the storage of road chippings, which would fall within a B8 storage use, appears to have been an established use for over 10 years.

4.3 In June 2020, planning permission for the use of the site as a Highways depot was granted under reference RBC/19CC009. However, this use ceased in 2021 and the site is currently vacant.

4.4 In June 2023, planning permission was granted under reference RBC/22CC007 for the use of the site as a fire rescue training centre including a 'hot smoke house' Minerva fire simulation training facility and welfare building, on site parking, road way, fencing and planting. This permission has not yet been implemented and the current application seeks to vary some details of the proposed development.

5. Assessment and Observations

Site and Surroundings

5.1 The application site is approximately 0.4 hectares in area, located some 1.5 km to the west of Rugby town centre. The northern boundary of the site is marked by the A428 Lawford Road with the Rugby Cement Works to the north. The signalised junction of the A4071 Rugby Western Relief Road / A428 Lawford Road is to the northeast of the application site. Residential properties are within 170 metres of the application site, the closest being the four storey flats northeast of the junction of Lawford Road and A4071 and the two storey terrace houses further east along Lawford Road.

5.2 Land to the east and south of the application site and south of the A428/A4071 junction is occupied by commercial units, while the area to the west of the site is predominantly occupied by light industrial and

commercial buildings and a sewage pumping station operated by Severn Trent Water Ltd. Public Right of Way 333/RB15/2 runs to the west of the pumping station and connects Paynes Lane with the A4071 Rugby Western Relief Road.

- 5.3 The application site is enclosed by a steel palisade fence approximately 2 metres in height, with access gates on the southern boundary adjacent to the Severn Trent pumping station. The access drive rises steeply from Paynes Lane into the site. The ground within the application site is predominantly level, rising only slightly from the southern entrance towards the northern side of the site. The area is hard surfaced with large areas of tarmac and areas of loose stone chippings. Along the internal boundaries of the site are areas of scrub vegetation including buddleia and a willow tree close to the entrance to the site.
- 5.4 To the north of the northern boundary fence and beyond the fence along the south-eastern boundary is an area of landscaping some 6 metres in width. The strip of land is planted with young / semi-mature trees which provide a screen of views into the site from the surrounding area. This landscaped area is not within the application area.
- 5.5 The application site is located in Flood Zone 1.

Planning Policy

National Planning Policy

- 5.6 **Paragraph 11** of the National Planning Policy Framework (NPPF) July 2021 explains that there is a presumption in favour of sustainable development and what that means. What the presumption means in relation to a planning application is that:
- (a) proposals which accord with an up-to-date development plan should be approved without delay; and
- (b) where there are no relevant development plan policies or the policies most important for determining the application are out-of-date, then permission should be granted unless:
- the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Where the presumption in (b) applies, it is often referred to as the “tilted balance” in favour of the application.

- 5.7 **Paragraph 12** goes on to explain that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.
- 5.8 **Paragraph 48** explains that authorities may give weight to relevant policies in emerging development plans according to: a) the stage of preparation of the emerging plan; b) the extent to which there are unresolved objections to relevant policies; and c) the degree of consistency of the relevant policies in the emerging plan to this Framework.
- 5.9 In this case, there is a development plan in place which has relevant policies that are considered to be up-to-date so far as they relate to this proposal. Therefore, the application should be determined (as required by Section 38(6) of the Planning and Compulsory Purchase Act 2004) in accordance with those policies, unless material considerations indicate otherwise. The Development Plan relevant to the proposal consists of the Rugby Borough Council Local Plan 2011 - 2031 (adopted June 2019).
- 5.10 The courts have made it clear that for the purposes of Section 38(6) it is enough that the proposal accords with the development plan considered as a whole. It does not have to accord with each and every policy in the plan. It is a matter of judgement for the Committee whether the proposal accords with the plan, considered as a whole, bearing in mind such factors as the importance of the policies which are complied with or infringed, and the extent of compliance or breach.

National Planning Policy Framework

- 5.11 The NPPF states that the planning system has three overarching objectives; economic, social and environmental which are interdependent and need to be pursued in mutually supportive ways. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.
- 5.12 **Paragraph 82** of the NPPF states that planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries; and for storage and distribution operations at a variety of scales and in suitably accessible locations.

- 5.13 **Paragraph 109** of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.14 **Paragraph 155** of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future).
- 5.15 **Paragraph 163** of the NPPF advises that when determining any planning application, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.
- 5.16 **Paragraph 166** states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.
- 5.17 **Chapter 15** of the NPPF relates to conserving and enhancing the natural environment, requiring that planning decisions should contribute to and enhance the natural and local environment by means including ensuring they minimise impacts on and provide net gains for biodiversity and prevent new and existing development from contributing to unacceptable levels of soil, air, water or noise pollution or land instability.
- 5.18 **Paragraph 174** states that planning decisions should contribute to and enhance the natural and local environment by means including minimising impacts on and providing net gains for biodiversity.
- 5.19 **Paragraph 183** of the NPPF states that the focus of planning decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively.

The Development Plan

Rugby Borough Local Plan 2011-2031 (adopted June 2019).

- 5.20 **Policy GP2 – Settlement Hierarchy:** states that development will be allocated and supported in accordance with the following Settlement Hierarchy, as defined on the Policies Map: Rugby Town – Main focus for all development in the Borough.
- 5.21 **Policy ED2 – Employment Development Within Rugby Urban Area:** New employment development within use classes B1(b), B1(c), B2 and B8 will be permitted within the urban area boundary, including new land within an amended urban area boundary following new allocations

made in this Local Plan. Any such developments will be subject to compliance with all other relevant policies in the Local Plan and national policy. Applicants will be required to demonstrate that any potential impacts on neighbouring land uses, particularly those especially sensitive to noise, visual amenity or air quality impacts arising from industrial uses are avoided, or where this is not possible, mitigated to an acceptable level.

5.22 Policy HS5 – Traffic Generation and Air Quality, Noise and Vibration: Requires development proposals to minimise the impact on air quality, noise and vibration caused by traffic generation.

5.23 Policy NE1 – Protecting Designated Biodiversity and Geodiversity Assets: The Council will protect designated areas and species of international, national and local importance for biodiversity and geodiversity as set out below. Development will be expected to deliver a net gain in biodiversity and be in accordance with the mitigation hierarchy below. Planning permission will be refused if significant harm resulting from development affecting biodiversity cannot be:

- Avoided, and where this is not possible;
- Mitigated, and if it cannot be fully mitigated, as a last resort;
- Compensated for.

5.24 Policy NE3 – Landscape Protection and Enhancement: Requires new development to make a positive contribution to landscape character and requires development proposals to demonstrate that they:

- Integrate landscape planning into the design of development at an early stage;
- Consider its landscape context, including the local distinctiveness of the different natural and historic landscapes and character, including tranquillity;
- Relate well to local topography and built form and enhance key landscape features, ensuring their long term management and maintenance;
- Identify likely visual impacts on the local landscape and townscape and its immediate setting and undertakes appropriate landscaping to reduce these impacts;
- Aim to either conserve, enhance or restore important landscape features in accordance with the latest local and national guidance;
- Address the importance of habitat biodiversity features, including aged and veteran trees, woodland and hedges and their contribution to landscape character, where possible enhancing and expanding these features through means such as buffering and reconnecting fragmented areas; and

- Are sensitive to an area's capacity to change, acknowledge cumulative effects and guard against the potential for coalescence between existing settlements.
- 5.25 **Policy SDC1 – Sustainable Design:** All development will demonstrate high quality, inclusive and sustainable design and new development will only be supported where the proposals are of a scale, density and design that responds to the character of the areas in which they are situated. All developments should aim to add to the overall quality of the areas in which they are located. Factors including the massing, height, landscape, layout, materials and access should also be a key consideration in the determination of planning applications. Proposals for new development will ensure that the living conditions of existing and future neighbouring occupiers are safeguarded.
- 5.26 **Policy SDC2 – Landscaping:** States that the landscape aspects of a development proposal will be required to form an integral part of the overall design and requires new development to have a high standard of appropriate hard and soft landscaping.
- 5.27 **Policy SDC3 – Protecting and Enhancing the Historic Environment:** Requires that development affecting the significance of a designated or non-designated heritage asset and its setting will be expected to preserve or enhance its significance.
- 5.28 **Policy SDC4 – Sustainable Buildings:** All non-residential development over 1000 sqm should aim to achieve as a minimum BREEAM standard 'very good' (or any future national equivalent) unless it can be demonstrated that it is financially unviable.
- 5.29 **Policy SDC6 – Sustainable Drainage:** Sustainable Drainage Systems (SuDS) are required in all major developments and all development in flood zones 2 and 3. An acceptable means of surface water disposal should be provided preferably on-site or, where this is not possible, close to the site, which does not increase the risk of flooding or give rise to environmental problems and improves on the current situation.
- 5.30 **Policy SDC7 – Protection of the Water Environment and Water Supply:** Developers will be expected to ensure that there is adequate water supply to serve existing and proposed development by means including ensuring development is in accordance with the Water Framework Directive Objectives and does not adversely affect the waterbodies' ability to reach good status or potential as set out in the River Severn 'River Basin Management Plan' (RBMP). Development will not be permitted where proposals have a negative impact on water quality, either directly through pollution of surface or ground water, or directly through the overloading of Wastewater Treatment Works.
- 5.31 **Policy D1 – Transport:** requires that all large-scale developments which result in significant traffic movements, should be supported by a

Transport Assessment and where necessary a Travel Plan, to demonstrate practical and effective measures be taken to mitigate the adverse impacts of traffic.

- 5.32 **Policy D2 – Parking Facilities:** Planning permission will only be granted for development incorporating adequate and satisfactory parking facilities including provision for motorcycles and for people with disabilities based on the Rugby Borough Council’s Parking Standards.

Planning Policy Review

- 5.33 The proposed construction of a fire house and training facility is supported by policies contained in the NPPF and the development plan, particularly with regard to settlement hierarchy and employment development. The development plan also includes policy constraints which seek to ensure a satisfactory form of development in order to protect the natural and built environment and the amenity of neighbouring occupiers from any adverse impacts resulting from the development. Subject to such effects and impacts being appropriately mitigated and managed, the proposed development would accord with the policies of the NPPF and the development plan. The potential issues are discussed below.

Principle of Development

- 5.34 The application site consists of previously developed land. A planning permission for the construction of a fire rescue training centre at this site was granted in June 2023. The principle of the development has therefore been established.
- 5.35 Section 73 of the Town and Country Planning Act 1990 (as amended) relates to applications for planning permission for the development of land without complying with conditions subject to which a previous planning permission was granted. The legislation requires that on such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted. If the local planning authority decides that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, it shall grant planning permission accordingly.
- 5.36 In the case of this application, the condition in question is condition 2 of planning permission RBC/22CC007. This stipulates that the development shall be carried out in accordance with the approved plans and details. The impacts of the development as a whole have already been assessed during the determination of application reference RBC/22CC007 and on balance were considered to be acceptable so that planning permission was granted. The impact of the amended details (which are the subject of the current application) are

also considered to be acceptable, and no objections have been received from consultees or the public.

Amenity and Environmental Issues

Design and Appearance and Impact on Local Amenity

- 5.37 The application site is within the Urban Edge of Rugby as defined in the Rugby Borough Local Plan Urban Policies Map 2019, and adjacent to, but not falling within, an Employment Site to which Policy ED1 applies.
- 5.38 The application site is an open area which is currently disused but has been used for the storage of road chippings and as a Highway depot until 2021. It is surrounded by a landscaped area planted with trees. The character of the wider area on this western edge of Rugby is largely industrial, dissected by the road network and the wide expanse of highway at the intersection of the A428 and the A4071 Rugby Western Relief Road. The tall structures of the Cemex cement plant are located to the north of the application site and are the dominating buildings in the area surrounding the site.
- 5.39 The proposed development, with the erection of the fire house at 12-13 metres in height and a welfare building at approximately 6 metres in height would have an impact on the open appearance of the site and the character of the area surrounding the application site, introducing not insubstantial built structures to the southern side of Lawford Road (A428), opposite the Cemex plant.
- 5.40 The positioning and layout of the proposed buildings and structures, with the tallest elements in the centre of the site and the welfare building oriented towards the perimeter of the site would reduce the impact of the development on the wider area.
- 5.41 Views of the site are mainly from the neighbouring road network or from the nearby industrial and commercial properties. The residential dwellings, particularly the flats some 170 metres to the east, would have a limited view of the taller structures of the site and would not be impacted by any overlooking or overshadowing as a result of the development.
- 5.42 The visual appearance of the site would be mitigated by the existing landscaping outside the south eastern and northern boundaries, as well as a proposed mound of excavated material approximately 3 metres in height along the western boundary. Given the character of the surrounding area, which is largely in industrial and commercial use, it is considered that this amount of screening would be appropriate. The use of the excavated material on site to create a screening mound would avoid additional vehicle movements associated with its transportation off-site for disposal. Should permission be granted, it

would be subject to a condition requiring the submission of a Construction Environmental Management Plan and a landscape scheme. These documents would need to be approved before the development may commence and would include details of the construction, treatment and landscaping of the proposed mounds.

- 5.43 National planning policy guidance and policies of the development plan require that developments will function well, are visually attractive and sympathetic to the surrounding built environment. While the fire house is of a purely functional design (more of a technical structure than a “building” in the closer definition of the word), the adjacent welfare building, as originally permitted, was of modern design and appearance. The current application notes that the design of the welfare building is to be determined following the appointment of a building manufacturer. Details of external materials are therefore not included in the application. Should a permission be granted, it is recommended to impose a condition requiring details of the design, layout and external finishes of the welfare building to be submitted for approval before construction may commence. Subject to the details and dimensions of the welfare building being similar to that previously approved, it is considered that the scale and design of the buildings and structures on the site would be acceptable both in the street scene and in the setting of the site when viewed in the context of the largely light industrial buildings surrounding the site and against the backdrop of the Rugby Cement plant on the north side of Lawford Road.
- 5.44 Policy SDC1 of the Local Plan relates to sustainable design, requiring that new development responds to the character of the area in terms of the scale, design and density. In addition, the policy requires that proposals for new development ensure that the living conditions of existing and future neighbouring occupiers are safeguarded. It is considered that while the development would have some impact on the appearance of the area, when seen in the context of the nearby industrial buildings the appearance would not be out of character or detrimental to a degree that would warrant a recommendation of refusal. In addition, there would be no adverse impact on the amenity of the closest residential dwellings. For these reasons the development is considered to accord with Policy SDC1 and the NPPF.

Highway Issues

- 5.45 The proposed development would be accessed via the existing site access on Paynes Lane, south of its junction with A428 Lawford Road. An assessment of available road traffic accident data in the vicinity of the application site which was submitted with the original application (reference RBC/22CC007) noted that the recorded collisions are spread out across the wider area and concludes that there is no accident blackspot near the site.

- 5.46 The number of vehicle movements associated with the proposed development would not have a perceptible impact on the surrounding highway network from the perspective of both highway capacity and safety. The Highway Authority has no objection to the proposal. Consequently the proposed development is considered to be acceptable in terms of highways and traffic impact, subject to a condition restricting the use of the site to Warwickshire Fire and Rescue Service (as is attached to the original permission for this development).

Ecology

- 5.47 There are no Sites of Special Scientific Interest (SSSI) or Local Nature Reserves (LNR) in close proximity of the application site, the nearest being Draycote Meadows SSSI (5.6 km southwest), Cave's Inn Pits SSSI (6.2 km northeast) and Newbold Quarry Park LNR (1.3 km to the north). There are three non-statutory designated sites within 1 km of the site boundary, these being the River Avon and Tributaries Local Wildlife Site (LWS), 211 m west of the application site, Parkfield Road Quarry LWS, 360m northeast, and Malpass Quarry LWS, 408 m to the north.
- 5.48 The Preliminary Ecological Appraisal submitted in support of the original planning application (reference 22/CC007) details the surveys undertaken to determine the presence of protected species within the site. The impact of the proposed development on the environment has been assessed through a desk assessment and a field study. The assessment concludes that the potential for significant adverse effects of the proposed development of this site on the SSSIs and LNR is negligible, owing to the distance from the proposed development, and the fact that all sites, including the local wildlife sites, are designated for habitats and species unlikely to be found within the application site boundary.
- 5.49 The County Ecologist agreed with the findings of the Preliminary Ecological Appraisal submitted with the original planning application (reference 22/CC007) and had no objections to the proposal, subject to conditions requiring the submission of a Construction Environmental Management Plan (CEMP) and the submission of a combined ecological and landscaping scheme.
- 5.50 The proposed development is largely similar to that approved in June 2023 and would therefore also be acceptable in environmental terms. Should planning permission be granted it would also be subject to conditions requiring the submission of this information.

Heritage

- 5.51 There are no listed buildings within close proximity to the application site, the nearest being Grade II dwellings in Bilton Road about 1.15 km

to the south east. The application site is not within or adjacent to a Conservation Area, the nearest being Bilton Road Conservation Area 1.15 km to the east. Neither the Conservation Area nor the Listed buildings are seen in the same context as the application site. The County Archaeologist had no comments. The proposed development is not considered to have an adverse impact on heritage assets.

6. Conclusions

- 6.1 Warwickshire Fire and Rescue Service has a statutory duty to provide training for its staff. Currently, such training is provided by external suppliers, however, the use of an in-house facility would lead to cost reductions in the medium term. There is therefore an identified case of need for a training facility.
- 6.2 The proposed development would be located in an area characterised by light industrial and other employment uses. The nearest residential properties are approximately 170 metres away. The hours of use of the facility would be controlled by a planning condition. The proposal is therefore considered not to have an unacceptable impact on the amenities of local residents.
- 6.3 In response to the original planning application (reference 22/CC007) the Highway Authority had no objection to the proposed development subject to a condition restricting the use of the site to that proposed by the application. Should permission for the amended scheme be granted, it would also be subject to this condition. The proposed car parking provision would be appropriate for the nature of the development.
- 6.4 The proposal would not result in an unacceptable impact on local ecology or protected species. The County Ecologist had no objection to the original scheme, subject to the submission of Construction Environmental Management Plan (CEMP) and the submission of a combined ecological and landscaping scheme. This would assist in achieving a Biodiversity net gain in accordance with the requirements of the NPPF. While the County Ecologist has not commented on the current application, the previous comments have been taken into consideration and a permission for the revised scheme would also require the submission of these details for approval.
- 6.5 No objections to the proposed development have been received from statutory consultees or from the public. The development as originally proposed under planning application reference RBC/22CC007 is considered to be in accordance with the requirements of the NPPF and local plan policies. The development is acceptable in principle. The amendments to the site layout which are now being proposed are also considered to be acceptable and are recommended for approval subject to the planning conditions listed in Appendix B, which largely replicate those attached to the original consent.

7. Supporting Documents

7.1 Submitted Planning Application – Planning reference RBC/23CC007

7.2 Appendix A – Map of site and location.

7.3 Appendix B – Planning Conditions.

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Application No: RBC/23CC007
Former Land & Chippings site, Paynes Lane, Rugby
S73 application to vary condition 2 of planning permission RBC/22CC007

Regulatory Committee 09 January 2024
 Scale 1:1250 Drawn by: SP Dept: Communities

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Appendix B

Application under Section 73 of the Town and Country Planning Act (as amended) seeking permission for the variation of condition 2 of planning permission RBC/22CC007 for a new fire rescue training centre including a 'hot smoke house' Minerva fire simulation training facility, a welfare building, on-site parking, road way, fencing and planting, Warwickshire County Council owned land, former Land & Chippings site, Paynes Lane, Rugby, CV21 2UH.

RBC/23CC007

Planning Conditions.

1. The development hereby approved shall be begun no later than three years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby approved shall be carried out in accordance with the application form and drawings numbered:
 - 5461-010 Rev T2 - Proposed Site Plan
 - 5461-DE004 Rev T1 - Equipment Store Details
 - PL-04 Proposed Plan, Elevations and 3D Images, Minerva Unit and Filtration Unit (submitted with planning application RBC/22CC007)
 - PL-06 Proposed Plan, Elevations and 3D Images, Minerva Unit and Filtration Unit (submitted with planning application RBC/22CC007)

and any samples or details approved in accordance with the conditions attached to this permission, except to the extent that any modification is required or allowed by or pursuant to these conditions.

Reason: To ensure a satisfactory standard of development, in accordance with Policy SDC1 – Sustainable Design of the Rugby Borough Local Plan 2011-2031.

Details of Office/Welfare Building and Equipment Store

3. No work relating to the construction of the office/welfare building and the equipment store shall commence until details of the building design, dimensions, layout and external finishes and materials of the office/welfare building and details of external finishes and materials of the equipment store have been submitted to and approved in writing by the County Planning Authority. The buildings shall thereafter be constructed in accordance with the approved details.

Reason: As no such details have been submitted, and to ensure that the development hereby permitted is of high quality of design, in accordance with Policy SDC1 – Sustainable Design of the Rugby Borough Local Plan 2011-2031.

Construction Environmental Management Plan

4. The development hereby permitted, including site clearance, shall not commence until a Construction and Environmental Management Plan has been submitted to and approved in writing by the County Planning Authority. In discharging this condition, the County Planning Authority expects to see details concerning pre-commencement checks and appropriate working practices and safeguards for wildlife that are to be employed whilst works are taking place on site. The agreed Construction and Environmental Management Plan shall thereafter be implemented in full.

Reason: To ensure that any protected species and habitats to be retained are not harmed by the development, in accordance with Policy NE3 – Landscape Protection and Enhancement of the Rugby Borough Local Plan 2011-2031, the National Planning Policy Framework (NPPF) 2021, and ODPM Circular 06/2005.

Landscaping Scheme

5. The development hereby permitted, including site clearance, shall not commence until a landscaping scheme has been submitted to and approved in writing by the County Planning Authority. In discharging this condition, the County Planning Authority expects to see details concerning the construction of any landscaping mounds on the site, their total height, their seeding and planting, and the provision of any screen planting along the perimeter of the site. The agreed landscaping scheme shall thereafter be implemented in full.

Reason: As no such details have been submitted, and to ensure that the appearance and environmental quality of the development hereby permitted is acceptable and that the development does not result in adverse landscape or visual impact, in accordance with Policy SDC2 – Landscaping of the Rugby Borough Local Plan 2011-2031.

Hours of construction

6. No work relating to the construction of the development hereby permitted (including works of preparation prior to operations, the delivery of construction materials, skips or machinery, or the removal of waste materials from site) shall take place outside the hours of 0800 to 1800 Monday to Friday inclusive, 0800 to 1400 hours on Saturdays or at any time on Sundays or Public or Bank Holidays.

Reason: To protect the amenities of occupiers of nearby properties and to ensure the developments accords with Policy ED2 – Employment Development of the Rugby Borough Local Plan 2011-2031.

Hours of operation

7. The use of the development hereby permitted shall not take place outside the hours of 0800 to 2200 Monday to Friday inclusive, 0800 to 1400 hours on Saturdays or at any time on Sundays or Public or Bank Holidays.

Reason: To protect the amenities of occupiers of nearby properties and to ensure the developments accords with Policy ED2 – Employment Development within Rugby Urban Area of the Rugby Borough Local Plan 2011-2031.

Use of the site

8. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification), the application site shall be used for no other purpose than as a fire rescue training centre.

Reason: As any alternate uses could significantly increase the number of vehicular movements to the site, and to comply with Policies ED2 – Employment Development within Rugby Urban Area, HS5 – Traffic Generation and Air Quality, Noise and Vibration, and SDC1 – Sustainable Design of the Rugby Borough Local Plan 2011-2031.

Development Plan Policies Relevant to the Decision.

Rugby Borough Local Plan 2011-2031 (adopted June 2019)

- Policy GP2 – Settlement Hierarchy
- Policy ED2 – Employment Development Within Rugby Urban Area
- Policy HS5 – Traffic Generation and Air Quality, Noise and Vibration
- Policy NE1 – Protecting Designated Biodiversity and Geodiversity Assets
- Policy NE3 – Landscape Protection and Enhancement
- Policy SDC1 – Sustainable Design

Policy SDC2 – Landscaping
Policy SDC3 – Protecting and Enhancing the Historic Environment
Policy SDC4 – Sustainable Buildings
Policy SDC6 – Sustainable Drainage
Policy SDC7 – Protection of the Water Environment and Water Supply
Policy D1 – Transport
Policy D2 – Parking Facilities

Compliance with the Town and Country Planning (Development Management Procedure) Order 2015

In considering this application the County Council has complied with paragraph 38 contained in the National Planning Policy Framework 2021.

Notes

1. Environmental Health Officer's Comments

The applicant's attention is drawn to the following comment by the Rugby Borough Council Environmental Health Officer:

As the development is within the Rugby Smoke Control area it should be ensured that if installed, any chimney-based exhaust ventilators from the hot smoke rooms are adequately controlled to prevent smoke emissions. The emission of dark smoke would be an offence under the Clean Air Act 1993 part 1.

Regulatory Committee

9 January 2024

Appointments to External Organisations

Recommendations

That Regulatory Committee:

1. Approves the nomination of Councillor Rob Tromans to the Transport Delivery Overview and Scrutiny Committee of the West Midlands Combined Authority.
2. Approves the nomination of the Director of Economy & Place as a Director of the Coventry and Warwickshire Growth Hub Limited.
3. Approves the nomination of the Chief Executive as a Director/Trustee of the West Midlands Growth Company.

1. Purpose of the report and context

WMCA Transport Delivery Overview and Scrutiny Committee

- 1.1 The Council has been invited to nominate a representative to the West Midlands Combined Authority (WMCA) Transport Delivery Overview and Scrutiny Committee.
- 1.2 The Transport Delivery Overview and Scrutiny Committee has responsibility for the WMCA's statutory scrutiny function in respect of Transport for West Midlands' transport powers and the delivery of its services. Warwickshire non-constituent authorities hold one non-voting seat on the Committee.
- 1.3 It is proposed that Councillor Rob Tromans be the Council's appointed representative and in order to formalise Councillor Tromans' nomination, it is necessary to obtain the approval of the Regulatory Committee pursuant to Part 2(6) of the Council's constitution. That approval is now requested.

Coventry and Warwickshire Growth Hub Limited (CWGH)

- 1.4 Following the Government's review of Local Enterprise Partnerships, it was agreed that the Coventry and Warwickshire Local Enterprise Partnership Limited (CWLEP) be dissolved and the Coventry and Warwickshire Growth Hub Limited (CWGH) which was a wholly owned subsidiary of CWLEP be owned 50% by Coventry City Council and 50% by this Council. The Council now holds one of the two shares in CWGH with Coventry City Council holding the other.
- 1.5 This Council's Chief Executive is a director of CWGH alongside the Director of Business, Investment & Culture at Coventry City Council, and representatives from the private sector. However, following approval of the restructure proposals by Cabinet on 13 July 2023, it is proposed that the nomination be changed so that a senior officer is appointed with appropriate internal governance arrangements in place.
- 1.6 It is proposed that the Director of Economy & Place, currently David Ayton-Hill, be appointed as a director of CWGH. It is necessary to obtain the approval of the Regulatory Committee to effect the appointment pursuant to Part 2(6) of the Council's constitution. That approval is now requested.
- 1.7 Upon the appointment of the Director of Economy & Place as a director of CWGH, the Chief Executive will resign as a director of CWGH.

West Midlands Growth Company

- 1.8 The West Midlands Growth Company was established in 2017, succeeding Marketing Birmingham which had worked to promote the region since 2006. The Company supports the delivery of the West Midlands Combined Authority's Local Industrial Strategy, focusing on attracting investment, jobs, visitors, and business to the West Midlands region.
- 1.9 The Board Membership consists of a mixture of private, public and heritage sector leaders in the region, including representatives from the constituent members of the West Midlands Combined Authority (WMCA), WMCA, regional universities, museums, and industry.
- 1.10 Warwickshire County Council's Chief Executive, currently Monica Fogarty, has been invited to join the West Midlands Growth Company as director/trustee, and approval of this appointment is sought.

2. Environmental Implications

2.1 None.

3. Financial Implication

3.1 Any travel expenses claimed for the attendance at meetings of the Transport and Delivery Overview & Scrutiny Committee, Coventry and Warwickshire Growth Hub Limited or West Midlands Growth Company will be required to be met from the relevant budgets.

4. Background Papers

4.1 None

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This report was not circulated to elected members prior to publication.

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