



7 December 2021

## THE RUGBY BOROUGH COUNCIL

An ordinary meeting of Rugby Borough Council will be held in the Benn Hall, Newbold Road, Rugby at 7.00pm on Wednesday 15 December 2021.

**Mannie Ketley**  
**Executive Director**

### A G E N D A

#### PART 1 – PUBLIC BUSINESS

1. Apologies for absence.

2. Minutes.

To approve the minutes of the ordinary meeting held on 17 November 2021.

3. Declaration of Interests.

To receive declarations of -

(a) non-pecuniary interests as defined by the Council's Code of Conduct for Councillors;

(b) pecuniary interests as defined by the Council's Code of Conduct for Councillors; and

(c) notice under Section 106 Local Government Finance Act 1992 - non-payment of Community Charge or Council Tax.

4. To receive the Mayor's Announcements.

5. Questions pursuant to Standing Order 10.
6. To receive the reports of Cabinet and Committees which have met since the last meeting of the Council and to pass such resolutions and to make such orders thereon as may be necessary:

**(a) Cabinet – 6 December 2021**

- (1) Council Tax Reduction Scheme 2022/23 – Communities, Homes, Digital and Communications Portfolio.
- (2) Department for Levelling Up, Housing and Communities (DLUHC) Local Digital Fund – Round 5 Bid Submission - Communities, Homes, Digital and Communications Portfolio.

7. To receive and consider the reports of officers.

- (a) Statutory Review of Gambling Policy – Statement of Principles – report of the Chief Officer – Regulation and Safety.
- (b) Modification of the Willoughby Neighbourhood Development Plan and Issue of Modification Document – report of the Chief Officer – Growth and Investment.
- (c) Appointments to Outside Bodies - Miscellaneous Appointments – report of the Chief Officer – Legal and Governance.
- (d) Member and officer working update – report of the Chief Officer – Legal and Governance (report to follow).
- (e) Constitution Update – report of the Chief Officer – Legal and Governance.

8. Notices of Motion pursuant to Standing Order 11.

(a) “Emergency services respond to around 60,000 suspected cardiac arrests every year. Unfortunately, resuscitation is considered in around 28,000. At present, fewer than 1 in 10 people survive. Prompt defibrillation can increase survival by up to 75%.

Public Access Defibrillators (PAD) are designed to be used by the public. When switched on they provide clear operator instructions. Although there are numerous Publicly Accessible Defibrillators throughout Rugby there is at present practically zero awareness of their presence and locations.

Over the last two years, Borough Councils across the country have been adding PAD sites for the benefit of their communities. Compared to most Councils, Rugby lags far behind. After some initial community engagement, I have already established a list of 47 defibrillator locations. There are more.

Sudden cardiac arrest can occur to anyone, at any time and at any age and it doesn't matter how fit you are. Improving awareness will save lives.

I, therefore, call upon the Council to approve and request action for:

- the creation of a web-based location map showing all Publicly Accessible Defibrillators in Rugby and a postcode look up feature on the Council's mobile app featuring the basic CPR procedure for public information; and
- the future provision of additional defibrillators across areas of high public footfall and council-owned spaces including parking areas, public parks and leisure facilities – adding to the two 24/7 defibrillators at the Town Hall and Art Gallery.

Proposer: Councillor W Rabin

9. Correspondence.

10. Common Seal.

To order the affixing of the Common Seal to the various orders, deeds and documents to be made or entered into for carrying into effect the several decisions, matters and things approved by the Council and more particularly set out in the Committees' Reports adopted at this meeting.

11. Motion to Exclude the Public under Section 100(A)(4) of the Local Government Act 1972.

To consider the following resolution:

“under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of information defined in paragraphs 2 and 3 of Schedule 12A of the Act.”

## **PART 2 – EXEMPT INFORMATION**

1. To receive and consider private reports of officers.

(a) Regulation and Safety Restructure – report of the Chief Officer – Regulation and Safety.

(b) Operations and Traded Services – Recruitment and Retention – report of the Deputy Executive Director.

## **QUESTIONS AT COUNCIL**

*A Councillor may ask a question at the meeting by giving notice in writing of the question to the Executive Director no later than midday on Thursday 9 December 2021. The rules relating to Questions are set out in Part 3a of the Council's Constitution.*

**REPORT OF CABINET**

Councillors Lowe (Chairman), Mrs Crane, Miss Lawrence, Poole, Roberts, Ms Robbins and Mrs Simpson-Vince.

Councillors Mistry (substituting for Councillor Mrs O'Rourke) and Roodhouse were also in attendance.

**Note:** An electronic version of the Cabinet reports referred to below can be found [here](#).

**1. COUNCIL TAX REDUCTION SCHEME 2022/23**

Cabinet considered a report concerning the Council's proposed Council Tax reduction scheme for 2022/23.

**Recommendation of Cabinet**

Cabinet decided to recommend to Council that the Council Tax Reduction Scheme for 2021/22 be adopted as the Council's Local Council Tax Reduction Scheme for 2022/23.

**Recommended that** – the recommendation of Cabinet be approved.

**2. DEPARTMENT FOR LEVELLING UP, HOUSING AND COMMUNITIES (DLUHC) LOCAL DIGITAL FUND - ROUND 5 BID SUBMISSION**

Cabinet considered a report concerning the funding for the delivery of the DLUHC Local Digital Fund Scheme.

**Recommendation of Cabinet**

Cabinet decided to recommend to Council that a supplementary capital budget of £0.350m be established for the delivery of the DLUHC Local Digital Fund Scheme.

**Recommended that** – the recommendation of Cabinet be approved.

**COUNCILLOR S LOWE  
CHAIRMAN**

**AGENDA MANAGEMENT SHEET**

**Report Title:** Statutory Review of Gambling Policy - Statement of Principles

**Name of Committee:** Council

**Date of Meeting:** 15 December 2021

**Report Director:** Chief Officer - Regulation and Safety

**Portfolio:** Regulation and Safety

**Ward Relevance:** All

**Prior Consultation:** None

**Contact Officer:** Emma Payne x3855

**Public or Private:** Public

**Report Subject to Call-In:** No

**Report En-Bloc:** No

**Forward Plan:** Yes

**Corporate Priorities:** This report relates to the following priority(ies):  
 Rugby is an environmentally sustainable place, where we work together to reduce and mitigate the effects of climate change. (C)  
 Rugby has a diverse and resilient economy that benefits and enables opportunities for all residents. (E)  
 Residents live healthy, independent lives, with the most vulnerable protected. (HC)  
 Rugby Borough Council is a responsible, effective and efficient organisation. (O)  
[Corporate Strategy 2021-2024](#)  
 This report does not specifically relate to any Council priorities but

**(C) Climate**  
**(E) Economy**  
**(HC) Health and Communities**  
**(O) Organisation**

**Summary:** The Gambling Act 2005 places a duty on the Council to publish a Gambling Policy - Statement of Principles on which licensing decisions will be based. The policy must be reviewed every 3 years. The Council's existing policy is now due for review and must be re-published by 31 January 2022. A draft Policy is attached to this report, it is recommended that delegated authority be given to

the Licensing and Safety Committee to consider the consultation responses and adopt this policy following the end of the consultation period.

**Financial Implications:**

None

**Risk Management Implications:**

None

**Environmental Implications:**

A climate change impact assessment has been completed and is attached at Appendix 3. There are no direct environmental implications arising from this report.

**Legal Implications:**

None

**Equality and Diversity:**

An Equality Impact assessment has been completed and attached at Appendix 2, which outlines how equality considerations will be incorporated.

**Options:**

Not Applicable

**Recommendation:**

Delegated authority be given to the Licensing and Safety Committee to consider the consultation responses and adopt the Gambling Policy following the consultation period.

**Reasons for Recommendation:**

The review of the Gambling Policy is a 3-yearly statutory requirement under the Gambling Act 2005 and Full Council is asked to delegate adoption powers to the Licensing and Safety Committee to ensure the statutory deadline for the review can be met.

**Council - 15 December 2021**

**Review of Gambling Policy - Statement of Principles**

**Public Report of the Chief Officer - Regulation and Safety**

**Recommendation**

Delegated authority be given to the Licensing and Safety Committee to consider the consultation responses and adopt the Gambling Policy following the consultation period.

**1. Background**

1.1 Section 349 of the Gambling Act 2005 (the Act) requires the Council to review its Statement of Gambling Policy - Statement of Principles (the Policy) every 3 years. The current Policy has effect until 30 January 2022 and so the new Policy must be in place by then.

1.2 Prior to publishing the Policy, the Licensing Authority is required to consult, the consultation period has ran from the 12<sup>th</sup> November 2021 until the 10<sup>th</sup> December 2021.

1.3 The principles of the Gambling Policy remain the same and the Policy document is centred around the 3 licensing objectives specified in the Act namely;

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
- Ensuring that gambling is conducted in a fair and open way, and;
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

1.4 A 'vulnerable person' is defined by the Act as including people who gamble more than they want to, people who are gambling beyond their means, and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.

**2. The draft Policy and consultation**

2.1 A copy of the draft Policy is attached at Appendix 1. The Policy complies with the Gambling Commission's guidance and regulations and has been prepared and developed in conjunction with the other Warwickshire District Councils and Coventry City Council. This is to ensure greater consistency for residents around the region although each Authority has of course adapted the Policy to suit the needs of their particular area.

2.2 There are no proposed significant changes to the Policy, which is in line with the other Authorities in the region, and generally around the country. The Policy has however been updated to reflect the changes in population in the Borough:

- Local Area Population - point 1.2 (page 4 of Appendix 1).

2.3 The consultation exercise has run for 4 weeks and it is recommended that Full Council grants delegated authority to the Licensing and Safety Committee to consider the consultation responses and adopt the draft policy following the consultation period.



**Name of Meeting:** Council  
**Date of Meeting:** 15 December 2021  
**Subject Matter:** Review of Statement of Gambling Policy  
**Originating Department:** Regulation and Safety

**DO ANY BACKGROUND PAPERS APPLY**       YES       NO

**LIST OF BACKGROUND PAPERS**

Doc No	Title of Document and Hyperlink

The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A

# APPENDIX 1



**Gambling Act 2005**

**Gambling Policy**  
**Statement of Principles**  
**2022/2025**

**Approved on**

**Policy effective from 31 January 2022 to 30 January 2025**

### Important Note

In producing this Statement of Gambling Policy the Authority is aware that the Government may amend the Gambling Act 2005, subordinate legislation and statutory guidance.

Readers of this document advised to check on the Gambling Commission/Gov.uk websites to ensure they have the latest information.

# Rugby Borough Council

## Gambling Policy Contents

	Page
1 Introduction	1
2 The Gambling Act 2005	1
3 Authorised Activities	2
4 General Statement of Principles	3
The licensing objectives:	
5 Preventing gambling from being a source of crime and disorder etc.	4
6 Ensure Gambling is conducted in a fair and open way	5
7 Protecting children and other vulnerable persons from being harmed or exploited by gambling	6
8 Premises Licences	7
9 Location	8
10 Primary Activity	9
11 Responsible Authorities	9
12 Interested Parties	10
13 Representations	11
14 Conditions of Licence	12
15 Casinos	12
16 Betting Premises	12
17 Bingo	13
18 Tracks	14
19 Temporary Use Notices	14
20 Occasional Use Notices	15
21 Gaming Machines	15
22 Unlicensed Family Entertainment Centre Gaming Machine Permits	15
23 (Alcohol) Licensed Premises Gaming Machine Permits	16
24 Prize Gaming Permits	17
25 Club Gaming and Club Machine Permits	18
26 Lotteries	19
27 Exchange of Information	19
28 Enforcement	19
29 The Licensing Process	20
30 Reviews	22
Annex 1 - gaming machine definition tables (categories and volume of machines allowed in each type of premise)	

## **GAMBLING ACT 2005**

### **GAMBLING POLICY STATEMENT OF PRINCIPLES**

#### **1. Introduction**

1.1 Rugby Borough Council, as the Licensing Authority (referred to in this Statement as “the Authority”), makes this Statement of Principles in pursuance of its powers and duties under section 349 of the Gambling Act 2005 (referred to in this Statement as “the Act”) and sets out the Authority’s approach in dealing with its responsibilities under the Act.

1.2 The Borough of Rugby covers an area of 138 square miles located in central England, within the County of Warwickshire. The Borough is on the eastern edge of the West Midlands Region, bordering directly on to the counties of Northamptonshire and Leicestershire, both of which are in the East Midlands Region. The Borough has 41 parishes and the largest centre of population is the attractive town of Rugby with two thirds of the Borough’s **108,935 (2019)** residents living in the town and the remainder residing in the rural area. The villages in the Borough range in size from 20 to 3,000 people.

#### 1.3 List of Consultees

The Authority has consulted the following on the content of this Statement of Principles:

- Responsible Authorities
- Holders of existing licences, permits and registrations
- Councillors and Parish Councils
- Representatives of businesses
- Representatives of persons carrying on gambling businesses in Rugby
- Local bodies representing consumers and tourism
- Local bodies representing vulnerable persons
- Departments within the Council with an interest in the licensing of gambling

The draft document was also made available on the Authority’s website.

1.4 In preparing this Statement, the Authority has had regard to the provisions of the Act, the Guidance issued by the Gambling Commission, Regulations made by the Secretary of State and responses to its consultations.

#### **2. Gambling Act 2005**

2.1 The Act specifies licensing objectives which are central to the regulatory regime, these are:

- preventing gambling from being a source of crime and disorder, being associated with crime or disorder, or being used to support crime;
  - ensuring that gambling is conducted in a fair and open way; and
  - protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 2.2 In carrying out the licensing function under the Act, the Authority will aim to permit the use of premises for gambling as long as it is considered to be:
- in accordance with any relevant Codes of Practice issued by the Gambling Commission;
  - in accordance with any relevant Guidance issued by the Gambling Commission;
  - in accordance with this Statement of Principles; and
  - reasonably consistent with the licensing objectives.
- 2.3 The Act provides for 3 categories of licence:
- operating licences;
  - personal licences; and
  - premises licences.
- 2.4 The Authority will be responsible for issuing premises licences. The Gambling Commission will be responsible for issuing operating and personal licences.
- 2.5 This Statement will come into force on 31st January 2022 and will have effect until 30th January 2025, being kept under review and revised or amended as required following consultation.

### **3. Authorised Activities**

- 3.1 'Gambling' is defined in the Act as either gaming, betting, or taking part in a lottery. Definitions of terms are as follows:
- gaming means playing a game of chance for a prize;
  - betting means making or accepting a bet on the outcome of a race, competition, or any other event, the likelihood of anything occurring or not occurring, or whether anything is true or not;
  - a lottery is where persons are required to pay in order to take part in an arrangement, during the course of which one or more prizes are allocated by a process which relies wholly on chance.
- 3.2 The main functions of the Authority are to:
- licence premises for gambling activities;
  - grant permits for gambling and gaming machines in clubs;
  - regulate gaming and gaming machines in alcohol licensed premises;
  - grant permits to family entertainment centres for the use of certain lower stake gaming machines;

- grant permits for prize gaming;
- consider notices given for the temporary use of premises for gaming;
- receive occasional use notices for betting at tracks; and
- register small societies lotteries.

3.3 Spread betting is regulated by the Financial Services Authority. Remote Gambling is dealt with by the Gambling Commission. The National Lottery is regulated by Gambling Commission.

#### **4. General Statement of Principles**

- 4.1 The Authority recognises the wide variety of premises which will require a licence or a permit. These include casinos, betting shops, bingo halls, pubs, clubs, amusement arcades and race tracks.
- 4.2 In carrying out its licensing functions the Authority will have regard to Guidance issued by the Gambling Commission.
- 4.3 The Authority will not seek to use the Act to resolve matters more readily dealt with under other legislation. This Statement of Principles will avoid duplication with other regulatory regimes wherever possible. In considering applications, and taking enforcement action, under the Gambling Act the Authority will have regard to the provisions of the Human Rights Act.
- 4.4 To ensure the licensing objectives are met the Authority will establish a close working relationship with the police, the Gambling Commission and other responsible authorities.
- 4.5 Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this Authority has considered the Gambling Commission's Guidance to local authorities. However, the overriding principle is that each application and the circumstances prevailing at each premises will be considered on their own individual merits. Other considerations such as moral or ethical objections to gambling are not valid reasons to reject applications for premises licences as they do not relate to the licensing objectives.
- 4.6 In its Guidance to Local Authorities the Gambling Commission suggests that Licensing Authorities should adopt a 'Local Area Profile'. A Local Area Profile is created by gathering information about a locality and highlighting any particular areas of concern within the locality.
- 4.7 Where evidence is submitted to the Licensing Authority identifying any areas of concern the Licensing Authority will produce a Local Area Profile separate to this statement. Once adopted, the Local Area Profile is intended to assist the Licensing Authority and Operators in identifying specific risks within the district.

**5. Preventing gambling from being a source of crime and disorder; being associated with crime and disorder or being used to support crime**

- 5.1 The Gambling Commission will play a leading role in preventing gambling from being a source of crime and will maintain rigorous licensing procedures that aim to prevent criminals from providing facilities for gambling, or being associated with providing such facilities. The Council has a specific duty under Section 17 of the Crime and Disorder Act 1998 to exercise its functions with regard to the likely effect of doing so on crime and disorder, and also to do all that it reasonably can to prevent crime and disorder in the area.
- 5.2 When applying to this Authority for a premises licence, the applicant will have to hold an operating licence from the Commission before a licence can be issued, so the Authority will not therefore be concerned with the suitability of the applicant. Where concerns about a person's suitability arise, the Authority will bring those concerns to the attention of the Commission. The Authority will have to be satisfied that the premises will not adversely affect the licensing objective and is compliant with the Commission's Guidance and Codes of Practice, and this Gambling Policy.
- 5.3 The Authority has had regard to the small number of existing premises licences and the small number of applications likely to be received. With this in mind it has not produced a local area profile at the time of publication of this Policy (should this change, then the Policy will be amended accordingly and the local area profile made available to applicants). Applicants will however be expected to have a good understanding of the local area in which they either operate, or intend to operate. The applicant will have to provide evidence that they meet the criteria set out in the Policy, and demonstrate that in operating the premises they will promote this objective. Operators need to be aware of how the operation of their premises may impact on this objective. The Authority will expect applicants to provide details of their crime prevention measures and any risk assessments that they have carried out.
- 5.4 To prevent gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime, the Authority will apply the following criteria and take into account the following considerations, where relevant, in determining applications and reviews.

**Criteria:**

Whether the premises make or will make a contribution to the levels of crime and disorder and whether the applicant has demonstrated that he has, or intends to, implement sufficient controls to prevent the premises being a source of, and/or associated with crime or disorder, or being used to support crime, if the application is granted.

**Considerations:**

- Where an area is known for high levels of crime the Authority will consider carefully whether gambling premises are suitable to be located there, and whether additional conditions may be necessary,



such as the provision of CCTV, minimum levels of staffing and licensed door supervisors.

- Whether there is a history of crime or disorder associated with the premises or its use by those involved in crime to associate or dispose of the proceeds of crime.
- Whether the layout, lighting and fitting out of the premises have been designed so as to minimise conflict and opportunities for crime and disorder.
- Whether sufficient management measures are proposed or are in place to prevent the premises being a source of, or associated with crime or disorder, or used to support crime either as a place of association or to avoid being apprehended.
- The Authority will also consider the location of the premises in the context of this licensing objective. If an application is received in relation to premises that are in an area noted for particular problems with organised crime or a premises that have previously been a focus for antisocial behaviour, the Authority will expect applicants to demonstrate that they have sufficient measures in place to prevent or deter people involved from using their premises and will also consider conditions being put on the licence to promote this licensing objective.
- Whilst issues of nuisance are not included specifically in the gambling objectives and cannot be addressed via the Gambling Act, the Authority may consider, when making decisions on the applications for premises licences, that extreme instances of public nuisance and/or persistent public nuisance may constitute disorder and/or crime for the purposes of this objective.

## **6. Ensure Gambling is conducted in a fair and open way**

6.1 Generally the Commission would not expect Licensing Authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be a matter for either:

- (a) the management of the gambling business, and therefore subject to the operating licence; or
- (b) will be in relation to the suitability and actions of an individual and therefore subject to the personal licence.

6.2 In relation to the licensing of tracks the Authority's role will be different from other premises in that track operators will not necessarily have an operating licence. In those circumstances the premises licence may need to contain conditions to ensure that the environment in which betting takes place is suitable.

### **Criteria:**

Whether the premises will operate measures that will ensure that the gambling activity is conducted in a fair and open way.

**Considerations:**

- Whether the layout, lighting and fitting out of the premises have been designed so as to ensure gambling is conducted in a fair and open way.
- Whether sufficient management measures are proposed or are in place to ensure that gambling is conducted in a fair and open way.
- Whether the management and operation of the premises is open and transparent.
- Whether the operators of the premises have been or will be fully cooperative with enforcement agencies.
- Whether the Commission's Codes of Practice have been complied with.

**7. Protecting children and other vulnerable persons from being harmed or exploited by gambling**

7.1 The Gambling Commission's Guidance states that one of the aims of this objective means preventing children from taking part in gambling (as well as restricting advertising so that gambling products are not aimed at or are, particularly attractive to children).

7.2 The Act and Gambling Commission Guidance do not define the term "vulnerable". For regulatory purposes the Commission states that it assumes "vulnerable" persons" includes:

- people who gamble more than they want to;
- people who are gambling beyond their means; and
- people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.

This is the definition the Authority will use in its consideration of applications.

7.3 This Authority will pay particular attention to any Codes of Practice, which the Gambling Commission issues in relation to specific premises. It will consider this licensing objective on a case-by-case basis, and where necessary add conditions to promote this objective.

7.4 To protect children and other vulnerable persons from being harmed or exploited by gambling, the Authority will apply the following criteria and take into account the following considerations, where relevant, in determining applications and reviews.

**Criteria:**

Whether there are appropriate measures in place to protect children and other vulnerable persons from being harmed or exploited by gambling.

**Considerations:**

- Whether the operator has a specific training programme for staff to ensure that they are able to identify children and vulnerable people and take appropriate action to promote this objective to exclude them from the premises or parts of the premises.
- If the premises is an adult only environment, whether the operator has taken effective measures to implement an appropriate proof of age scheme to ensure that no one under the age of 18 is admitted to the premises or restricted areas.
- Whether there is provision for self-barring schemes and provision of information leaflets/helpline numbers for organisations such as GamCare.
- Whether the layout, lighting and fitting out of the premises have been designed so as to not attract children and other vulnerable persons who might be harmed or exploited by gambling.
- Whether sufficient management measures are proposed or are in place to protect children and other vulnerable persons from being harmed or exploited by gambling.
- Whether any promotional material associated with the premises could encourage the use of the premises by children or young people.
- The Authority will also consider the location of the premises in the context of this licensing objective. If an application for a gambling premises is received for a location within a sensitive area or in close proximity to what are considered to be sensitive areas the Authority will expect applicants to demonstrate that they have sufficient and suitable control measures in place to promote this licensing objective.

**8. Premises Licences**

8.1 Section 150 of the Act permits the issue of premises licences authorising the provision of facilities at the following:

- casino premises;
- bingo premises;
- betting premises, including tracks and premises used by betting intermediaries;
- adult gaming centres;
- family entertainment centres.

8.2 Premises can be 'any place' but the Act prevents more than one premises licence applying to any one place. A single building could be subject to more

than one premises licence provided they are for different parts of the building and those parts can be genuinely regarded as being different 'premises'.

- 8.3 A particular requirement might be for entrances and exits from parts of a building covered by one or more licences to be separate and identifiable so that the separation of the premises is not compromised and that people are not allowed to 'drift' accidentally into a gambling area.
- 8.4 Where the Authority has concerns about the use of premises for gambling it will seek to address these through licence conditions wherever possible.
- 8.5 Other than an application for a betting premises licence in respect of a track, the Authority is not able to issue a premises licence unless the applicant holds the relevant operating licence from the Gambling Commission.
- 8.6 When considering applications for premises licences the Authority will not take into consideration either the expected 'demand' for facilities or the likelihood of planning permission being granted.
- 8.7 The Authority will maintain a register of premises licences issued and will ensure that the register is open for public inspection at all reasonable times.

## **9. Location**

- 9.1 This Authority is aware that demand issues cannot be considered with regard to the location of premises either on a borough wide or more local scale. However, it considers that the location of gambling premises can be a major factor on the promotion of the licensing objectives. The Authority will pay particular attention to the suitability of a location for gambling activity in terms of the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder.
- 9.2 Operators are required to take into account any sensitive locations within close proximity to proposed gambling premises and provide the Authority with details of how they propose to mitigate and monitor any risks. Applications will not be granted in sensitive locations unless the relevant criteria have been met.
- 9.3 Applicants will have to clearly show that they have considered the potential impact of their proposed business on the licensing objectives and provide information on how they plan to reduce or remove any likely adverse impact on them. The supporting information may contain the following information:
- how the premises will restrict access to children, young people or other vulnerable persons;
  - whether a proof of age scheme is being used;
  - whether the appropriate number of security staff will be employed at appropriate times;
  - whether opening times will be set so that the premises are not open during school start and finish times;
  - details of procedures and staff training in place to identify vulnerable

persons such as problem gamblers, those who are inebriated through drink or drugs, etc.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

- 9.4 The Authority will consider proposals for new gambling premises that are in close proximity to hostels or other accommodation or centres catering for vulnerable people, including those with mental disabilities or learning difficulties, and those with problem gambling or with alcohol or drug abuse problems, as very likely to adversely affect the gambling objectives.
- 9.5 It should be noted that each application will be decided on its own merits, but the onus will be upon the applicant to show how the potential concerns can be overcome.

## **10. Primary Activity**

- 10.1 The primary activity of each premises licence type is specified on the premises licence when it is issued. The Authority will take decisions in accordance with the Commission's Guidance and Codes of Practice on primary gambling activity, and will have regard to the advice which it issues from time to time. Applicants are expected to operate premises in line with the Commission's Guidance and conditions on their Operator's Licence. The Authority will monitor the operation of premises and report any potential breach of operating licence conditions to the Commission. Applications for new premises licences, or to vary an existing licence, will be expected to be clear that the premises are intended to be used for the primary gambling activity proposed.
- 10.2 It should be noted that the Act does not permit a premises to be licensed for more than one gambling activity.

## **11. Responsible Authorities**

- 11.1 These are generally public bodies that must be notified of all applications and who are entitled to make representations to the Authority if they are relevant to the licensing objectives.
- 11.2 Section 157 of the Act identifies the bodies that are to be treated as responsible authorities. In relation to the Authority's area, these are:
- The Authority itself
  - The Gambling Commission;
  - The chief officer of police/chief constable for the area in which the premises is wholly or partially situated
  - The fire and rescue authority for the same area
  - The local planning authority;
  - An authority with functions in relation to pollution of the environment or harm to human health
  - A body designated in writing by the authority as competent to advise about the protection of children from harm (see paragraphs 11.3 and

11.4 below)

- HM Revenue & Customs; and
- Any other person prescribed in regulations by the Secretary of State.

Section 211(4) provides that in relation to a vessel, but no other premises, responsible authorities also include navigation authorities within the meaning of section 221(1) of the Water Resources Act 1991 that have statutory functions in relation to the waters where the vessel is usually moored or berthed or any waters where it is proposed to be navigated at a time when it is to be used for licensable activities.

11.3 The Authority is required to set out the principles to be applied in exercising its powers to designate, in writing, a body which is competent to advise about the protection of children from harm. The principles applied in designating such a body are:

- the body must be responsible for covering the whole of the Authority's area: and
- the body should be answerable to democratically elected persons rather than any particular vested interest groups etc.

11.4 The Authority has designated Warwickshire County Council's Multi-Agency Commissioning Team as the local body competent to advise it on the protection of children from harm.

## **12. Interested Parties**

12.1 Interested parties can make representations about licence applications, or apply for a review of an existing licence based on the principles detailed in section 2 of this policy statement.

An interested party is someone who:

- (a) lives sufficiently close to the premises to be likely to be affected by the authorised activities;
- (b) has business interests that might be affected by the authorised activities; or
- (c) represents persons in either of the two groups above.

12.2 The principles the Authority will apply to determine whether a person is an interested party are:

- Interested parties could include trade associations and trade unions, and residents' and tenants' associations. This Authority will not however generally view these bodies as interested parties unless they have a member who can be classed as an interested person under the terms of the Gambling Act 2005 e.g. lives sufficiently close to the premises or has business interests likely to be affected by the activities being applied for.

- Interested parties can be persons who are democratically elected such as Councillors and MPs. No specific evidence of being asked to represent an interested person will be required as long as the Councillor/MP represents the ward likely to be affected. Other than these persons, this Authority will require written evidence that a person 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.
- Each case will be decided upon its merits. This Authority will not apply a rigid rule to its decision making. It will consider the examples of considerations provided in the Gambling Commission's Guidance for local authorities.

12.3 If individuals wish to approach Councillors to ask them to represent their views then care should be taken that the Councillors are not part of the Licensing and Safety Committee dealing with the licence application, or in any other way have a personal interest that would preclude them from participating in a hearing. If there are any doubts then please contact the Licensing Team.

12.4 It should be noted that, unlike the Licensing Act, the Gambling Act does not include as a specific licensing objective the prevention of public nuisance. There is however other relevant legislation which deals with public nuisance.

### **13. Representations**

13.1 The Authority is obliged to consider representations from 'responsible authorities' and 'interested parties' and must determine whether or not representations are admissible. A representation is inadmissible if not made by a responsible Authority or an interested party.

13.2 The only representations likely to be relevant are those that relate to the licensing objectives, or that raise issues under this Statement or the Commission's Guidance or Codes of Practice. The Authority must determine the relevance of the representation.

13.3 Any concerns that responsible authorities have in relation to their own functions cannot be taken into account if they are not relevant to the application for a premises licence and the licensing objectives.

13.4 The Authority may, in certain circumstances, consider a representation to be either frivolous or vexatious. This will generally be a matter of fact given the circumstances of each individual case but before coming to a decision the Authority may consider the following:

- who is making the representation and whether there is a history of making representations that are not relevant;
- whether it raises a 'relevant' issue or not; or
- whether it raises issues specifically to do with the premises which are

the subject of the application.

#### **14. Conditions of Licence**

14.1 Conditions imposed by the Authority may be general in nature by applying to all licences, or those of a particular type, or they may be specific to a particular licence.

14.2 The Authority will not generally impose conditions that limit the use of premises for gambling unless it is deemed to be necessary as a result of the requirement to act in accordance with the Gambling Commission's Guidance, any Codes of Practice issued by the Commission, this Statement of Principles or in a way that is reasonably consistent with the licensing objectives.

14.3 Any conditions imposed by the Authority will be proportionate to the circumstances they are intended to address. In particular, the Authority will ensure that any conditions are:

- relevant to the need to make the premises suitable as a gambling facility;
- directly related to the premises and the type of licence applied for;
- fairly and reasonably related to the scale and type of premises;
- reasonable in all other respects; and
- decided on a case by case basis.

14.4 The Authority will not consider imposing conditions:

- which make it impossible to comply with an operating licence condition imposed by the Gambling Commission;
- relating to gaming machine categories, numbers or method of operation;
- which specify that membership of a club or other body is required; and
- in relation to stakes, fees, winnings or prizes.

#### **15. Casinos**

15.1 The Authority has not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005 but is aware that it has power to do so. Should the Authority decide to pass such a resolution, it will update this policy with details of the resolution.

#### **16. Betting Premises**

16.1 Anyone wishing to operate a betting office will require a betting premises licence from the Authority. Children and young persons will not be able to enter premises with a betting premises licence.

16.2 The Authority is aware of its power to restrict the number of betting machines, their nature and the circumstances in which they are made available by attaching a licence condition to a betting premises licence.



16.3 In the event that the Authority considers whether to impose such a condition on any particular licence it may, among other things, take into account the size of the premises, the number of counter positions available for person to person transactions, and the ability of staff to monitor the use of the machines.

## **17. Bingo**

17.1 Licensing authorities will need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. This will be a relevant consideration where the operator of an existing premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licence, for that or those excluded areas.

17.2 Section 172(7) of the Act provides that the holder of bingo premises licences may make available for use a number of category B gaming machines for use on the premises.

17.3 This Authority also notes the Commission's Guidance in the unusual circumstances in which the splitting of pre-existing premises into two adjacent premises might be permitted. It is not permissible for all of the gaming machines to which each of the licenses brings an entitlement to be grouped together within one of the licensed premises.

17.4 New rules apply in relation to the playing of bingo specifically in alcohol-licensed premises, clubs and miners welfare institutes. Previously exempt under the exempt gaming allowances, a bingo operating licence is now required by the Gambling Commission.

17.5 The holder of a bingo operating licence will be able to provide any type of bingo game including cash and prize bingo.

17.6 Commercial bingo halls will require a bingo premises licence from the Authority.

17.7 Children and young people are allowed into bingo premises, however they are not permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed, local authorities will ensure that:

- all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where the machines are located;
- access to the area where the machines are located is supervised;
- the area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder; and
- at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

## **18. Tracks**

- 18.1 Only one premises licence can be issued for any particular premises at any time unless the premises is a 'track'. A track is a site where races or other sporting events take place.
- 18.2 Track operators are not required to hold an Operator's Licence granted by the Gambling Commission. Therefore, premises licences for tracks, issued by the Authority are likely to contain requirements for premises licence holders about their responsibilities in relation to the proper conduct of betting. Indeed, track operators will have an important role to play, for example in ensuring that betting areas are properly administered and supervised.
- 18.3 Although there will, primarily be a betting premises licence for the track there may be a number of subsidiary licences authorising other gambling activities to take place. Unlike betting offices, a betting premises licence in respect of a track does not give an automatic entitlement to use gaming machines.
- 18.4 When considering whether to exercise its power to restrict the number of betting machines at a track the Authority will consider the circumstances of each individual application and, among other things will consider the potential space for the number of machines requested, the ability of track staff to supervise the machines, especially if they are scattered around the site, and the ability of the track operator to prevent children and young persons and vulnerable people betting on the machines.

## **19. Temporary Use Notices**

- 19.1 Temporary Use Notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a Temporary Use Notice, according to the Gambling Commission, would include hotels, conference centres and sporting venues.
- 19.2 The Authority can only accept a Temporary Use Notice from a person or company holding a relevant operating licence.
- 19.3 Regulations prescribed by the Secretary of State provide that Temporary Use Notices can only be used to permit the provision of facilities for equal chance gaming where the gaming is intended to produce a single winner, for example games such as backgammon, cribbage, bingo and poker.
- 19.4 There are a number of statutory limits as regards temporary use notices. Gambling Commission Guidance is noted that "The meaning of "premises" in part 8 of the Act is discussed in Part 7 of the Gambling Commission Guidance. As with "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act "premises" is defined as including "any place". In considering whether a place falls within the definition of "a set of premises", licensing authorities will need to look at, amongst other things, the ownership/occupation and control of the premises.

19.5 The Authority expects to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises, as recommended in the Gambling Commission Guidance.

## **20. Occasional Use Notices**

20.1 The Authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. The Authority will though need to consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.

## **21. Gaming Machines**

21.1 A machine is not a gaming machine if the winning of a prize is determined purely by the player's skill. However, any element of 'chance' imparted by the action of the machine would cause it to be a gaming machine.

21.2 The Authority is aware of its power to restrict the number of gaming machines in certain circumstances. In the event that the Authority considers whether to impose such a restriction on any particular permit it may, among other things, take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons or by vulnerable persons.

21.3 The Authority will be unable to issue premises licences to authorise gaming machines in certain types of premises. These generally will be premises to which children and vulnerable people will have unrestricted access and would include take-away premises, taxi offices, supermarkets etc.

## **22. Unlicensed Family Entertainment Centre Gaming Machine Permits**

22.1 Where a premises does not hold a Premises Licence but wishes to provide gaming machines, it may apply to the Authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use.

22.2 The Gambling Act 2005 states that the Authority may "prepare a statement of principles that they propose to consider in determining the suitability of an applicant for a permit" and in preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant Guidance issued by the Commission under section 25. The Gambling Commission's Guidance also states that in their three year licensing policy statement, licensing authorities may include a statement of principles that they propose to apply when exercising their functions in considering applications for permits and licensing authorities will want to give weight to child protection issues.

22.3 Guidance also states that an application for a permit may be granted only if the Authority is satisfied that the premises will be used as an unlicensed FEC, and if the chief officer of police has been consulted on the application, licensing authorities may wish to consider asking applications to demonstrate:

- A full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
- That the applicant has no relevant convictions (those that are set out in the Act); and
- That staff are trained to have a full understanding of the maximum stakes and prizes.

22.4 It should be noted that the Authority cannot attach conditions to this type of permit.

22.5 This Authority has adopted a Statement of Principles that is available from the Licensing Section or on the Authority's website ([www.rugby.gov.uk](http://www.rugby.gov.uk)). Potential applicants / other interested persons are advised to read the Statement of Principles before applying to the Authority for a licence or permit.

22.6 With regard to renewals of these permits, the Authority may refuse an application for renewal of a permit only on the grounds that an authorised local authority officer has been refused access to the premises without reasonable excuse, or that renewal would not be reasonably consistent with pursuit of the licensing objectives.

### **23. (Alcohol) Licensed Premises Gaming Machine Permits**

23.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines, of categories C and/or D. The premises merely need to notify the Authority. The Authority can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (i.e. that written notice has been provided to the Authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises

23.2 If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the Authority must consider that application based upon the licensing objectives, any Guidance issued by the Gambling Commission issued under section 25 of the Gambling Act 2005, and "*such matters as they think relevant.*"

This Authority considers that "such matters" will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling, and will expect the applicant to satisfy the Authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming

machines. Measures which will satisfy the Authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also be help. As regards the protection of vulnerable persons applicants may wish to consider the provision of information leaflets / helpline numbers for organisations such as GamCare.

- 23.3 It is recognised that some alcohol-licensed premises may apply for a premises licence for the use of gaming machines in their non-alcohol licensed areas. Any such application would need to be applied for, and dealt with as an Adult Gaming Centre premises licence.
- 23.4 It should be noted that the Authority can decide to grant the permit application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.
- 23.5 It should also be noted that the holder of a permit must comply with Gaming Machines in Alcohol Licensed Premises Code of Practice issued by the Gambling Commission about the location and operation of the machine(s).

## **24. Prize Gaming Permits**

- 24.1 The Gambling Act 2005 states that the Authority may "prepare a statement of principles that they propose to apply in exercising their functions under this Schedule" which "may, in particular, specify matters that the Authority propose to consider in determining the suitability of the applicant for a permit".
- 24.2 This Authority has adopted a Statement of Principles that is available from the Licensing Section or on the Authority's website ([www.rugby.gov.uk](http://www.rugby.gov.uk)). Potential applicants / other interested persons are advised to read the Statement of Principles before applying to the Authority for a licence or permit.
- 24.3 In making its decision on an application for this permit the Authority does not need to but may have regard to the licensing objectives but must have regard to any Gambling Commission Guidance.
- 24.4 It should be noted that there are conditions in the Gambling Act 2005 with which the permit holder must comply, but the Authority cannot attach conditions. The conditions in the Act are:
- the limits on participation fees, as set out in regulations, must be complied with;
  - all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
  - the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
  - participation in the gaming must not entitle the player to take part in any other gambling.

## **25. Club Gaming and Club Machine Permits**

- 25.1 Members' clubs and miners' welfare institutes (but not commercial clubs) may apply for a Club Gaming Permit or a Club Gaming Machine Permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set-out in regulations. A Club Gaming Machine Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D).
- 25.2 Members' clubs must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming, unless the gaming is permitted by separate regulations. It is anticipated that this will cover bridge and whist clubs, which will replicate the position under the Gaming Act 1968. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations.
- 25.3 Licensing authorities may only refuse an application on the grounds that:
- the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
  - the applicant's premises are used wholly or mainly by children and/or young persons;
  - an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
  - a permit held by the applicant has been cancelled in the previous ten years; or
  - an objection has been lodged by the Commission or the police.
- 25.4 It should be noted that there is a 'fast-track' procedure available for premises which hold a Club Premises Certificate under the Licensing Act 2003. The Gambling Commission's Guidance for local authorities states: "Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the grounds upon which an Authority can refuse a permit are reduced". The grounds on which an application under the process may be refused are:
- that the club is established primarily for gaming, other than gaming prescribed under schedule 12;
  - that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
  - that a Club Gaming Permit or Club Machine Permit issued to the applicant in the last ten years has been cancelled.
- 25.5 There are statutory conditions on Club Gaming Permits that no child uses a category B or C machine on the premises and that the holder complies with

any relevant provision of a code of practice about the location and operation of gaming machines.

## **26. Lotteries**

26.1 In carrying out its functions in relation to Lotteries, the Authority will have regard to the Act, any Guidance issued by the Commission from time to time and any Regulations issued by the Secretary of State.

26.2 The Act makes it illegal to promote lotteries unless they are licensed or within an exempt category. One such exemption relates to registered small society lotteries and the Authority is responsible for registering small society lotteries, which are promoted by non-commercial organisations that are established for:

- charitable purposes;
- for the purpose of enabling participation in, or of supporting, sport, athletics or a cultural activity; or
- any other non-commercial purpose other than that of private gain.

## **27. Exchange of Information**

27.1 The principle that the Authority will apply in respect of the exchange of information between it and the Gambling Commission and those bodies listed in Schedule 6 of the Act is that it will act in accordance with the provisions of the Gambling Act 2005, which includes the provision that the Data Protection Act 1998 will not be contravened. The Authority will also have regard to any Guidance issued by the Gambling Commission to local authorities on this matter, as well as any relevant regulations issued by the Secretary of State.

## **28. Enforcement**

28.1 The Authority will liaise with the Gambling Commission and other enforcing authorities on enforcement issues and will look to carry out joint inspections. The targeting of resources towards high-risk premises and activities that require greater attention will provide a more efficient deployment of the Authority's officers and other officers that are commonly engaged in enforcing gambling law and inspection of licensed premises. A lighter touch will apply in respect of low risk premises, which are well run.

28.2 The Authority's approach to enforcement will be based on identified risk and will take into account:

- relevant Codes of Practice;
- Guidance issued by the Gambling Commission;
- the licensing objectives;
- the principles set out in this statement of gambling policy.

28.3 In general, action will only be taken in accordance with the principles of the Regulators' Code, the Authority's Enforcement Policy and the relevant provisions of the Regulatory Enforcement and Sanctions Act 2008. To this end the key principles of consistency, transparency and proportionality will be maintained.

28.4 The Authority will also be guided by the Gambling Commission’s Guidance for local authorities and will endeavour to be:

- **Proportionate:** regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
- **Accountable:** regulators must be able to justify decisions, and be subject to public scrutiny;
- **Consistent:** rules and standards must be joined up and implemented fairly;
- **Transparent:** regulators should be open, and keep regulations simple and user friendly; and
- **Targeted:** regulation should be focused on the problem, and minimise side effects

28.5 In accordance with the Gambling Commission Guidance to licensing authorities the Authority will endeavour to avoid duplication with other regulatory regimes as far as possible.

28.6 The main enforcement and compliance role for this Authority in terms of the Gambling Act 2005 will be to ensure compliance with the Premises Licences and other permissions, which it authorises. The Gambling Commission will be the enforcement body for the Operator and Personal Licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines will not be dealt with by the Authority but will be notified to the Gambling Commission.

## 29. The Licensing Process

29.1 The powers of the Council as the Licensing Authority under the Act may be carried out by the Licensing and Safety Committee, by a Sub-Committee or, instead, by one or more Council officers acting under delegated Authority. The Council has adopted the following scheme of delegation:

Matters to be dealt with	Full Council	Licensing and Safety Committee	Licensing and Safety Committee or appointed sub-committee	Officers
Three year Gambling Policy	X			
Policy not to permit casinos	X			
Fee Setting – when appropriate		X		
Application for			Where representations	Where no



premises licence	have been received and not withdrawn	representations received/representations have been withdrawn
Application for a variation to a licence	Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a transfer of a licence	Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a provisional statement	Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application to review premises licence/club premises certificate	X	
Application for club gaming/club machine permits	Where objections have been made and not withdrawn.	Where no objections made/objections have been withdrawn
Cancellation of club gaming/club machine permits	X	
Applications for other permits/registration of small society lotteries		X
Cancellation of licensed premises gaming machine permits		X
Consideration of temporary use notice		X
Decision to		

---

give a counter  
notice to a  
temporary use  
notice

---

X

- 29.2 Application forms will be in the format prescribed by regulations. The form will need to contain information that describes the gambling activities to be provided, the operational procedures, hours, nature of the location, needs of the local community, etc. Most importantly, the applicant will have to detail the steps that will be taken to promote the three licensing objectives. From 6<sup>th</sup> April 2016 applicants should carry out a risk assessment before they apply for a premises licence or to vary a premises licence.
- 29.3 Applicants are encouraged to fully consult the Police and other responsible authorities well in advance of submitting their applications. Application forms and guidance leaflets will be available from the Authority, including contact names for each of the responsible authorities that will be receiving applications. Most applications will require additional documentation and a fee to be included with the form. Incomplete applications will not be considered and will be returned to the applicant.
- 29.4 As a minimum, the Council will require the local risk assessment to consider:
- The location of services for children such as schools, playgrounds, leisure/community centres, and other areas where children will likely gather;
  - premises licensed to sell alcohol, ATM cash dispensers;
  - The demographics of the area in relation to vulnerable groups
  - Whether the premises is in an area subject to high levels of crime and/or disorder.

Local risk assessments should show how vulnerable people, including people with gambling dependencies, are protected.

- 29.5 The Act requires licensing authorities to maintain a register of premises licences issued. The register must be available at any reasonable time to the public, who can request copies of the entries. The register will be located at:

Rugby Borough Council  
Town Hall  
Evreux Way  
Rugby  
CV21 2RR

### **30. Licence Reviews**

- 30.1 Requests for a review of a premises licence can be made by interested parties or responsible authorities. Requests for reviews must be relevant and the Authority will determine each request on its merits as to whether a review should be carried out. The Authority can also initiate a review of a particular

premises licence if appropriate.

- 30.2 Once a valid application for a review has been received by the Authority, representations can be made by responsible authorities and interested parties during a 28 day period. This period begins 7 days after the application was received by the Authority. The review will be carried out as soon as possible after the 28 day period for making representations has passed.
- 30.3 The purpose of the review will be to determine whether the Authority should take any action in relation to the licence including adding, removing or amending licence conditions, suspending the premises licence for a period not exceeding three months, or revoking the premises licence. In determining what action, if any, should be taken, the Authority will have regard to the principles set out in section 153 of the Act, as well as any relevant representations.

# EQUALITY IMPACT ASSESSMENT (EqIA)

## Context

1. The Public Sector Equality Duty as set out under section 149 of the Equality Act 2010 requires Rugby Borough Council when making decisions to have due regard to the following:
  - eliminating unlawful discrimination, harassment and victimisation, and other conduct prohibited by the Act,
  - advancing equality of opportunity between people who share a protected characteristic and those who do not,
  - fostering good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.
2. The characteristics protected by the Equality Act are:
  - age
  - disability
  - gender reassignment
  - marriage/civil partnership
  - pregnancy/maternity
  - race
  - religion/belief
  - sex/gender
  - sexual orientation
3. In addition to the above-protected characteristics, you should consider the crosscutting elements of the proposed policy, such as impact on social inequalities and impact on carers who look after older people or people with disabilities as part of this assessment.
4. The Equality Impact Assessment (EqIA) document is a tool that enables RBC to test and analyse the nature and impact of what it is currently doing or is planning to do in the future. It can be used flexibly for reviewing existing arrangements but in particular should enable identification where further consultation, engagement and data is required.
5. The questions will enable you to record your findings.
6. Where the EqIA relates to a continuing project, it must be reviewed and updated at each stage of the decision.
7. Once completed and signed off the EqIA will be published online.
8. An EqIA must accompany all **Key Decisions** and **Cabinet Reports**.
9. For further information, refer to the EqIA guidance for staff.
10. For advice and support, contact:  
Minakshee Patel  
Corporate Equality & Diversity Advisor  
[minakshee.patel@rugby.gov.uk](mailto:minakshee.patel@rugby.gov.uk)  
Tel: 01788 533509

## Equality Impact Assessment

<b>Service Area</b>	<b>Licensing – Regulation and Safety</b>
<b>Policy/Service being assessed</b>	<b>Gambling Policy</b>
<b>Is this is a new or existing policy/service?</b>  <b>If existing policy/service please state date of last assessment</b>	<b>Existing Policy, 3 yearly statutory review</b>
<b>EqlA Review team – List of members</b>	<b>Emma Payne, Licensing Officer Minakshee Patel, Corporate Equality and Diversity Advisor</b>
<b>Date of this assessment</b>	<b>29/11/2021</b>
<b>Signature of responsible officer (to be signed after the EqlA has been completed)</b>	<b>EJPayne Emma Payne, Licensing Officer</b>

**A copy of this Equality Impact Assessment report, including relevant data and information to be forwarded to the Corporate Equality & Diversity Advisor.**

**If you require help, advice and support to complete the forms, please contact Minakshee Patel, Corporate Equality & Diversity Advisor via email: [minakshee.patel@rugby.gov.uk](mailto:minakshee.patel@rugby.gov.uk) or 01788 533509**

**Details of Strategy/ Service/ Policy to be analysed**

<b><u>Stage 1 – Scoping and Defining</u></b>	
(1) Describe the main aims, objectives and purpose of the Strategy/Service/Policy (or decision)?	preventing gambling from being a source of crime and disorder, being associated with crime or disorder, or being used to support crime; <ul style="list-style-type: none"> <li>• ensuring that gambling is conducted in a fair and open way; and</li> <li>• protecting children and other vulnerable persons from being harmed or exploited by gambling.</li> </ul>
(2) How does it fit with Rugby Borough Council's Corporate priorities and your service area priorities?	Rugby Borough Council, as the Licensing Authority (referred to in this Statement as "the Authority"), makes this Statement of Principles in pursuance of its powers and duties under section 349 of the Gambling Act 2005 (referred to in this Statement as "the Act") and sets out the Authority's approach in dealing with its responsibilities under the Act.  Residents live healthy, independent lives, with the most vulnerable protected.
(3) What are the expected outcomes you are hoping to achieve?	That the policy be adopted.
(4) Does or will the policy or decision affect: <ul style="list-style-type: none"> <li>• Customers</li> <li>• Employees</li> <li>• Wider community or groups</li> </ul>	All listed
<b><u>Stage 2 - Information Gathering</u></b>	
(1) What does the information tell you about those groups identified?	Technical Group meeting with neighbouring local authorities. Legislation – Gambling Act 2005

Appendix 2

<p>(2) Have you consulted or involved those groups that are likely to be affected by the strategy/ service/policy you want to implement? If yes, what were their views and how have their views influenced your decision?</p>	<p>4 week consultation period for;</p> <ul style="list-style-type: none"> <li>• Responsible Authorities</li> <li>• Holders of existing licences, permits and registrations</li> <li>• Councillors and Parish Councils</li> <li>• Representatives of businesses</li> <li>• Representatives of persons carrying on gambling businesses in Rugby</li> <li>• Local bodies representing consumers and tourism</li> <li>• Local bodies representing vulnerable persons</li> <li>• Departments within the Council with an interest in the licensing of gambling</li> </ul>		
<p>(3) If you have not consulted or engaged with communities that are likely to be affected by the policy or decision, give details about when you intend to carry out consultation or provide reasons for why you feel this is not necessary.</p>	<p>N/A</p>		
<p><b><u>Stage 3 – Analysis of impact</u></b></p>			
<p><u>(1)Protected Characteristics</u> From your data and consultations is there any positive, adverse or negative impact identified for any particular group, which could amount to discrimination?  If yes, identify the groups and how they are affected.</p>	<p><b>RACE</b></p>	<p><b>DISABILITY Potential</b></p>	<p><b>GENDER Potential</b></p>
	<p><b>MARRIAGE/CIVIL PARTNERSHIP</b></p>	<p><b>AGE Potential</b></p>	<p><b>GENDER REASSIGNMENT</b></p>
	<p><b>RELIGION/BELIEF</b></p>	<p><b>PREGNANCY MATERNITY</b></p>	<p><b>SEXUAL ORIENTATION</b></p>

Appendix 2

<p><u>(2) Cross cutting themes</u> (a) Are your proposals likely to impact on social inequalities e.g. child poverty, geographically disadvantaged communities? If yes, please explain how?  (b) Are your proposals likely to impact on a carer who looks after older people or people with disabilities? If yes, please explain how?</p>	<p>Yes – because one of the licensing objectives in the regulatory regime is about protecting children and other vulnerable persons from being harmed or exploited by gambling.</p> <p>No</p>
<p>(3) If there is an adverse impact, can this be justified?</p>	



## Appendix 2

(4) What actions are going to be taken to reduce or eliminate negative or adverse impact? (this should form part of your action plan under Stage 4.)

Protecting children and other vulnerable persons from being harmed or exploited by gambling - The Gambling Commission's Guidance states that one of the aims of this objective means preventing children from taking part in gambling (as well as restricting advertising so that gambling products are not aimed at or are, particularly attractive to children). The Authority will apply the following criteria and take into account the following considerations, where relevant, in determining applications and reviews.

Criteria:

Whether there are appropriate measures in place to protect children and other vulnerable persons from being harmed or exploited by gambling.

Considerations:

- Whether the operator has a specific training programme for staff to ensure that they are able to identify children and vulnerable people and take appropriate action to promote this objective to exclude them from the premises or parts of the premises.
- If the premises is an adult only environment, whether the operator has taken effective measures to implement an appropriate proof of age scheme to ensure that no one under the age of 18 is admitted to the premises or restricted areas.
- Whether there is provision for self-barring schemes and provision of information leaflets/helpline numbers for organisations such as GamCare.
- Whether the layout, lighting and fitting out of the premises have been designed so as to not attract children and other vulnerable persons who might be harmed or exploited by gambling.
- Whether sufficient management measures are proposed or are in place to protect children and other vulnerable persons from being harmed or exploited by gambling.
- Whether any promotional material associated with the premises could encourage the use of the premises by children or young people.
- The Authority will also consider the location of the premises in the context of this licensing objective. If an application for a gambling premises is received for a location within a sensitive area or in close proximity to what are considered to be sensitive areas the Authority will expect applicants to demonstrate that they have sufficient and suitable control measures in place to promote this licensing objective

(5) How does the strategy/service/policy contribute to the promotion of equality? If not what can be done?

In carrying out its licensing functions the Authority will have regard to Guidance issued by the Gambling Commission. The overriding principle is that each application and the circumstances prevailing at each premises will be considered on their own individual merits. Other considerations such as moral or ethical objections to gambling are not valid reasons to reject applications for premises licences as they do not relate to the licensing objectives.

Appendix 2

(6) How does the strategy/service/policy promote good relations between groups? If not what can be done?	See above
(7) Are there any obvious barriers to accessing the service? If yes how can they be overcome?	Age, this is a legal requirement for the safety of children.

<b><u>Stage 4 – Action Planning, Review &amp; Monitoring</u></b>																										
<p>If No Further Action is required then go to – Review &amp; Monitoring</p> <p>(1) Action Planning – Specify any changes or improvements that can be made to the service or policy to mitigate or eradicate negative or adverse impact on specific groups, including resource implications.</p>	<p>EqlA Action Plan</p> <table border="1" data-bbox="875 834 2116 1066"> <thead> <tr> <th>Action</th> <th>Lead Officer</th> <th>Date for completion</th> <th>Resource requirements</th> <th>Comments</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Action	Lead Officer	Date for completion	Resource requirements	Comments																				
Action	Lead Officer	Date for completion	Resource requirements	Comments																						
(2) Review and Monitoring State how and when you will monitor policy and Action Plan	This policy will be reviewed every 3 years or when necessary																									

Please annotate your policy with the following statement:

**‘An Equality Impact Assessment on this policy was undertaken on 29<sup>th</sup> November 2021 and will be reviewed in line with statutory requirements in 3 years, ready for adoption in January 2025.**



# Rugby Borough Council

## Climate Change and Environmental Impact Assessment

### CONTEXT

In 2019 the UK Parliament set a commitment in law to reach net zero carbon emissions by 2050. Achieving this target will require considerable effort with public bodies, private sector organisations, the third sector and individuals working together to take action. Rugby Borough Council declared a climate emergency in 2019, in doing so committed to:

- To move the Council's operations towards Carbon Neutrality by 2030.
- To establish action to tackle climate change as a key driver of all decision-making.
- To provide community leadership in reducing the impact of Climate Change.
- To take action to mitigate the impact of climate change on a Borough wide basis and beyond, through adaptation.

The Council's Corporate Strategy (2021-24) [link](#) sets ambitious outcomes in relation to Climate Change. These ambitions must now be progressed through the decisions which the Council makes.

It is therefore important that Rugby Borough Council gives due regard to climate change when making decisions. In the context of the Council's business, Climate Change includes carbon emissions, biodiversity, habitat loss and environmental destruction. When putting forward recommendations for decision, officers must assess how these recommendations are likely to influence our climate change commitments by completing the following Climate Change and Environmental Impact Assessment.

A copy of this Climate Change and Environmental Impact Assessment, including relevant data and information should be forwarded to the Deputy Executive Director.

**If you require help, advice and support to complete the forms, please contact Dan Green, Deputy Executive Director.**

**SECTION 1: OVERVIEW**

<b>Portfolio and Service Area</b>	Licensing – Regulation & Safety
<b>Policy/Service/Change being assessed</b>	Statutory Gambling Policy Review
<b>Is this a new or existing Policy/Service/Change?</b>	Existing Policy
<b>If existing policy/service please state date of last assessment</b>	30/1/2018
<b>Ward Specific Impacts</b>	N/A
<b>Summary of assessment</b> Briefly summarise the policy/service/change and potential impacts.	The Gambling Act 2005 places a duty on the Council to publish a Gambling Policy - Statement of Principles on which licensing decisions will be based. The policy must be reviewed every 3 years. The Council’s existing policy is now due for review and must be re-published by 31 January 2022. A draft Policy is attached to this report, it is requested that permissions be given to the Licensing and Safety Sub-Committee to adopt this policy following the end of the consultation period.
<b>Completed By</b>	Emma Payne, Licensing Officer
<b>Authorised By</b>	Dan Green
<b>Date of Assessment</b>	29/11/21

**SECTION 2: IMPACT ASSESSMENT**

Climate Change and Environmental Impacts	No Impact	Positive	Negative	Description of impact	Any actions or mitigation to reduce negative impacts	Action owner	Timescales
Energy usage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Fleet usage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Sustainable Transport/Travel (customers and staff)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Sustainable procurement	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Community leadership	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Biodiversity and habitats	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Adaptation/Mitigation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Impact on other providers/partners	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				

**SECTION 3: REVIEW**

Where a negative impact is identified, the proposal and/or implementation can be adapted or changed; meaning there is a need for regular review. This review may also be needed to reflect additional data and evidence for a fuller assessment (proportionate to the decision in question). Please state the agreed review timescale for the identified impacts of the policy implementation or service change.

<b>Review date</b>	<b>January 2025</b>
<b>Key points to be considered through review</b>	<b>Statutory Review – changes to Gambling Commission guidance/legislation.</b>
<b>Person responsible for review</b>	<b>Licensing Team</b>
<b>Authorised by</b>	

## Agenda No 7(b)

### AGENDA MANAGEMENT SHEET

<b>Report Title:</b>	Modification of the Willoughby Neighbourhood Development Plan and Issue of Modification Document
<b>Name of Committee:</b>	Council <b>Error! Bookmark not defined.</b>
<b>Date of Meeting:</b>	15 December 2021
<b>Report Director:</b>	Chief Officer – Growth and Investment
<b>Portfolio:</b>	Growth and Investment <b>Error! Bookmark not defined.</b>
<b>Ward Relevance:</b>	Leam Valley
<b>Prior Consultation:</b>	The Willoughby Neighbourhood Development Plan has been through the necessary consultation stages required by legislation prior to its successful referendum on 2 December 2019. No public consultation has taken place on the proposed modifications, however this is not required by legislation due to the nature of the changes.
<b>Contact Officer:</b>	Martin Needham
<b>Public or Private:</b>	Public <b>Error! Bookmark not defined.</b>
<b>Report Subject to Call-In:</b>	No
<b>Report En-Bloc:</b>	Yes
<b>Forward Plan:</b>	Yes
<b>Corporate Priorities:</b>	This report relates to the following priority(ies): <input checked="" type="checkbox"/> Rugby is an environmentally sustainable place, where we work together to reduce and mitigate the effects of climate change. (C) <input checked="" type="checkbox"/> Rugby has a diverse and resilient economy that benefits and enables opportunities for all residents. (E) <input checked="" type="checkbox"/> Residents live healthy, independent lives, with the most vulnerable protected. (HC) <input checked="" type="checkbox"/> Rugby Borough Council is a responsible, effective and efficient organisation. (O) <a href="#">Corporate Strategy 2021-2024</a> <input type="checkbox"/>
<b>Summary:</b>	This report seeks approval from Council to update the Willoughby Neighbourhood Development Plan

in accordance with the schedule of modifications submitted and to issue a Modification Document detailing the changes.

Following a successful examination and referendum, the Willoughby Neighbourhood Development Plan was adopted on 17 December 2019

As it has been nearly two years since adoption, Willoughby Parish Council as 'Qualifying Body' with Rugby Borough Council have carried out a review of the plan to ensure it is up to date and complies with latest national policy and guidance. A number of modifications have been identified and a schedule of changes has been submitted by Willoughby Parish Council to Rugby Borough Council. The Local Planning Authority may make such changes to a neighbourhood plan at any time, with the consent of the Qualifying Body.

**Financial Implications:**

No financial implications as a direct result of this report. The Council previously received £20k in order to support the delivery of this plan, which included election costs for the referendum and Development Strategy officer time in supporting the planning and implementation of the plan.

**Risk Management Implications:**

There could be a risk of legal implications if Council were not to follow the recommendation as this would mean the Local Planning Authority was not dealing with the plan in accordance with Section 61M(4) of the Town and Country Planning Act 1990 (as applied by Section 38C of the Town and Country Planning Act 2004) and regulation 30 of the Neighbourhood Planning (General) Regulations 2012.

**Environmental Implications:**

There are no Environmental Implications

**Legal Implications:**

There could be a risk of legal implications if Council were not to follow the recommendation as this would mean the Local Planning Authority was not dealing with the plan in accordance with Section 61M(4) of the Town and Country Planning Act 1990 (as applied by Section 38C of the Town and Country Planning Act 2004) and regulation 30 of the Neighbourhood Planning (General) Regulations 2012.



**Equality and Diversity:**

There are no implications for equality and diversity. An Equality Impact Assessment has been completed to support this document and has been appended to this Council Report (Appendix 3).

**Options:**

Option One: To accept the proposed modifications to the Willoughby Neighbourhood Development Plan and issue a Modification Statement confirming this as set out in the recommendations.

Risks: There are no risks associated with this option.

Benefits: The Neighbourhood Development Plan will be updated in line with latest national policy and circumstances.

Option Two: To refuse the proposed modifications to the Willoughby Neighbourhood Development Plan.

Risks: There could be legal implications if Council were not to follow the recommendation as this would mean the Local Planning Authority was not dealing with the Willoughby Neighbourhood Plan in line with Section 61M(4) of the Town and Country Planning Act 1990 (as applied by Section 38C of the Town and Country Planning Act 2004). The Neighbourhood Development Plan would not reflect latest national policy and circumstances.

Benefits: There are no benefits associated with this option.

**Recommendation:**

- (1) The modifications to the Willoughby Neighbourhood Development Plan (modified plan included in Appendix 1) are accepted in accordance with Section 61M(4) of the Town and Country Planning Act 1990 (as applied by Section 38C of the Town and Country Planning Act 2004);
- (2) the Modification Document required under regulation 30 of the Neighbourhood Planning (General) Regulations 2012 be approved (draft document included in Appendix 2); and
- (3) both the Willoughby Neighbourhood Development Plan and the Modification

Document be published on the Council's website and any required notifications issued.

**Reasons for  
Recommendation:**

To ensure the Willoughby Neighbourhood Development Plan remains up to date and fit for purpose by updating references to National Policy and updating factual information about the neighbourhood area and its recent planning history.

**Council - 15 December 2021**

**Modification of the Willoughby Neighbourhood Development Plan  
and Issue of Modification Document**

Error! Bookmark not defined.

**Public Report of the Chief Officer for Growth and Investment**

**Recommendation**

- (1) The modifications to the Willoughby Neighbourhood Development Plan (modified plan included in Appendix 1) are accepted in accordance with Section 61M(4) of the Town and Country Planning Act 1990 (as applied by Section 38C of the Town and Country Planning Act 2004);
- (2) the Modification Document required under regulation 30 of the Neighbourhood Planning (General) Regulations 2012 be approved (draft document included in Appendix 2); and
- (3) both the Willoughby Neighbourhood Development Plan and the Modification Document be published on the Council's website and any required notifications issued.

**1. INTRODUCTION**

- 1.0 The Localism Act 2011 introduced a right for communities to draw up neighbourhood plans. Willoughby Parish Council (as the 'Qualifying Body'), with support and advice from the Borough Council, produced a neighbourhood development plan.

**2. PURPOSE OF REPORT**

- 2.1 This report considers whether the proposed modifications to the Willoughby Neighbourhood Development Plan should be approved by the Borough Council in accordance with Section 61M(4) of the Town and Country Planning Act 1990 (as applied by Section 38C of the Town and Country Planning Act 2004).

**3. BACKGROUND**

- 3.1 The Willoughby Neighbourhood Development Plan successfully passed a referendum on 2 December 2019 when a majority voted in favour for it to be used to help decide planning applications in the neighbourhood area. The plan was subsequently formally adopted by Rugby Borough Council at the Council meeting of 17<sup>th</sup> December 2019.
- 3.2 Since its adoption the Willoughby Neighbourhood Development Plan sits alongside the Borough Council's Local Plan 2019. Its policies are used as

material considerations in the determination of planning applications in the neighbourhood area.

- 3.3 Willoughby Parish Council with the support of Rugby Borough Council have recently conducted a review of their Neighbourhood Development Plan and have identified a number of modifications to update the document. A modified plan (Appendix 1) along with a schedule of changes (included in Appendix 2) have been submitted to the Borough Council for approval.
- 3.4 If accepted, the modified plan will supersede the previous version originally adopted. The modified plan will be publicised alongside the 'Modification Document' detailing the changes, as required by the Neighbourhood Planning (General) Regulations 2012. A draft Modification Document for approval is included in Appendix 2 to this report.
- 3.5 If approved, the modified plan and Modification Document will be published on the Borough Council's website. Notifications will be sent to those who were previously informed of the adoption of the original plan.
- 3.6 An Equality Impact Assessment has been carried out and is included in Appendix 3 and a Climate and Environmental Impact Assessment is included in Appendix 4. It has not been considered the issues raised in this report have a significant effect on Equality or Climate and Environment impacts.

## **4 MODIFICATIONS**

- 4.1 National Planning Practice Guidance Paragraph 106 confirms there are 3 types of modification that can be made to an adopted Neighbourhood Development Plan. These are:
  - 1: Minor (non-material) modifications which would not materially affect the policies in the plan. These may include correcting errors, such as a reference to a supporting document, and would not require examination or a referendum.
  - 2: Material modifications which do not change the nature of the plan would require examination but not a referendum. This might, for example, entail the addition of a design code that builds on a pre-existing design policy, or the addition of a site or sites which, subject to the decision of the independent examiner, are not so significant or substantial as to change the nature of the plan.
  - 3: Material modifications which do change the nature of the plan or would require examination and a referendum. This might, for example, involve allocating significant new sites for development.
- 4.2 The proposed modifications to the Willoughby Neighbourhood Development Plan primarily relate to updating references to the new National Planning Policy Framework 2021 (instead of the 2019 version). Factual changes are proposed including the updating details of businesses operating in the neighbourhood area and also records of planning permissions. The full list of changes is included as part of the Modification Document in Appendix 2 to this report.

- 4.3 The proposed modifications are considered minor (non-material) and would not materially affect the policies within the plan. As such it is not considered that an independent examination or a referendum would be necessary, and that the modifications can be agreed under Section 61M(4) of the Town and Country Planning Act 1990 (as applied by Section 38C of the Town and Country Planning Act 2004).
- 4.4 As referred to above, once accepted the modified plan and a Modification Document will be published on the Borough Council's website and the required notifications sent.

## **5. CONCLUSION**

- 5.1 The modifications proposed are considered to be non-material in nature and can be approved without the need for independent examination or a referendum under Section 61M(4) of the Town and Country Planning Act 1990 (as applied by Section 38C of the Town and Country Planning Act 2004).
- 5.2 Approval of the modifications will allow the Willoughby Neighbourhood Development plan to be updated as per the Parish Council's and Borough Council's review, in line with latest national planning policy and circumstances within the neighbourhood area.
- 5.3 The associated Modification Document detailing the changes will be published alongside the modified plan and the required notifications sent in accordance with legislation.

**Name of Meeting:** Council **Error! Bookmark not defined.**

**Date of Meeting:** 15 December 2021

**Subject Matter:** Modification of the Willoughby Neighbourhood Development Plan and Issue of Modification Document

**Obj:**

**Originating Department:** **Obj:** Development Strategy, Growth and Investment  
Growth and Investment

**DO ANY BACKGROUND PAPERS APPLY**  **YES**

**LIST OF BACKGROUND PAPERS**

<b>Doc No</b>	<b>Title of Document and Hyperlink</b>
1	Willoughby Neighbourhood Development Plan (Original Version) <a href="https://www.rugby.gov.uk/downloads/file/2471/willoughby_neighbourhood_plan_adopted_version">https://www.rugby.gov.uk/downloads/file/2471/willoughby_neighbourhood_plan_adopted_version</a>

The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

Exempt information is contained in the following documents:

<b>Doc No</b>	<b>Relevant Paragraph of Schedule 12A</b>



**Willoughby**  
**Neighbourhood Development Plan**  
**2021 - 2031**  
**Modified October 2021**

Willoughby NDP Steering Group on behalf of  
the Parish Council

Note - all maps prepared or reproduced under Ordnance Survey Willoughby Parish Council  
(Licensee) License No. 00051782



## Contents

The Willoughby NDP .....	4
Acknowledgements.....	5
1.0 What is a Neighbourhood Development Plan? .....	6
2.0 A Neighbourhood Development Plan for Willoughby .....	9
3.0 Vision and Objectives.....	14
4.0 NDP Planning Policies.....	16
4.1 Introduction .....	16
4.2 Protecting and Enhancing our Rural Landscape .....	18
4.3 Local Green and Blue Infrastructure.....	30
4.4 Conserving and Enhancing our Built Heritage Assets .....	40
4.5 Encouraging High Quality and Sustainable Design .....	44
4.6 Providing Homes .....	49
4.7 Supporting Small Businesses and Home Working .....	55
4.8 Protecting and Improving Local Facilities and Services .....	58
5.0 NDP Review.....	64
6.0 Non-Planning Issues and Concerns.....	65
Appendices.....	66
Appendix 1 Historic Landscape Character .....	67
Appendix 2 Listed Buildings in Willoughby Parish .....	69
Appendix 3 Proposed Non-Designated Heritage Assets.....	73
Appendix 4 Character Areas.....	88
Appendix 5 Housing Development in Willoughby Parish since the 1960s.....	99
Appendix 6 Willoughby Housing .....	100
Appendix 7 Definition of Affordable Housing (NPPF) .....	101
Appendix 8 List of Local Businesses in Willoughby Parish .....	102
Appendix 9 Local Facilities and Services .....	103

## The Willoughby NDP

Welcome to the Willoughby Neighbourhood Development Plan (NDP).

The NDP was examined by an independent examiner in August 2019 and the examiner's report was published on 10 September 2019. The examiner concluded that, subject to a series of modifications set out in his report, the Willoughby Neighbourhood Development Plan should proceed to referendum.

The Referendum version of the NDP incorporated the examiner's recommended modifications and a decision was made at the Rugby Borough Council Cabinet meeting on 7 October 2019 to take the plan forward to a referendum of local people in the neighbourhood area.

The referendum took place on 2 December 2019. Residents had the chance to vote 'Yes' or 'No' to the following question:

*Do you want Rugby Borough Council to use the neighbourhood plan for Willoughby to help it decide planning applications in the neighbourhood area?*

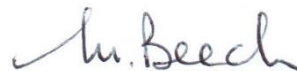
There were 169 'Yes' votes to 4 'No' votes. Turnout was 51.3 per cent.

In accordance with the Neighbourhood Planning Regulations, following the outcome of the referendum, the Borough Council made the neighbourhood plan so that it formally became part of the Development Plan for Rugby Borough on 17 December 2019.

The made Neighbourhood Plan has been reviewed and the Modified version incorporates a number of minor (non-material) modifications. The Parish Council and Rugby Borough Council consider that these modifications do not materially affect the policies in the plan as they are limited to updating references and source material and correcting errors. Therefore the modified NDP does not require examination or a referendum.



Chair of Parish Council



Chair of Steering Group

## Acknowledgements

Willoughby Parish Council would like to thank the members of the Steering Group for their dedication and hard work in formulating and gathering all the information required to put the Neighbourhood Development Plan together. The group consisted of Maggie Beech, Mike Thomas, Brian Hall, Steve Palmer, James Rowley and Ken Miles. Without all their effort and the input from Willoughby residents this would not have been possible.

The Steering Group would like to thank all the following people for their support and significant contribution to producing the Willoughby Neighbourhood Development Plan.

- Everyone who has taken the time to respond to the consultations and to give us their thoughts on how we might improve each version of the plan so that it truly reflects the community's views on future development in Willoughby Parish.
- All the residents who shared information about their historic houses and daily life in the village and helped to make the plan interesting for local people.
- Richard Jackson for his meticulous work on the historic landscape and maps and for reviewing and improving the appendix on non-designated heritage assets.
- Bert Ogle for his detailed and interesting report on flood risk in Willoughby Parish.
- Alan Belgrove for his beautiful photographs of local buildings and views.
- Ed Beech for his unfailing IT support and production of maps to show locations of buildings, green and blue infrastructure and significant views.
- Helen Caton Hughes for her interesting ideas and for creating the online questionnaires for the first two consultations.
- Everyone who helped with delivering leaflets and with setting up displays, welcoming people and providing refreshments at the Neighbourhood Plan Open Days.
- Beryl Hallam, Audrey Mitchell and Alan and Linda Belgrove for trialling our first questionnaire and providing valuable feedback on how we might improve it.
- Everyone at B Beautiful for hosting the special Neighbourhood Plan post box during two consultations.
- Louise Kirkup of Kirkwells Town Planning Consultants for her clear guidance, prompt responses to many questions and partnership approach to writing the various plans.
- Sophie Leaning and Martin Needham, Senior Planners at Rugby Borough Council, for their support and time in reviewing versions of the plan and for providing helpful additions and amendments.
- Willoughby Parish Council for initiating and sponsoring the process which enabled the development of this Plan.
- Locality for providing the grants that have funded the work.

## 1.0 What is a Neighbourhood Development Plan?

**Neighbourhood Development Plans (NDPs) are a new type of planning policy document, prepared by parish councils and other bodies to guide new development within a defined area, such as a parish. They are used alongside local authority (here, Rugby Borough Council) and national planning policy documents, to help determine planning applications.**

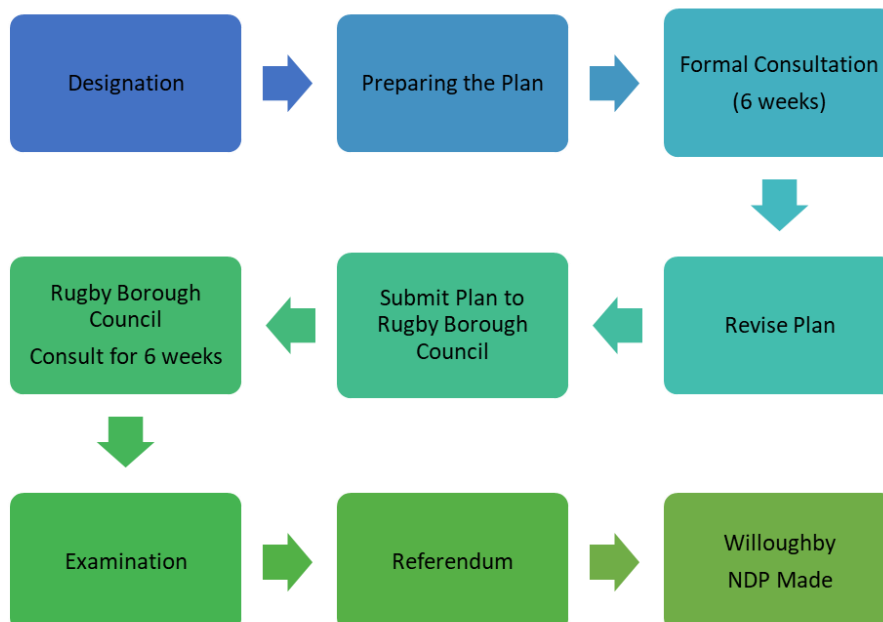
**NDPs are important planning documents and give local people the opportunity to have a real say in how, and where, development should happen within their local area. They can provide the local detail to add value to the higher level, more strategic policies as set out in the adopted Rugby Borough Council Local Plan 2011-2031.**

- 1.1 Neighbourhood Development Plans (NDPs) were introduced through the Localism Act 2011 to give local people a greater say in planning decisions that affect their area. NDPs are neighbourhood level planning policy documents with policies designed to reflect the needs and priorities of local communities.
- 1.2 NDPs can identify where development should take place, set out local design principles so that buildings respond positively to local character, and protect important facilities, historic buildings, the natural environment and open spaces. They are an important part of our planning system because planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. Made (adopted) NDPs are part of the local statutory development plan for their area.
- 1.3 A Neighbourhood Development Plan (NDP) can cover a range of planning related issues or just have one, single policy. This document has been prepared building on the informal public consultation on Issues and Options which was undertaken from 7 May to 3 June 2018, the informal public consultation on the First Draft Plan which took place from 8 October to 4 November 2018, the formal Regulation 14 public consultation which took place from 21 January to 10 March 2019 and the formal Regulation 16 public consultation which took place from 25 June to 6 August 2019.
- 1.4 The Issues and Options document set out a proposed draft vision and objectives for the NDP and asked residents about a range of planning issues and potential policies for addressing these issues. The First Draft Plan provided more detail in terms of background and supporting evidence and set out wording for ten draft planning policies. All local residents and stakeholders were invited to comment and their responses informed the Draft Willoughby NDP. The Draft NDP was published for consultation with statutory and voluntary organisations as well as local residents,

businesses and landowners. The representations received led to some further revisions of the plan to produce the Submission NDP. The Submission NDP was published for a further formal consultation and the representations received were sent to an independent examiner who recommended that the NDP should proceed to referendum, subject to a series of recommended modifications.

- 1.5 The Neighbourhood Development Plan and its policies should be read as a whole. Proposals will be assessed against all relevant policies.
- 1.6 It is important to remember that NDPs cannot be prepared in isolation. They have to be ‘in general conformity’ with local strategic planning policies - in this case, the adopted Rugby Borough Council Local Plan 2011 - 2031.
- 1.7 NDPs must also have regard to national planning policy - the revised National Planning Policy Framework (2021)<sup>1</sup> and other guidance and statements.
- 1.8 All the Neighbourhood Development Plan planning policies have to be underpinned by a clear and robust evidence base of local opinion and technical resources and, overall, the Plan has to meet a set of ‘basic conditions’ set out in national guidance.
- 1.9 Preparing an NDP is a complex and lengthy process. This is set out in Figure 1 below.

**Figure 1: Neighbourhood Development Plan Process**

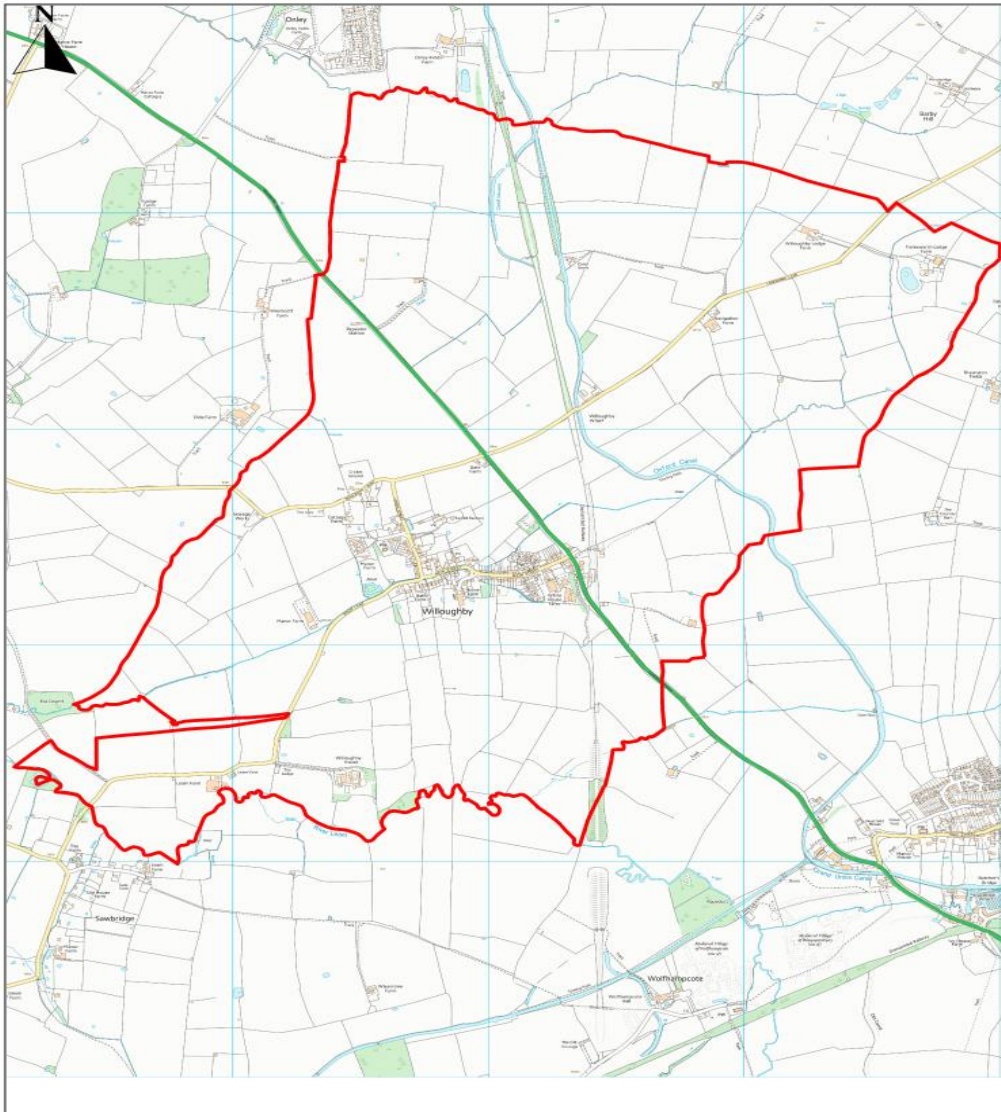


<sup>1</sup> <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

- 1.10 Following the referendum of local people on 2 December 2019, Rugby Borough Council formally made the Willoughby NDP on 17 December 2019. The NDP will now be used to help determine planning applications in the neighbourhood area alongside Rugby’s planning policies and national policy.
- 1.11 There is no requirement to review or update a neighbourhood plan. However Planning Practice Guidance (PPG) sets out that communities may decide to update their plan, or part of it, to reduce the likelihood of policies becoming out of date. The Parish Council and Rugby Borough Council reviewed the made NDP in 2021 and agreed a number of minor modifications to bring the Plan up to date.

## 2.0 A Neighbourhood Development Plan for Willoughby

**Map 1: Willoughby Neighbourhood Plan Area**



- 2.1 Willoughby Parish Council decided to prepare a Neighbourhood Development Plan (NDP) for Willoughby Parish in August 2017 following a survey of residents in which the majority of respondents indicated they wanted an NDP.
- 2.2 The Parish Council applied to Rugby Borough Council for designation of the Parish as a 'Neighbourhood Area' and this was approved on 5 October 2017. The designated Neighbourhood Area is the same area as the Parish and is shown in Map 1 above.
- 2.3 The period covered by the Neighbourhood Plan is from 2019 to 2031. This corresponds to the final twelve years of the plan period for the adopted Rugby Borough Council Local Plan 2011 - 2031 and allows our Neighbourhood Plan to use the same evidence base as that plan.

- 2.4 A Steering Group of interested local residents and a parish councillor was set up in November 2017 to oversee the preparation of the Plan on behalf of the Parish Council.
- 2.5 Willoughby Parish Council has carried out two major surveys with local residents in the past seven years. The first survey took place in September 2012 and informed the Parish Plan which was compiled in 2013 and updated in July 2015. The second survey took place in August 2014 and was preceded by a housing survey carried out by Midlands Rural Housing in June 2014. This information underpinned the Village Design Statement which was approved and adopted by Rugby Borough Council in August 2016 and which is used by the Parish Council to help determine whether they should accept or object to planning applications submitted for the Parish.
- 2.6 The three surveys provided a great deal of information about the village and the views of the Willoughby community at the time. They covered the following areas:
- Surrounding Landscape
  - Built Environment
  - Housing and Planning
  - Community Facilities and Services
  - Traffic and Transport
- 2.7 It is important to note that the Parish Plan and the Village Design Statement considered both planning and non-planning matters. Many of the non-planning matters remain relevant and important to local residents but these cannot be addressed through the NDP, which is a planning policy document. However, the Parish Council is committed to tackling any non-planning issues wherever possible through other actions and processes.
- 2.8 The Steering Group considered the information in the Parish Plan and the Village Design Statement and these, together with their own considerable local knowledge, were used to prepare an Issues and Options document with the support of professional town planning consultants, Kirkwells. All information related to the NDP was provided on the Neighbourhood Plan pages of the Parish Council website <https://www.willoughbyparishcouncil.org/neighbourhood-plan> .
- 2.9 The Issues and Options full document was published for consultation with local residents and stakeholders from 7 May to 3 June 2018. A copy of the Summary Report and Questionnaire was delivered to all households in the parish and either delivered or posted to non-resident stakeholders. Consultees were also invited to complete the questionnaire online using <https://www.surveymonkey.co.uk/r/WilloughbyNDP> .
- 2.10 An initial Neighbourhood Development Plan Day was held on Wednesday, 16 May at the village hall. Residents were invited to come along and find out more about the NDP and receive help and support with the questionnaire, if required.



- 2.11 In total, 202 paper questionnaires were distributed and 112 completed forms were returned (54 online and 58 on paper). In addition, Historic England and Natural England provided supportive comments. A report setting out the consultation responses is provided on the NDP website<sup>2</sup>.
- 2.12 The First Draft NDP was prepared taking into careful consideration the responses to the Issues and Options. In addition, the Steering Group undertook a significant amount of further detailed research over the summer of 2018 to provide more detail for many of the policies and a sound evidence base. This information was incorporated where possible into the supporting text and appendices of the First Draft NDP. A detailed flood risk report was prepared and can be viewed and downloaded from the NDP website.
- 2.13 The First Draft Plan was published for informal public consultation from 8 October to 4 November 2018. All local residents and stakeholders were invited to consider the First Draft Plan document and to provide their comments and ideas.
- 2.14 In addition to the full version of the First Draft Plan, a summary document was prepared for the consultation. Stakeholders were invited to take part in the consultation on the First Draft Plan in several ways including:
- Completing the questionnaire online at <https://www.surveymonkey.co.uk/r/WilloughbyNDP2>
  - By returning the paper questionnaire delivered to all households to:
    - Church View, Lower Street,
    - B Beautiful, Lower Street
    - 16 Main Street
  - Attending the second Neighbourhood Development Plan Day on Wednesday 17 October 2018 from 4.00pm to 8.00pm at the village hall.
- 2.15 A detailed report<sup>3</sup> setting out the responses to the First Draft Plan and how the representations influenced changes to the next version of the Draft Willoughby NDP is provided on the NDP website. Overall 94.34% of respondents (104) were 'generally supportive' of the First Draft Plan and there were a number of comments complimenting the NDP and noting the hard work and commitment of the Steering Group.
- 2.16 The Draft NDP was published for formal public consultation (Regulation 14) for 7 weeks from 21 January 2019 until 10 March 2019. A letter and representation form were delivered to all households and stakeholders in the parish and emails / letters

---

<sup>2</sup> WILLOUGHBY ISSUES & OPTIONS - CONSULTATION Responses and Revisions (July 2018)

<sup>3</sup> WILLOUGHBY FIRST DRAFT PLAN - CONSULTATION Responses and Revisions (November 2018)

were sent out to consultation bodies and other stakeholders. The Draft NDP and supporting documents were placed on the website with formal notification of the Regulation 14 consultation process. The Parish Council welcomed comments using the online representation form, by email or in writing.

- 2.17 Full details about the consultation process, the submitted responses and how these were used to inform the Submission Plan are provided in the accompanying Consultation Statement and Response Tables. Overall there were many supportive comments and a number of suggestions for minor wording changes to policies and supporting text in the NDP. The most significant revision was to incorporate a more robust flood risk policy (Policy W5) which was prepared following detailed advice from the Environment Agency, Severn Trent and Warwickshire County Council.
- 2.18 The Willoughby Neighbourhood Development Plan was submitted to Rugby Borough Council on 16 May 2019.
- 2.19 The Submitted NDP was published for consultation by Rugby Borough Council for 6 weeks until 6 August 2019. A number of representations were submitted by various individuals and organisations and these were considered by the examiner during the examination process.
- 2.20 The examination of the NDP was undertaken in August 2019 and the examiner's final report was published on 10 September 2019. The report set out that, subject to a series of recommended modifications, the Willoughby Neighbourhood Plan meets all the necessary legal requirements and should proceed to referendum. The examiner recommended that the referendum should be held within the neighbourhood area.

## Willoughby NDP Review

- 2.21 Planning Practice Guidance for Neighbourhood Planning sets out advice about the process for updating an NDP: 'There are three types of modification which can be made to a neighbourhood plan or order. The process will depend on the degree of change which the modification involves:
- Minor (non-material) modifications to a neighbourhood plan or order are those which would not materially affect the policies in the plan or permission granted by the order. These may include correcting errors, such as a reference to a supporting document, and would not require examination or a referendum.
  - Material modifications which do not change the nature of the plan or order would require examination but not a referendum. This might, for example, entail the addition of a design code that builds on a pre-existing design policy, or the addition of a site or sites which, subject to the decision of the independent examiner, are not so significant or substantial as to change the nature of the plan.

- Material modifications which do change the nature of the plan or order would require examination and a referendum. This might, for example, involve allocating significant new sites for development.'
- 2.22 The Willoughby NDP Review is considered to comprise minor (non-material) modifications which do not materially affect the policies in the plan.
- 2.23 PPG goes on to set out how minor neighbourhood plan or Order updates are made. 'Minor (non-material) updates to a neighbourhood plan or Order would not materially affect the policies in the plan or permission granted by the Order. A local planning authority may make such updates at any time, but only with the consent of the qualifying body. Consultation, examination and referendum are not required.'

(Planning Practice Guidance  
Neighbourhood Planning  
Paragraph: 084a Reference ID: 41-084a-20180222  
Revision date: 22 02 2018)

- 2.24 A Schedule of Changes showing all the modifications to the made NDP has been prepared and is provided on the neighbourhood plan pages of the Parish Council's and Rugby Borough Council's websites.

### 3.0 Vision and Objectives

- 3.1 A Neighbourhood Development Plan is required to have a vision and a clear set of objectives. The planning policies should then be designed to meet the identified objectives.
- 3.2 In the consultation on Issues and Options 94.64% of respondents (106 responses) agreed with the Draft Vision and 2.68% (3 responses) disagreed. There were a number of detailed comments which were considered and used to revise the wording in the First Draft Plan.
- 3.3 In the consultation on the First Draft Plan, 96.3% of respondents (104) supported the Draft Vision, and 3.7% of respondents (4) did not support the Vision. There were also some suggestions for amending the Vision and these have been considered and used to inform the final version of the Vision below.

#### VISION

**The attractive rural character of Willoughby village and the surrounding area will be retained and enhanced. Development will take place in a gradual, proportionate and sustainable way to primarily meet the needs of local people who live in or have a connection to the parish and to support local services and facilities.**

- 3.4 The responses to the Issues and Options consultation also demonstrated a high level of support for the Draft Objectives, with 94.64% of respondents (106 responses) supporting them and 2.68% (3) disagreeing. Again, detailed comments and suggestions were considered and used to inform revisions to the draft objectives.
- 3.5 There was also strong support for the Draft Objectives in the consultation on the First Draft Plan. 97.22% of respondents (105) supported the Objectives and only 0.93% of respondents (1) did not support them. There were several comments suggesting changes. Objective 1 was amended slightly in response to suggestions about the need to refer to wildlife.

#### OBJECTIVES

**Objective 1: To ensure that the rural landscape character and biodiversity of the parish is protected and enhanced.**

New development should be sustainable and should not detract from the character of the existing structures and landscape or impact adversely on local habitats and wildlife. Landscaping schemes should be designed sensitively taking into account the distinctive character of the historic agricultural landscape and the surrounding countryside.

(This will be progressed through NDP policies W1, W2, W3 and W4)

**Objective 2: To conserve and enhance the built heritage assets in the parish.**

New development should be designed to conserve and, where possible, to enhance designated and non-designated built heritage assets and their settings.

(This will be progressed through NDP Policy W6)

**Objective 3: To encourage high quality and sustainable design.**

New development should demonstrate high quality, inclusive and sustainable design and should positively contribute to the character and appearance of the area in which it is sited.

(This will be progressed through NDP Policies W4, W5 and W7)

**Objective 4: To provide a positive planning framework to guide the development of new homes within the parish.**

The development of new homes should respond positively to local needs. The scale, location, size and type of any new homes should be sensitive to the rural area and take into consideration the distinctive character of existing buildings.

(This will be progressed through NDP Policy W8)

**Objective 5: To support home working and small businesses.**

New businesses in the parish will be supported to help ensure Willoughby develops and prospers. New businesses should be suitable for the countryside location and minimise any adverse impacts on local residential amenity. New businesses which enable agricultural diversification and rural enterprise will generally be supported.

(This will be progressed through NDP Policy W9)

**Objective 6: To protect and improve local services and community and recreational facilities.**

Willoughby's existing facilities will be protected and proposals for new facilities and services will be encouraged.

(This will be progressed through NDP Policy W10)

## 4.0 NDP Planning Policies



**Entry to the village along Moor Lane**

### 4.1 Introduction

- 4.1.1 Willoughby Parish is a small rural parish to the south-east of Rugby located between Dunchurch and Daventry in the Leam Valley. Much of the parish is on the valley floor but to the east beyond the A45 part of the land rises gently towards the Northamptonshire village of Barby which is located upon a ridge of higher ground. The A45 runs through the middle of the parish with the Oxford Canal running roughly parallel a little further east. The village of Willoughby is bordered to the east by the A45 and is surrounded by farmland, much of which is ancient ridge and furrow. In 2011, the population in the parish was 398 (Census, 2011).
- 4.1.2 This is a very rural area with a distinctive landscape character. The built character of the village is a mixture of smaller houses and bungalows as well as larger properties. These dwellings range from much older houses, one built in the 17<sup>th</sup> century, to some houses built recently. Most houses are orientated to front the road and gable ends facing the road are uncommon. Many of the houses are set back from the road and sited within large, narrow plots which extend to the rear and provide open views to the open countryside beyond. The village has a linear layout of single plots either side of the through roads with four 'offshoot roads' where new housing development has taken place over the years. The distinctive 'valley floor' character of the village is

enhanced by meandering street-side swales (ditches) and vegetation that provide linking green corridors through the settlement.

- 4.1.3 The gradual growth of the village over the years has led to a built environment that is generally harmonious and in keeping with the surrounding landscape. In the wider parish there are a number of substantial farm houses and some more modest dwellings.
- 4.1.4 The Neighbourhood Development Plan provides an opportunity to aim for high quality in new development to ensure that change is integrated successfully and that our environment is protected and enhanced.

## 4.2 Protecting and Enhancing our Rural Landscape



**View over open countryside in Willoughby Parish**

- 4.2.1 Willoughby village is set within a distinctive rural landscape. In the survey for the Village Design Statement, 99% of villagers agreed that it was important to retain the green area around Willoughby to keep it as a separate entity. The vast majority of respondents (91%) thought that the agricultural land surrounding the village which provides employment, important local character and views with pasture land, arable crops, copses and hedgerows should be preserved at all costs. Almost everyone said that all public footpaths and bridleways should be maintained and around 85% believed that the views towards Barby, Braunston and Dunchurch should be preserved.

### **Local Landscape Character**

- 4.2.2 The landscape character of Willoughby Parish is described in the 'Landscape Assessment of the Borough of Rugby Sensitivity and Condition Study' (April 2006)<sup>4</sup>. Most of the Parish lies within the Feldon, Vale Farmlands landscape character type (LCT). This LCT is described as:

*'an area of broad, flat, low-lying clay vales with few roads or settlements. It is characterised by a largely intact pattern of medium to large-sized geometric fields, bounded by hawthorn hedges. Tree cover of any kind is sparse, allowing wide views to rising ground and giving a strong impression of sky and space. Despite a significant*

---

<sup>4</sup> <https://apps.warwickshire.gov.uk/api/documents/WCCC-688-147>



*move towards arable production in recent years, extensive areas of permanent pasture still remain a feature of this landscape, together with well-preserved areas of ridge and furrow. Deserted medieval villages have also survived in places. Villages are typically few and far between, often consisting of small, straggling clusters of farmsteads and dwellings. Most are situated around a cross-road, and many are well off the beaten track. Roads are often single track, with wide grass verges, bounded by a ditch and thick hedge.'*

- 4.2.3 The north-eastern part of the Parish rises to an area of Feldon, Ironstone Fringe landscape character type. This LCT is described as: *'a remote rural landscape associated with a raised Lower Lias tableland which occurs along the fringe of the Ironstone Wolds, (a hilly region in the western part of adjoining Northamptonshire). It has a large scale, gently rolling topography, punctuated in places by prominent ironstone hills. There are few roads or settlements, and sometimes there are extensive areas of empty countryside, often associated with deserted medieval villages.*

*Large, isolated manor farmsteads are a feature of this area, together with small, strongly nucleated ironstone villages often situated on rising ground. It is characterised by a large, strongly hedged field pattern, which creates a relatively strong sense of enclosure in an otherwise rather open, intensively farmed landscape with sparse tree cover. Extensive areas of permanent pasture were a characteristic feature of the Ironstone Fringe until relatively recently, much having been ploughed up. Where pockets of pasture still remain, well-preserved ridge and furrow is often a special feature. Roadside verges are typically wide and bounded by tall, thick hedgerows and on steep hillsides, semi-natural grassland may sometimes be found.'*



**Examples of Ridge and Furrow from Moor Lane**

- 4.2.4 The remaining areas of ridge and furrow landscape are of national importance and should be protected from development, as should the pasture and arable fields of the former enclosures. In English Heritage's Advice Report, 2011<sup>5</sup>, which assessed the moated site and an area of ridge and furrow for scheduling, it is noted that the

---

<sup>5</sup> See NDP Additional Evidence on NDP website: English Heritage Advice Report, 23 September 2011, Case Name: Moated Site 118, S of Manor Farm House and an area of ridge and furrow known as Big Grounds, Willoughby

moated site and ridge and furrow are parts of the same medieval landscape of Willoughby. The report goes on to explain that *'it is evident that the entire landscape of ridge and furrow surrounding the modern village of Willoughby is of national importance by virtue of its extent and the proportion of the medieval area under plough which it represents'*. The setting of these heritage assets is also significant and, if development surrounds and encloses these areas, their value would be significantly limited.

### **Landscape: The Historical Context**

- 4.2.5 The settlement of Willoughby is an ancient one with 5 entries in the Domesday Book of 1087 which reported ownership and use of land at the time of the Norman conquest. The name is old Norse for willow farm suggesting it may have been a border settlement between the Danelaw and Anglo-Saxon Mercia. One of the five Domesday holdings had occupiers with Norse names, possibly raiders who settled.
- 4.2.6 Perhaps the most significant event, in terms of the development of the village, was the grant in the 1100s by Henry I to Wigan the Marshal of various tranches of land including a substantial proportion of our parish. Eventually in the 1200s, the last member of Wigan's family dying childless, this holding was given to the Hospital of St. John the Baptist without the East Gate Oxford (the Hospital). This was a kind of ecclesiastical hotel providing accommodation for travellers and sometimes the destitute. The Hospital also received numerous other gifts of interests in land (shares of rent, use of land etc) and bought land in the parish.
- 4.2.7 In 1458 William Waynflete, Bishop of Winchester and Lord Chancellor, founded Magdalen College and persuaded the King, Henry VI, to endow it with the former estates of The Hospital including its land in Willoughby. The College were the largest land owners until they sold the estate, mostly to sitting tenants, in the 1950s.
- 4.2.8 Until the 19<sup>th</sup> century the College leased the entire estate to a single lessee who became the College's agent. Their lease required them to accommodate the President and an attendant twice a year when he would hold a Manorial Court and deal with estate business. In later years the College let individual farms and properties and managed them from Oxford. Over the years the College bought and sold land gradually increasing the size of the estate. The College's ownership of a large slice of the parish has led to an extensive and fascinating archive of documents and court records stretching back to 1230.
- 4.2.9 Farming practices changed markedly after the enclosure scheme in 1760. Prior to this a large proportion of the land was ploughed. It is clear that land was ploughed before Domesday which recorded that all 5 holdings had ploughed land. Later, the land was farmed on the Medieval Open Field system until enclosure with a considerable amount of land under plough creating the distinctive ridge and furrow profile. After enclosure, farming practice changed and much of the land went to pasture and has remained so. Hence the distinctive ridge and furrow visible across the Parish today. See Maps 9 and 10 in Appendix 1.

4.2.10 A further impact of enclosure was that the new owners were required to plant hedges and dig drainage ditches to enclose their allotted land. Most of these hedges remain today to the benefit of wildlife. See Map 11 in Appendix 1. The change in agricultural practice after enclosure, i.e. rearing stock rather than growing crops, resulted in a significant reduction in the number of workers on the land and, as mechanisation took hold, many of the traditional support services gradually disappeared e.g. wheelwright, blacksmith.

### **Loss of our National Landscape Legacy**

4.2.11 Between 1995 and 1999, Northamptonshire County Council and English Heritage commissioned research into the survival of medieval open fields in the East Midlands. This work was extended into the West Midlands including Warwickshire. The results of the research have been published in a 2001 report: 'Turning the Plough. Midland Open Fields: Landscape Character and Proposals for Management'. This confirmed that the loss of these ridge and furrow landscapes across the Midlands was extreme.

4.2.12 'Turning the Plough' recognised the national importance of the surviving ridge and furrow in the parishes of Braunston (378ha) and Shuckburgh (372ha). Subsequently, it emerged that the surviving ridge and furrow in Willoughby (388ha) was equally important but had been omitted from the report. This was confirmed by the author David Hall, the recognised authority on these landscapes. Analysis using Google Earth aerial photography suggests that just 25% of the Parish's ridge and furrow has been lost to field consolidation over the years.

4.2.13 It should be noted that the land ownership, occupation and farming of these three local parishes are closely linked over generations with those of Grandborough (and Woolscott), Wolfhampcote (and Flecknoe) and Barby (and Onley), where connected ridge and furrow is also found. Taken as a whole the landscape in this area of the Upper Leam Valley is of great importance. Elsewhere significant loss of ridge and furrow has continued e.g. the DIRFTIII and Rugby Radio Station developments have caused the destruction of over 400ha nearby. It is notable that historic records relating to Willoughby, in particular, and the other parishes are unusually extensive adding to the historic value of the landscape.

### **Wildlife in the Landscape**

4.2.14 This historic landscape of ancient ridge and furrow surrounded by mature hedges, which have been in place for centuries, allows wildlife to flourish. Foxes, badgers, hares and small mammals are often seen in the fields around the parish. The Oxford Canal and the old Great Central railway also allow nature to thrive with ducks and swans readily seen on the canal.

4.2.15 The village pond is home to many wild ducks and moorhens who breed here. It is also used by frogs and frogspawn is evident in the spring. Visits are often made by a heron and a kingfisher which feed on the fish. A brook runs through the village and the site of the Moat (a scheduled monument) is home to wild ducks and a variety of nesting birds. Hayward Lodge beside the A45 is a natural site where nature has been allowed to take

over and is home to rabbits and wild birds. There is a path running through the site which enables people to enjoy the plants and wildlife.

- 4.2.16 Policy NE3: Landscape Protection and Enhancement in Rugby Borough Council Local Plan requires that *'development proposals will be required to demonstrate that they ... consider its landscape context, including the local distinctiveness of the different natural and historic landscapes and character, including tranquillity [and] relate well to local topography and built form and enhance key landscape features ensuring their long term management and maintenance.'*
- 4.2.17 In the consultation on Issues and Options there was widespread support for including a policy to protect local landscape character with 91.96% of respondents (103 responses) agreeing with such a policy and 5.36% (6) not agreeing.
- 4.2.18 In addition to comments noting strong agreement, there were a number of detailed suggestions for changes. These included the need to protect the remaining areas of ridge and furrow which are of national importance, the need to consider flooding and flood risk in a new policy and proposed wording for a separate policy to protect locally significant views. These suggestions informed the changes to the policy wording and supporting text.
- 4.2.19 The consultation on the First Draft Plan showed that there was widespread local support for Draft Policy W1. 97.22% of respondents (105) supported the Draft Policy and 0.93% (1) did not support it. There were several positive comments and suggestions that the maps showing ridge and furrow should be amended to improve accuracy. Maps 9 and 10 were revised accordingly.
- 4.2.20 Proposals for a new settlement on the edge of the parish at Lodge Farm were deleted from the Local Plan. This was a highly controversial scheme with a high level of objections from local residents and stakeholders. Responses to the NDP Issues and Options consultation suggested that, if the Lodge Farm Village allocation is reinstated at some point in the future, the green gap between the southern boundary of Lodge Farm Village (2016 Publication Local Plan Allocation DS10) and Willoughby village should be protected. Following the examination, the examiner proposed various modifications to the Policy and reference to the proposed green gap in Policy W1 was subsequently deleted. Alternative wording to protect the distinctive settlement of Willoughby within its wider agricultural hinterland was recommended as a modification, and this has been incorporated into the Policy.

### **Policy W1: Protecting and Enhancing Rural Landscape Character**

Development proposals should be designed and sited to minimise any adverse visual impacts on the valued local landscape character of Willoughby parish as described in the Landscape Assessment of the Borough of Rugby Sensitivity and Condition Study (April 2006).

Proposals for new development should incorporate the following landscape design principles where they are applicable to the site concerned:

- A. The open, rural character of the landscape around Willoughby village should be maintained. Isolated new residential buildings in the open countryside will not be supported unless they meet the criteria of Rugby Local Plan Policy H4: Rural Exceptions Sites.
- B. Where possible, proposals for farming related development in the rural area should adjoin the existing built form of farmsteads and other buildings. Large new agricultural buildings and structures should be sited and designed sensitively to avoid breaking the skyline in terms of views from Willoughby village, and landscaping schemes should incorporate screening using native species in hedgerows (see Policy W4) and locally appropriate materials in walls and fences. Larger buildings should be ‘broken up’ using a change in materials or colour or a break in the roof line.
- C. The sensitive conservation and restoration of traditional farm buildings through continued and appropriate new uses will be supported. Repairs and alterations should use local materials and techniques wherever possible.
- D. Development proposals should preserve and enhance wildlife habitats, green and blue infrastructure corridors and heritage assets such as historic field patterns, hedgerow field boundaries and drainage ditches.
- E. The remaining areas of ridge and furrow landscape and pasture/arable fields of former enclosures as identified on the maps in Appendix 1 are of national importance and development which impacts adversely on these areas and their setting will not be supported.
- F. Lighting schemes should be designed to minimise light pollution. Security lighting should be operated by intruder switching, be appropriate to their setting, be unobtrusive and energy efficient and have consideration for neighbouring amenity.
- G. Development within Willoughby village should protect important local landscape features which enhance the character of the built-up area and link it to the open countryside. These include the following: existing grass verges, hedges, trees, wild areas, swales and ponds. New developments should

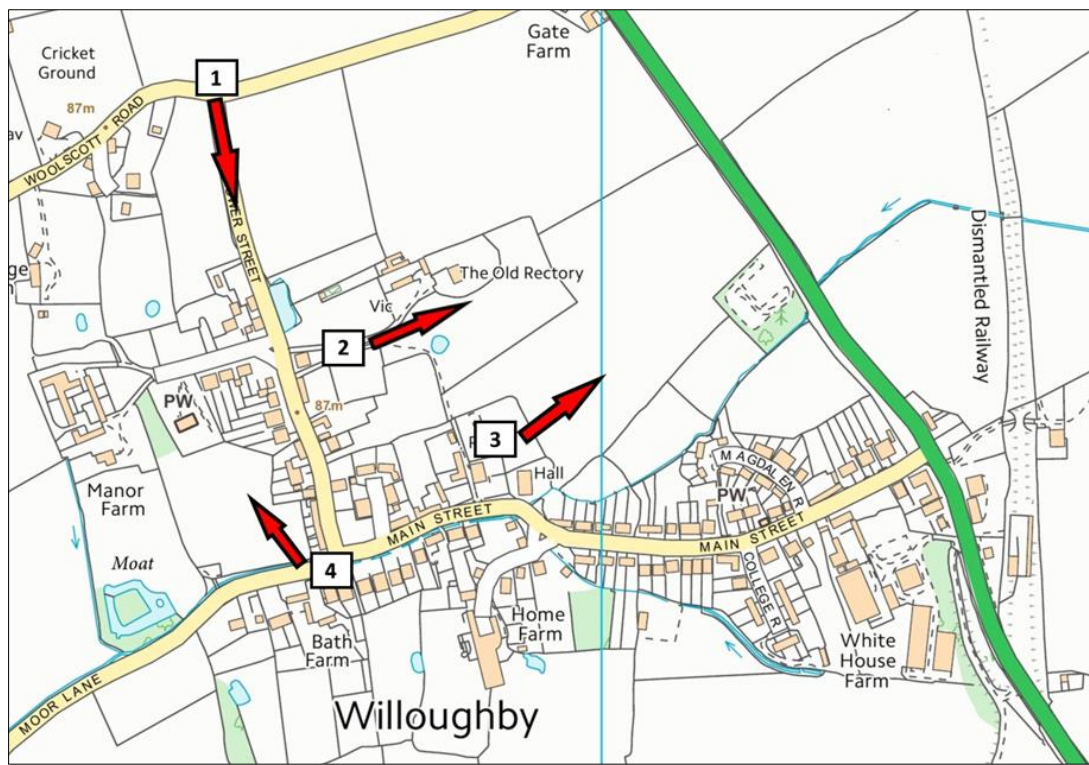
incorporate these features into landscaping designs wherever it is practicable to do so.

Development proposals should be designed and located to ensure that Willoughby village remains as a distinctive settlement in its wider agricultural hinterland.

### **Protecting Locally Significant Views**

- 4.2.21 In the consultation for the Village Design Statement in 2014, local people were asked to indicate whether or not specific views should be protected. These were Views 1, 2, 3, 5, 6 and 7 on the maps below. Almost 85% of respondents said that they should be protected.
- 4.2.22 During the Issues & Options consultation for the NDP in May/June 2018, local residents were asked again about these views and to indicate how important they were on a scale of 1 (not important at all) to 5 (very important). All were felt to be important. Percentages for 4 and 5 on the scale were added together to find out the level of strong support. Views 6 and 7 (towards Dunchurch and Braunston) - 72%, views 2 and 3 (towards Barby) - 78.57% and views 1 and 5 towards the village from Woolscott Road and Longdown Lane - 84%.
- 4.2.23 As part of the preparation for the Issues & Options consultation, the Steering Group decided that a view that was significant to them should be added to find out how important it was to other local people. This was View 9 (from Moor Lane towards Grandborough). 83% of respondents scored this view at 4 or 5 on the scale.
- 4.2.24 During the Issues and Options consultation, respondents were asked to make suggestions for other views that were important to them. The two most suggested views by far were View 4 (from Moor Lane towards the Church) and View 8 (from Moor Lane south across Big Ground towards Sawbridge). Both these views hold special significance for local people. The Church is highly valued as a centuries-old listed building and village landmark and the field from Moor Lane provides an important part of its setting. View 8 looks across Big Ground which now holds iconic status as the site where local people successfully fought against a planning application to build a crematorium in 2011. As a result, these two views were added to the First Draft NDP to find out if they are supported more generally by local people as significant views.
- 4.2.25 The responses to the consultation on the First Draft Plan showed that local residents were in favour of protecting the identified significant views. 98.15% of respondents (106) supported the Draft Policy and identified views.
- 4.2.26 The identified significant views on Maps 2A and 2B make an important contribution towards local visual amenity and the neighbourhood's landscape character.

Map 2A: Significant Views in Willoughby Village



1. View from Woolscott Road looking south along Lower Street towards the village

2. View from PROW 247c<sup>6</sup> looking north-east towards Barby Hill. The Old Vicarage is on the left.

<sup>6</sup> PROW 247c is the public footpath from Lower Street that goes behind the village houses as a shortcut to the playing field and the Rose Inn.

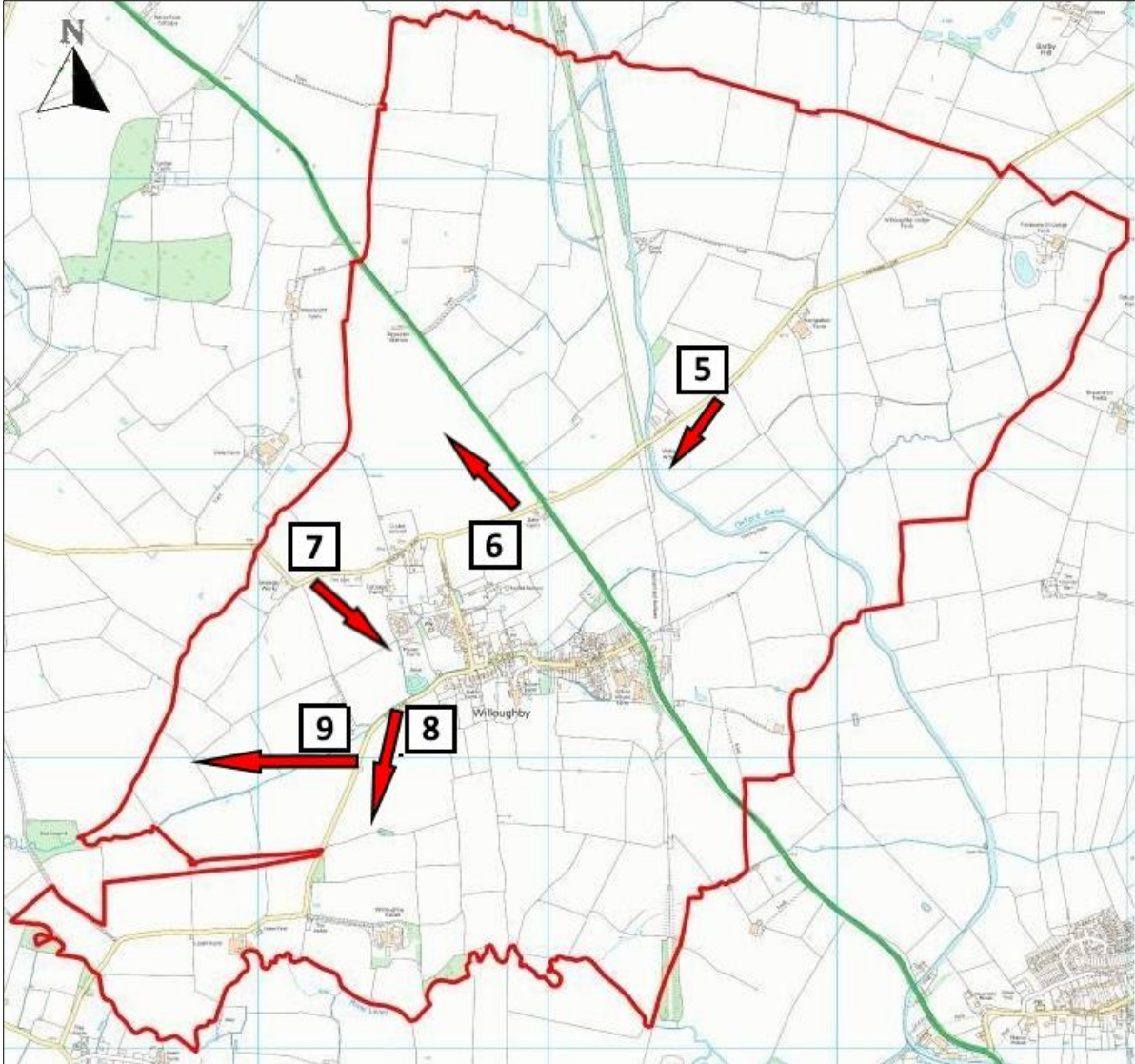


3. View from the village playing field looking north-east towards Barby Hill



4. View from Moor Lane looking north-west towards the church

Map 2B: Significant Views in Willoughby Parish







5. View from Longdown Lane looking south-west towards the village and Flecknoe on the hill in the distance



6. View from Woolscott Road (between the Cricket Club and the A45) looking north-west towards Dunchurch



7. View from Woolscott Road looking south-east towards the village and Braunston church spire in the distance.



8. View from Moor Lane looking south-west across Big Ground towards Sawbridge.



9. View from Moor Lane looking west towards Grandborough. The church spire is right of centre between the darker green trees.

## **Policy W2: Protecting Significant Local Views**

Significant Local Views are identified on Maps 2A and 2B.

Development proposals should respect the identified Significant Local Views. Where a development proposal impacts on an identified Significant View, a Landscape and Visual Impact Assessment or similar study should be carried out to ensure that the scheme is designed and sited sensitively and appropriately to mitigate any adverse impacts.

### **Community Led Renewable Energy Schemes**

- 4.2.27 The consultation on Issues and Options included a question about whether the NDP should support proposals that come forward over the plan period for community based renewable energy schemes. The responses from consultees suggested an ambivalence about this issue, with 44.64% (50) agreeing that the NDP should include such a policy, 46.43% (52) not agreeing, and 8.93% (10) not answering.
- 4.2.28 The NDP Steering Group agreed that such a policy should be included in the Draft Willoughby NDP, provided that there is a clear cross-reference to Draft Policy W1 which protects local landscape character. It was suggested that a Draft Policy could be tested further during the consultation on the First Draft Plan.
- 4.2.29 The responses to the consultation on the First Draft Plan demonstrated that there was strong support for the Draft Policy on renewable energy schemes in the Willoughby NDP. 93.52% of respondents (101) supported the Draft Policy and 2.78% (3) did not support the Draft Policy. There were also several comments noting that there was a need to address visual and landscape impacts and some technologies such as wind were not considered appropriate. Further clarification was also requested. Additional supporting text has been included in the Draft Plan to provide more detailed explanation of community led schemes.
- 4.2.30 NDPs are required to promote sustainable development and there is an increasingly pressing need for policies and plans to contribute towards energy efficiency and carbon reduction measures to address climate change. Small scale community led renewable energy schemes can help to improve security of energy supply and often provide an income stream to support other community projects. Community energy projects have an emphasis on local engagement, local leadership and control and the local community benefiting collectively from the outcomes. Examples of community energy projects include:
- Community-owned renewable electricity installations such as solar photovoltaic (PV) panels, wind turbines or hydroelectric generation;
  - Members of the community jointly switching to a renewable heat source such as a heat pump or biomass boiler;

- A community group supporting energy saving measures such as the installation of cavity wall or solid wall insulation;
- Working in partnership with the local Distribution Network Operator (DNO) to pilot smart technologies;
- Collective purchasing of heating oil for off gas-grid communities; and
- Collective switching of electricity or gas suppliers.<sup>7</sup>

4.2.31 The NPPF para 156. Sets out that '*Local planning authorities should support community-led initiatives for renewable and low carbon energy, including developments outside areas identified in local plans or other strategic policies that are being taken forward through neighbourhood planning.*' Rugby's Local Plan Policy SDC8: Supporting the provision of renewable energy and low carbon technology, supports proposals for new low carbon and renewable energy technologies subject to criteria including requiring that designs '*minimise adverse impacts (including any cumulative impacts) on the natural environment in terms of landscape, and ecology and visual impact.*'

4.2.32 NDP Policy W3 has been prepared to help guide proposals for community based renewable energy schemes, should any such projects come forward over the plan period.

### **Policy W3: Community-Led Renewable Energy Schemes**

Community-led initiatives for renewable and low carbon energy schemes will be supported, provided that any adverse landscape and visual impacts (including cumulative impacts) are mitigated and, where this approach is not practicable, are minimised.

---

<sup>7</sup> See **Community Energy** and **What is Community Energy?**

A guide aimed at local groups who are interested in setting up a community energy project.  
<https://www.gov.uk/guidance/community-energy#what-is-community-energy>

### 4.3 Local Green and Blue Infrastructure



**Oxford Canal bridge by Navigation Cottage and View towards Braunston**

4.3.1 Green Infrastructure (GI) is ‘a network of multi-functional green and blue spaces and other natural features, urban and rural, which is capable of delivering a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity’ (NPPF Annex 2: Glossary p67).

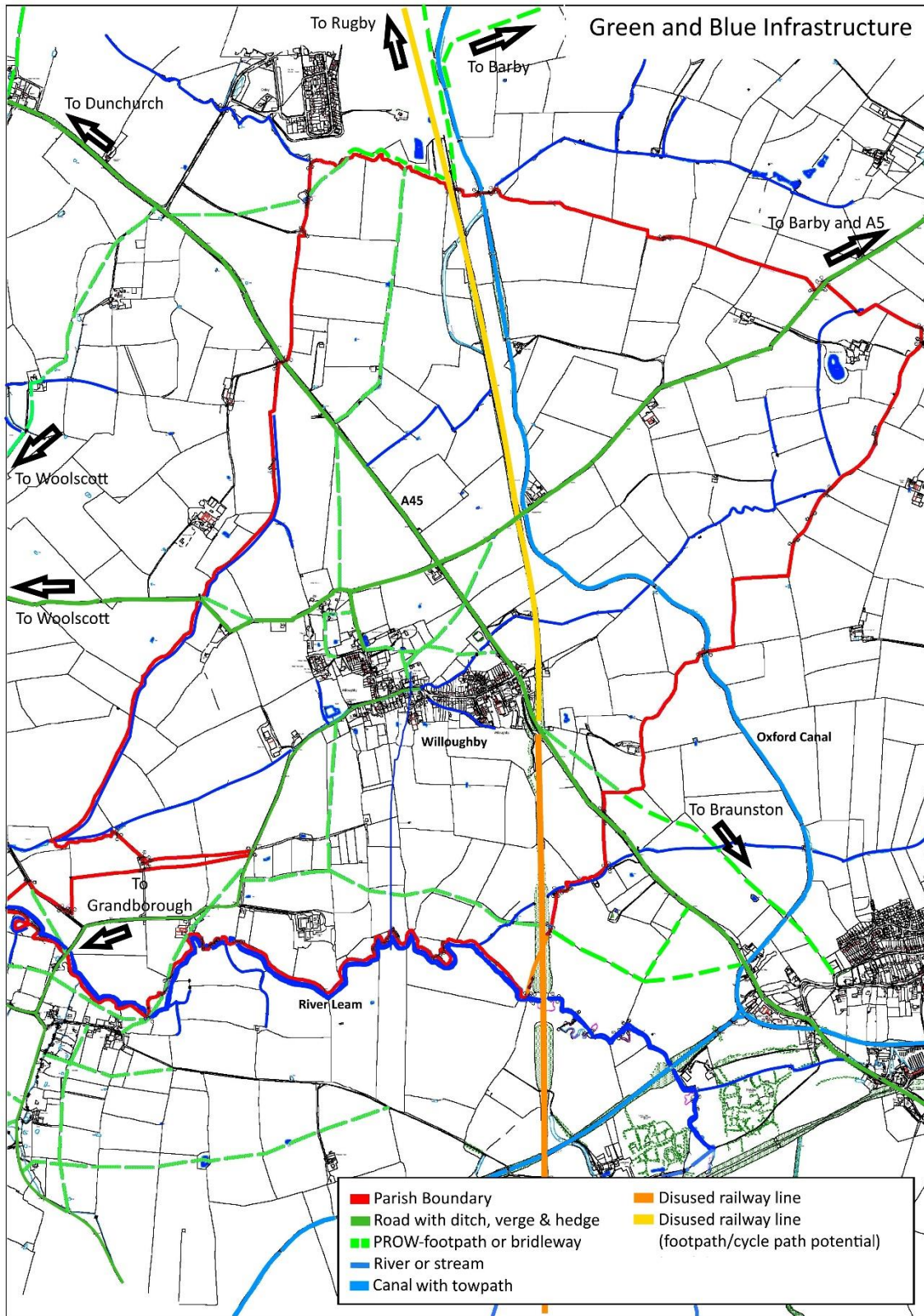
4.3.2 Rugby Borough Council (RBC) Green Infrastructure Study, Final Report June 2009<sup>8</sup> suggests that the following resources should, wherever possible, be incorporated within local GI networks:

- *hedgerows, rail and motorway embankments and road verges that provide movement corridors and habitats for a range of wildlife (including legally protected and other notable species);*
- *notable species populations;*
- *woodlands, orchards and trees that play an important role in providing shading and contributing to the image of an area (as well as being valuable habitats);*
- *areas of historic value at the local scale (HER records and Historic Landscape Characterisation); areas of high landscape quality (identified through landscape character assessments);*
- *landscape, ecological and historic features that contribute to local character and sense of place;*
- *ponds, which provide valuable wildlife habitats and may have a role in local drainage networks;*
- *public rights of way and permissive routes that may be important as sustainable movement corridors; and*
- *allotments.*

<sup>8</sup> [https://www.rugby.gov.uk/downloads/file/197/green\\_infrastructure\\_study](https://www.rugby.gov.uk/downloads/file/197/green_infrastructure_study)

- 4.3.3 Rugby Borough Council Local Plan Policy NE2: Strategic Green and Blue Infrastructure sets out that *'the Council will work with partners towards the creation of a comprehensive Borough wide Strategic Green and Blue Infrastructure Network.'*
- 4.3.4 The Willoughby NDP identifies relevant Green and Blue Infrastructure (GI) networks which are found in the Willoughby neighbourhood area. The responses to the Issues and Options consultation showed that 92.86% of respondents (104 responses) supported the inclusion of a GI policy in the NDP with only 2.68% (3) not supporting such a policy.
- 4.3.5 The consultation on the First Draft Plan showed that there was overwhelming support for the Draft Policy on Green and Blue Infrastructure. 98.15% of respondents (106) supported the Draft Policy. Comments noted the importance of linking new networks to existing ones: this has been addressed in an amendment to the Policy wording. There were also comments about maintenance, the need for greater emphasis in parts of the policy and the importance of encouraging cycling.
- 4.3.6 Map 3 shows the Green and Blue Infrastructure networks identified in Willoughby.

Map 3: Green and Blue Infrastructure in Willoughby Parish



- 4.3.7 Policy W4 aims to protect local Green and Blue Infrastructure and encourages new development to enhance these networks.

#### **Policy W4: Green and Blue Infrastructure in Willoughby**

Green and Blue Infrastructure networks in Willoughby parish are identified on Map 3.

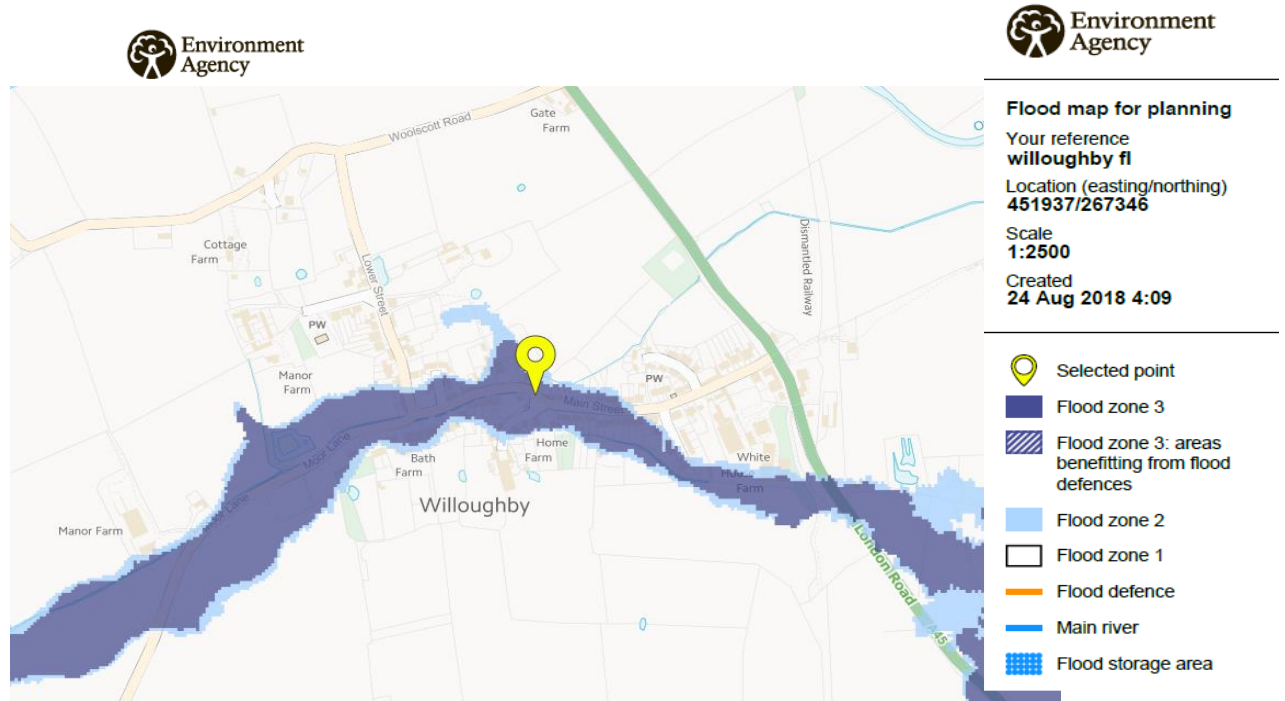
- A. New development should protect and where possible enhance existing Green and Blue Infrastructure. Development which delivers the creation of new multifunctional green and blue infrastructure will be supported. New infrastructure should connect to existing infrastructure wherever possible.
- B. Proposals should demonstrate how existing networks within the site will be maintained during development and thereafter in perpetuity.
- C. Where appropriate, new developments should incorporate opportunities to extend existing networks of footpaths, bridleways and cycleways. Where appropriate, new development should make links to existing Green and Blue infrastructure, neighbouring amenities and communities to increase their environmental and quality of life benefits.
- D. Where it is appropriate and practicable to do so, development should incorporate mitigation measures to protect and enhance the river corridors of the River Leam and its tributaries and the swales which flow through the centre of the village of Willoughby as well as the pond on Lower Street. Proposals should also incorporate opportunities to create space for water to reduce the risk of flooding downstream and to provide other benefits including amenity and enhancing biodiversity.
- E. Planting and landscaping schemes associated with new development should use locally appropriate species which contribute to biodiversity and wildlife objectives.

#### **Reducing Flood Risk**

- 4.3.8 A significant area of Willoughby village is at risk of flooding. A watercourse (Willoughby Brook) flows through the heart of the village, and whilst it provides visual interest and supports local wildlife, there is a risk of fluvial flooding as shown on Map 4 and surface water flooding as shown on Map 5.

4.3.9 Maps 4 and 5 are based on national generalised mapping. The Environment Agency (EA) recommends that detailed hydraulic modelling of the ordinary watercourses is undertaken as part of any planning application within close proximity of any ordinary watercourse to properly define the extent of the floodplain taking into account the effect of climate change.

**Map 4: Flood Map for Planning, Willoughby Village (Fluvial Flooding)<sup>9</sup>**



**Map 5: Surface Water Flooding (Environment Agency Flood Map)**

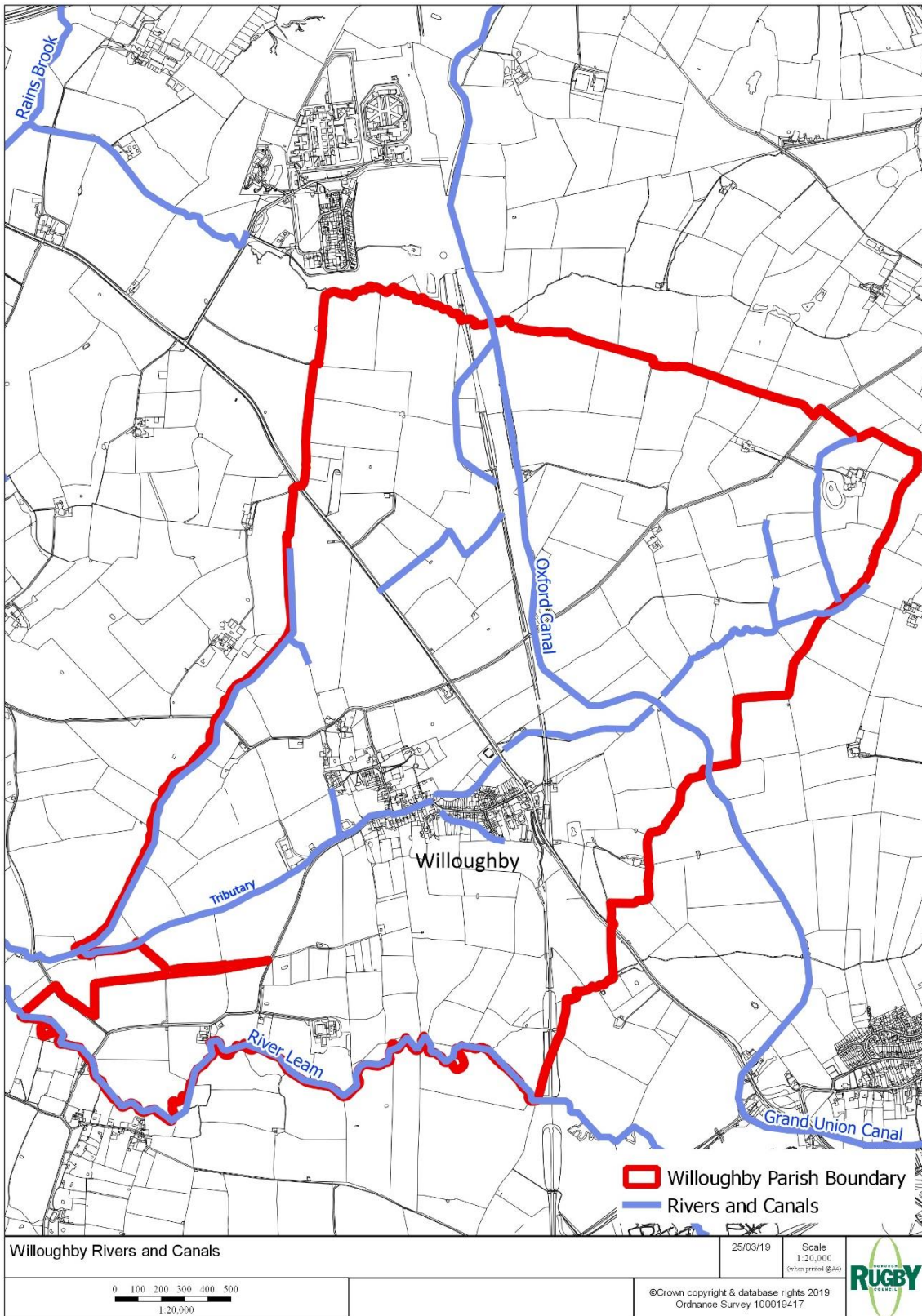


<sup>9</sup> <https://flood-map-for-planning.service.gov.uk/>



- 4.3.9 The Flood Risk Report 2018 (see Additional Evidence on NDP website) provides more detail about fluvial, surface water and groundwater flooding in Willoughby. Surface water flooding occurs when rainfall is unable to soak into the ground or enter the drainage system and creates runoff which flows over the surface to low lying areas. It is usually the result of intense rainfall, often of short duration, (typically, greater than 30-40 mm /hr). Whilst surface water flooding is basically driven by the topography of the land, and permeability of the subsoils, it is influenced to a significant degree by man-made structures, bridges, culverts, fences and other development, especially that associated with significant areas of hard standing.
- 4.3.10 The most seriously affected point in the village during any flooding episode is the junction of Main Street and Lower Street, where the brook passes under Main Street via two culverts. As the water level downstream rises the brook backs up to top its bank. The water level in the brook then rises until the occupation bridge at the end of the footpath along Moor Lane is submerged. The flooding here is often made worse by large cars driving at speed through the flood and throwing the water up against the houses which front directly onto the road.
- 4.3.11 Poorly maintained drainage ditches can also contribute to flooding in the area. The Parish Council will work to encourage landowners in the parish to maintain drainage ditches on private land, and to keep them clear of debris to maximise capacity and reduce risk of overflowing.
- 4.3.12 At the Regulation 14 public consultation stage, the Environment Agency (EA) submitted detailed comments noting that the NDP should propose local policies to safeguard land at risk from fluvial flooding and to make provision for the sustainable management of surface water from both allocated and future windfall sites and that such local policies should seek to enhance the policies in the Rugby Borough Council Local Plan 2011 – 2031.
- 4.3.13 The EA noted that the Draft NDP included a Flood Risk Management policy but advised that this could be strengthened to safeguard land at risk of flooding from any future windfall sites. The NDP should further identify what mitigation measures are considered necessary such as safeguarding specific land (after identification) for flood attenuation or natural flood risk management, and include this in the policies, to ensure that sites are safe and will not increase flood risk elsewhere and that opportunities to reduce flood risk are identified. The Parish Council does not wish to commit resources at this stage to identifying specific areas of land for flood mitigation measures but it recognises the need to plan positively and support such proposals.
- 4.3.14 The EA also advised that the River Leam, classified as an Ordinary Watercourse, flows along the southern edge of the Willoughby NDP area and a tributary of this watercourse flows through the plan area. This watercourse is a major feature and there may be potential opportunities to protect and enhance the river corridor and reduce flood risk in the area. The watercourses are shown on Map 6 below.

Map 6: Watercourses in the NDP Area



- 4.3.15 Policy W5 has been amended and strengthened taking into account the advice provided by the EA and Severn Trent.
- 4.3.16 Rugby Local Plan Policy SDC5: Flood Risk Management sets out that '*a sequential approach to the location of suitable development will be undertaken by the Council based on the Environment Agency's flood zones as shown on the latest Flood Map for Planning and Strategic Flood Risk Assessment (SFRA). This will steer new development to areas with the lowest probability of flooding, in order to minimise the flood risk to people and property and manage any residual risk.*'
- 4.3.17 The consultation on the First Draft Plan demonstrated that there was strong local support for the Draft Policy on flood risk, with 98.15% of respondents (106) supporting the Draft Policy. There were comments about the need for improved maintenance and capacity of the sewage network and a suggestion for a minor amendment to the wording of the Policy. Policy W5 has been comprehensively revised following the Regulation 14 public consultation.

### **Policy W5: Reducing Flood Risk in Willoughby**

Development schemes should be sited and designed to reduce flood risk in Willoughby. Proposals for development should take account of the following principles:

#### Location of New Development

- A. All new development should be located in Flood Zone 1. Only if there is no viable/available land in Flood Zone 1 should other areas be considered using the Sequential Test approach. Any watercourse which does not have any flood extents associated with it, will require further work or modelling as part of detailed planning applications to ensure the proposed development will be safe and not increase flood risk.
- B. In areas where fluvial flood risk is a known issue, development should be avoided within Flood Zone 2 and 3 unless the development can ensure flood risk is not increased elsewhere as well as ensuring surface water runoff is no greater than the existing pre-development runoff. This should include consideration of flood extents within climate change. This may result in existing areas in Flood Zone 2 being located in Flood Zone 3 under the climate change scenario.
- C. Development should be located a suitable distance from watercourses to allow access for maintenance and restoring the natural floodplain. This includes existing culverted watercourses.

- D. Finished floor levels should be set a minimum of 600mm above the 1 in 100 year plus climate change flood level.

#### Drainage and Runoff

- E. Development proposals will be required to provide effective surface water drainage measures to protect existing and future residential areas from flooding. New development should be designed to maximise the retention of surface water on the development site and to minimise the rate of runoff. Overall there should be no net increase in surface water runoff for the lifetime of the development.
- F. All developments should control and discharge all surface water runoff generated on site during the 1 in 100 year plus climate change rainfall event. For greenfield development sites, the surface water runoff generated as a result of the development should not exceed the greenfield runoff rate. For brownfield development sites, developers should deliver an appropriate reduction in the existing runoff rate that relates to the particular circumstances of the site concerned, and where practicable, reduce the runoff to the equivalent greenfield rate.
- G. Sustainable drainage systems (SuDS) should be implemented in accordance with the SuDS hierarchy where such an approach is practicable.
- H. Developments should take account of the Drainage Hierarchy and, in particular, schemes should direct surface water away from combined sewers on previously developed land and ensure surface water on new development is not connected to a combined sewer. Where alternatives to a connection to a surface water sewer or to a combined sewer are available these outfall options should be considered prior to determination of the drainage system.
- I. All SuDs features should be located outside of the 1 in 100 year plus climate change flood extent.

#### Flood Storage

- J. Schemes should make use of open space to retain water as part of flood risk management.

- K. Areas of land in Flood Zone 2 and Flood Zone 3 adjacent to the River Leam and its tributaries will be protected from development to support flood attenuation measures or natural flood risk management.
- L. Wherever it is practicable to do so development proposals should provide betterment on flood storage. Developments that would create space for water by restoring floodplains and contributing towards the delivery or improvement of Green and/or Blue Infrastructure will be supported.

## 4.4 Conserving and Enhancing our Built Heritage Assets



**Church of St. Nicholas (Grade II\*)**

- 4.4.1 Three historic transport routes run through Willoughby Parish. The village itself lies on an important historic road from London to Holyhead. In 1790, the Oxford Canal was opened with a wharf near Willoughby and this remains an important leisure route today. Later, the Great Central Railway station opened in 1899 (closed 1957) providing a regular rail service to London.
- 4.4.2 The street plan of the village has remained largely unchanged for centuries. The upper part of Main Street, Lower Street, Moor Lane and Woolscott Road were farm tracks until the 1920s. Much of the housing was of traditional cob and thatch until the 1920s when many were condemned as unfit for human habitation and demolished to be replaced by brick and tile houses.
- 4.4.3 Willoughby's built heritage and distinctive character are clearly valued locally as positive assets. In the questionnaires for the Parish Plan and for the Village Design Statement, a considerable majority of respondents wanted the heritage of the village to be protected and many people noted buildings which were of visual or historical importance to them.
- 4.4.4 The responses to the Issues and Options consultation demonstrated strong support for the NDP to include a planning policy to protect and enhance built heritage assets in the parish. 87.50% of respondents (98 responses) supported such a policy and 5.36% (6) did not. Comments included the need to protect ridge and furrow landscapes (this is addressed in Policy W1), that new products can enhance and blend in and that there is a need for new development to be in keeping with the existing village.

4.4.5 The consultation on the First Draft Plan also demonstrated strong local support with 97.22% of respondents (105) supporting the Draft Policy. Map 14 was amended to improve accuracy in response to one of the comments.

4.4.6 Many of the oldest built heritage assets in the village are in the historic core. These include:

*Lower Street* with its terraced cottages and detached properties such as Barrowfield and Church View, which used to have a Methodist chapel at the end of the building. Vale House, a timber-framed house next door, was built in the 17th century.

*Main Street* where older properties include The Bakehouse and Post Cottage, together with buildings near the village sign triangle such as the Rose Inn, The Old School House, The White House and The Willows.

4.4.7 Other more scattered historic properties include Bath Farm in Moor Lane, The Old Vicarage off Lower Street and Gate Farm on the A45, together with Manor Farmhouse near to St Nicholas' Church. Willoughby House on the Sawbridge Road was built in the 1860s on the site of The Bath Hotel which was a spa during the first half of the 19th century. The site of a moated farmstead dated to the 1400s in Moor Lane is designated a scheduled monument by English Heritage. In total, there are six listed buildings in the Parish including the Grade II\* listed Church of St Nicholas and one scheduled monument, The Moat. These are:

- The Smithy (Grade II)
- The Rose Public House (Grade II)
- Vale House (Grade II)
- Church of St Nicholas (Grade II\*)
- Manor Farmhouse (Grade II)
- Whitehouse Farmhouse (Grade II) and
- Moated Site south of Manor Farmhouse (Scheduled).

4.4.8 Appendix 2 provides more information about the statutory Listed Buildings in the parish.

4.4.9 Appendix 3 identifies and describes proposed non-designated heritage assets for further consideration by Rugby Borough Council. These are:

- Cottage Farm
- Pye Court
- The Old Vicarage
- Gate Farm
- Navigation House (Inn) and Cottage
- Old Station Master's House
- Willoughby House
- Ivy House Farm
- Church View
- Barrowfield

- Red House
- Lower Street Cottages
- Bath Farm
- Post Cottage
- The Bakehouse
- The Old School House
- The Willows
- College Farm
- The Wesleyan Chapel
- Four Crosses



**Manor Farmhouse (Grade II)**

4.4.10 Rugby Borough Council Local Plan Policy SDC3: Protecting and Enhancing the Historic Environment supports development which '*sustains and enhances the significance of the Borough's heritage assets including listed buildings, conservation areas, historic parks and gardens, archaeology, historic landscapes and townscapes*. The NPPF defines Heritage Assets as *a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).*'

4.4.11 Policy W6 seeks to conserve and enhance the historic environment of Willoughby, taking into account locally important heritage assets and significant features. The third part of the policy has been designed to ensure that development proposals which fall within areas recorded on the Warwickshire Historic Environmental Record<sup>10</sup> in the neighbourhood area are properly prepared to safeguard the identified heritage. Where

<sup>10</sup> <https://www.warwickshire.gov.uk/her>



appropriate the Warwickshire Historic Environmental Record should be consulted at an early stage in the formulation of development proposals.

### **Policy W6: Conserving and Enhancing Built Heritage Assets and their Settings**

Development proposals should conserve and enhance built heritage assets, including any locally significant, non-designated heritage assets. Wherever practicable and as relevant to the proposed development:

- A. Development proposals including alterations to existing buildings should describe the significance of any heritage assets affected, including any contribution made by their setting, and conserve and enhance assets according to their significance.
- B. All development should conserve both designated and non-designated heritage assets including listed buildings and locally significant non-designated assets identified in this Neighbourhood Development Plan for consideration by Rugby Borough Council (see Appendix 3), and incorporate within the development measures to avoid or minimise impact or mitigate damage.
- C. Development proposals should take account of known surface and subsurface archaeology and ensure unknown and potentially significant deposits are identified and appropriately considered during development.

## 4.5 Encouraging High Quality and Sustainable Design



**Manor Farm Barns - brick-built agricultural barns converted to eight houses in 1999**

- 4.5.1 At the same time as conserving and enhancing built heritage assets in Willoughby, the Parish Council recognises that, where appropriate, the NDP should support high quality contemporary designs in new development in the village and the wider rural area of the parish. This approach was supported by local residents in the consultation on Issues and Options, with 92.86% of responses (104) supporting such a policy in the NDP and 4.46% of responses (5) not supporting the inclusion of a policy promoting high quality design. Various suggestions were made for improving the policy wording such as incorporating more detail in relation to sustainable design and these were incorporated wherever possible into the Draft Policy.
- 4.5.2 The consultation on the First Draft Plan confirmed the local support for the design policy with 94.44% of respondents (102) supporting the Draft Policy and 3.7% (4) not supporting it. There were some general comments about enforcement and prescriptiveness.
- 4.5.3 Around the village, some of the traditional buildings are built of stone and Vale House is timber-framed, but most buildings are constructed from red brick while some have a rendered finish or are painted white. Buildings are generally modest in scale (mainly one, one and a half or two storeys) but there are some larger detached houses, both traditional and modern. All roofs are sloping and are a mixture of slate and clay tiles or curved, concrete tiles. The only building left in the village with a thatched roof is the Rose Inn. As new development takes place, the village and wider parish will continue to evolve

and the Plan encourages appropriate contemporary responses to the more traditional buildings which currently exist.

- 4.5.4 As part of the background evidence for the Neighbourhood Development Plan, the Steering Group has prepared local character appraisals of distinct areas around the village with photographs and descriptions of their key features. These character appraisals are provided in Appendix 4.
- 4.5.5 The Village Design Statement provides some detailed design principles to guide new development in Willoughby, but this has less weight in planning decisions than planning policies, such as those included in a Neighbourhood Development Plan (NDP).
- 4.5.6 At the Regulation 14 public consultation stage, Severn Trent advised that The Severn Trent Water Resources Management Plan 2019 (WRMP19)<sup>11</sup> identifies that a significant deficit between supply and demand for water is forecast, and that one of the changes that has led to this deficit is the need to prevent risk of future environmental deterioration. To ensure that the environment is protected for future customers, some of the current sources of water cannot be relied upon in the future. One of the ways in which the WRMP19 has committed to mitigating this risk is by 'helping customers to use less water through water efficiency activities and education.'
- 4.5.7 In support of this goal Severn Trent recommends that local planning authorities incorporate the voluntary building standard of 110 l/p/d into their planning policies so that new development is designed in line with this approach.
- 4.5.8 Policy W7 has been amended slightly to encourage greater water efficiency in new developments.
- 4.5.9 Rugby Borough Council Local Plan contains Policy SDC1: Sustainable Design which states that *'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 situated.'*
- 4.5.10 Policy W7 promotes high quality design which respects the context and setting but which also supports more sustainable, modern and contemporary designs. Development should be encouraged to include the use of innovative construction techniques, new or recycled building materials and sustainable, energy efficient design. In doing so, the Willoughby NDP will promote local distinctiveness and a sense of place, in contrast to the very generic house designs often promoted by house builders across the country.

---

<sup>11</sup> <https://www.severntrent.com/about-us/future-plans/water-resource-management/water-resource-management-plan/>

## **Policy W7: Encouraging High Quality and Sustainable Design**

New development proposals and alterations and extensions to existing buildings should incorporate the following design principles as relevant to the site and its location:

### General Principles

- A. New development should be of a scale, mass and built form which responds to the characteristics of the site and its surroundings. The height, scale, roofline and form of any new buildings should not disrupt the visual character of the street scene and impact on any significant wider landscape views (see Policy W2).
- B. Proposals should demonstrate how they have considered the distinctive character of the neighbouring area in Design and Access Statements taking into account the local character appraisals in Appendix 4.
- C. New buildings should follow a consistent design approach in the use of materials, windows/doors and the roofline to the building. Materials should complement the design of a development and add to the quality or character of the surrounding environment.
- D. Older traditional buildings should be retained where practicable. Where alterations are proposed these should be sympathetic to their integrity and not detract from it.
- E. Extensions should be sympathetic in design to the principal building and be proportionate in terms of scale.
- F. The residential amenity of existing neighbouring occupiers should be safeguarded in terms of light, noise, overlooking and odours.

### Sustainable Development

- G. Sustainable, energy efficient designs will be supported. Where planning consent is required, small scale domestic renewable energy schemes such as solar panels, solar water heating and ground source heat pumps will be supported provided that schemes are sited and designed to be unobtrusive.

- H. New developments should be designed to include water efficiency measures to reduce water consumption to an estimated water use of no more than 110 litres per person per day or subsequent target. As appropriate to the site concerned such measures should include use of water efficient fixtures and fittings, installation of water butts to collect rainwater for garden and external use and recycling of grey water in toilets.
- I. Contemporary designs and modern architectural approaches, including the use of innovative construction techniques and new or recycled building materials, will be supported where they are of outstanding or innovative design and where they clearly demonstrate that they are appropriate to their context.
- J. Where practicable proposals for new development should promote walking and cycling by linking to existing routes and including suitable storage provision for bicycles. Electric charging points for vehicles should be provided on external elevations or in garages.
- K. Development should not increase flood risk elsewhere within the neighbourhood area. Surface water runoff should be no greater than the existing pre-development runoff, irrespective of whether or not the receiving watercourse has capacity to take additional flows as any additional runoff may exacerbate flood risk downstream.

#### Respecting Local Character

- L. New buildings should be orientated to front the road. Existing building lines should be maintained. Where existing buildings are set back behind front gardens new development should continue this approach and incorporate similar boundary treatments such as low front walls or hedges.
- M. Proposals should reference existing local materials in the neighbouring area as described in the character appraisals in Appendix 4 and incorporate these into the design of new schemes to help integrate them into the local context.
- N. Dormer roofs that would be visible from the street should be pitched and should be functional and unobtrusive.
- O. Building heights should be no more than two storeys.

- P. Windows should be appropriate to the type and size of house and alterations to older properties should retain the size and style of the original opening wherever practicable. Larger windows will be supported where they are appropriate to the design of the building concerned and are not visible from the road.
- Q. In the wider rural area, redevelopment, alteration or extension of historic farmsteads and agricultural buildings should be sensitive to their distinctive character, materials and form.

## 4.6 Providing Homes



**The Old School House**

### **Introduction**

- 4.6.1 The village of Willoughby has grown incrementally over a long period of time with a combination of some small-scale new developments, some infill development and rebuilds and conversions of existing buildings. In 2001, there were 181 dwellings in the parish and by 2011 this had risen to 193. Since then, 6 more new houses have been added (4 barn conversions, one change of use to a dwelling and 1 new build). A list of the main housing development since the 1960s is provided in Appendix 5.
- 4.6.2 In 2011, 42.5% of houses in the parish were detached (much higher than in Rugby Borough generally at 28.3%), 33.2% were semi-detached and 17.1% were terraced. 81.6% of all houses were owner occupied, a significantly higher percentage than in Rugby Borough generally (70.5%) (Census, 2011).
- 4.6.3 The results of the questionnaire carried out in 2014 showed that 72% of respondents felt that the character of Willoughby derives from its present size, while 33% of respondents felt that the village would benefit from the development of new housing. 89% of respondents thought that Willoughby should retain its current mix of smaller houses and bungalows as well as larger properties while 71% felt that the current mix of housing size and style was adequate.
- 4.6.4 The housing survey produced by Midlands Rural Housing in June 2014 for Willoughby village showed that, at that time, there was an identified need in the village for two

affordable homes and two 2-bedroom open market homes (one bungalow, one house) for those with a local connection.

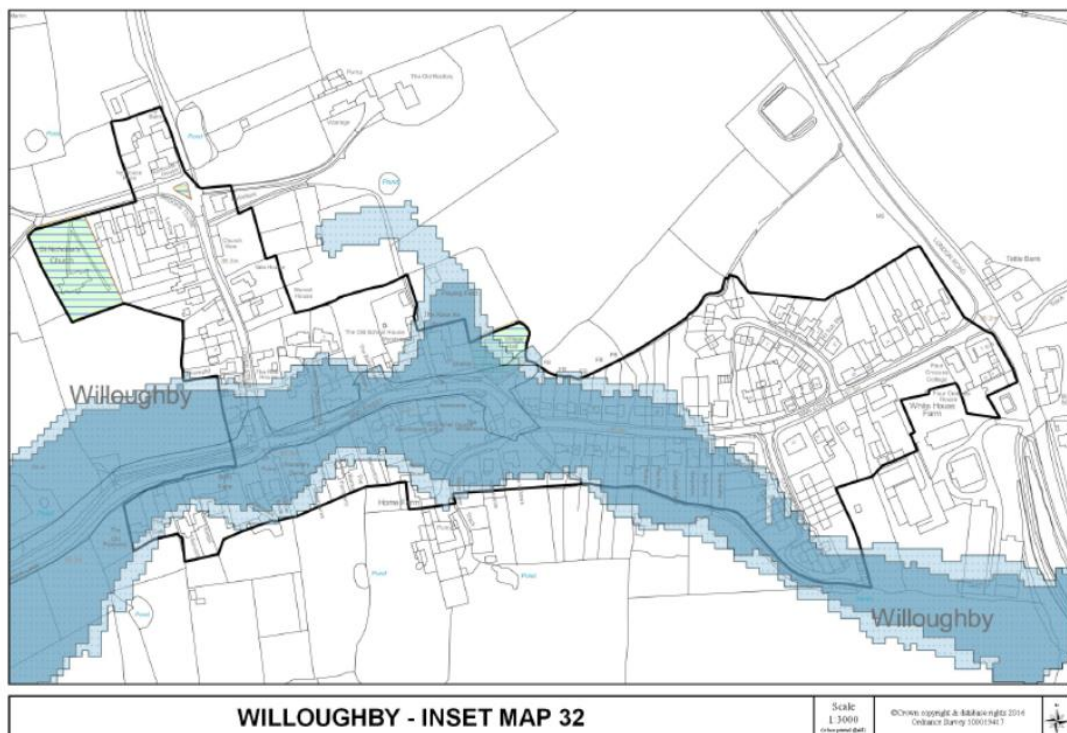
- 4.6.5 The consultation on Issues and Options demonstrated that there was significant support from local residents for including a policy supporting suitable house types and sizes in the Draft Willoughby NDP. 88.39% (99) respondents supported including such a policy and 4.46% (5) did not support such a policy.
- 4.6.6 Most respondents 67.86% (76) were not planning to move in the near future. However, the following were noted as the types and sizes of local housing most needed in the parish if a move was planned:
- Housing for first time buyers (1-2 bed) - 20.54% (23) respondents
  - Family housing (3-4 bed) - 10.71% (12) respondents
  - Larger family housing (4+ bed) - 1.79% (2) respondents
  - Housing for older people (1-2 bed) - 17.86% (20) respondents
  - Special needs / accessible housing - 7.14% (8) respondents
  - Other (please specify) -12.50% (14) respondents
  - Not Answered - 66.07% (74) respondents.
- 4.6.7 Reasons for a possible move included cost and availability of housing and the lack of facilities in the village.
- 4.6.8 The Steering Group considered the detailed responses and undertook a further mini survey from 14 to 24 June 2018 to understand local housing needs better. There were nine responses. These indicated a clear individual need for 4 - 6 homes in the first five years (2 starter homes and 2 - 4 for older people), 1 home for older people in years 6 - 10 and 1 starter home in years 11 - 15. All asked for Affordable housing. This is in keeping with the 2014 housing survey and those carried out in surrounding villages.
- 4.6.9 The Steering Group has looked at the current housing stock in Willoughby Parish and compared this to the need identified in the Rugby SHMA. Appendix 6 shows this comparison which supports the NDP priority for smaller houses.
- 4.6.10 The data from the responses to the Issues and Options and to the mini survey were used to inform Draft Policy W8 in addition to the evidence in Appendix 6. The consultation on the First Draft Plan confirmed the strong local support for the proposed housing policy with 92.59% (100) respondents supporting the Draft Policy and 5.56% (6) not supporting it.
- 4.6.11 Of the 398 people living in the parish in 2011, 18.4% were aged 19 years old or younger and 23.9% were over 65. The proportion of 20 - 44-year olds in the parish population decreased significantly from 29.09% in 2001 to 21.4% in 2011 and the proportion of 45 - 64-year olds increased slightly from 34.6% to 36.4%. By June 2016 it is estimated that there were 414 people in Willoughby parish - an increase of 16 people since 2011. (ONS Mid-Year population estimates for 2016)



## Rugby Borough Council Local Plan

4.6.12 In Local Plan Policy GP2: Settlement Hierarchy, Willoughby is identified as a Rural Village where *'Development will be permitted within existing boundaries only, including the conversion of existing buildings where national policy permits.'* The remainder of the parish falls under 'Countryside' where *'new development will be resisted; only where national policy on countryside locations allows will development be permitted.'* The Village Inset Map 32 from the Local Plan is provided as Map 7 below.

**Map 7: Rugby Local Plan 2011-2031 Inset Map 32**



## Services in Willoughby Village

- 4.6.13 An overview of the services available in Willoughby can be found in Rugby Borough Council's 'Village Services Audit', an appendix to the 'Rural Sustainability Study', published in December 2015. All thirty-four villages in the Borough were assessed against various criteria in terms of their sustainability and then ranked based on their total score. Access to services and access to public transport were the two main categories used to assess a village's sustainability.
- 4.6.14 The Village Services Audit has been re-organised from 'most sustainable village' to 'least sustainable' and re-scored because the village has lost its garage/petrol station and regular bus service since the audit was done. In 2015, Willoughby ranked 19<sup>th</sup> out of the thirty-four villages in Rugby Borough for sustainability. In April 2019, it ranked 27<sup>th</sup>. Some

limited additional housing in the village would help to sustain the remaining local services and businesses.

### **Policy Considerations**

- 4.6.15 The settlement boundary has been drawn tightly around the village and much of the village is at risk of flooding. In the responses to the Issues and Options consultation a majority of respondents (57.14% or 64) did not wish to see development next to the settlement boundary and the Willoughby NDP therefore supports maintaining the proposed Local Plan settlement boundary.
- 4.6.16 The settlement boundary and areas at risk of flooding are significant development constraints and mean that new housing development in Willoughby village is likely to be limited over the Plan period (up to 2031). It is therefore very important that any new housing or conversions are of the size and type needed to support the future sustainability and vitality of the village.
- 4.6.17 Policy W8 has been prepared to guide any planning applications that come forward over the Plan period. The responses to the consultations undertaken in summer 2018 suggested that there was a local need for the following house types and sizes:
- smaller starter homes (1-2 bedrooms)
  - homes for young families (2-3 bedrooms)
  - smaller homes for older residents (1-2 bedrooms)
  - more affordable housing.
- 4.6.18 There was also a suggestion that local amenity and privacy should be protected in proposals for backland development or development in rear gardens.

### **Rural Exception Sites**

- 4.6.19 The development of affordable housing to meet the needs of local people may be permitted adjacent to defined rural settlement boundaries where development is normally resisted. 'Rural Exception Sites' will only be considered acceptable if they meet a number of criteria, including there being no suitable alternative site inside the village boundary, and arrangements for the management and occupation of dwellings must be made to ensure that all dwellings provided will be, and will remain available for occupancy by eligible local people at an affordable cost and at a range of tenures, both initially and in perpetuity.
- 4.6.20 Proposals will be considered against Local Plan Policy H4: Rural Exception Sites. Following the consultation on Issues and Options, it is not proposed that the NDP will include proposed site allocations for such sites. If any proposals come forward over the plan period they will be determined in accordance with the policies in the NDP and Rugby's planning policies, unless material considerations indicate otherwise.

## **Policy W8: Providing Suitable Homes**

### Housing inside the Settlement Boundary

New housing development will be supported within the settlement boundary of Willoughby village where:

- A. Schemes are small in scale (around 1 or 2 houses) and are on small infill or brownfield sites.
- B. Development does not have an unacceptable impact on the character of the immediate locality and responds positively to Policy W7 of this Plan.
- C. Residential development in rear gardens would not have an unacceptable impact on the character of the local area in terms of loss of openness, mature trees, hedges and shrubbery and a substantial increase in the density of built form.
- D. Suitable access is provided which is well-connected where practicable, linked to existing local vehicular, pedestrian and cycle networks.
- E. Car parking provision is provided in accordance with the most up to date parking standards of Rugby Borough Council<sup>12</sup>.
- F. Development proposals are not in areas at risk of flooding.

### House Types and Sizes

All proposals for new housing and conversions of existing buildings should meet local housing needs in terms of house type, size and tenure or a need identified in an updated Local Housing Needs Assessment.

The following house types will be particularly supported:

1. Smaller starter homes (1-2 bedrooms) for young people.
2. Homes for young families (2-3 bedrooms) with gardens.

---

<sup>12</sup> See Rugby Local Plan Appendix 5: Car Parking Standards

3. Smaller homes for older residents (1-2 bedrooms) and extra care/sheltered accommodation to provide opportunities for downsizing.
4. Affordable housing<sup>13</sup> in line with Rugby Borough Council's most up to date requirements for affordable housing provision, including shared ownership schemes.

---

<sup>13</sup> See Appendix 7 for definition of Affordable Housing

## 4.7 Supporting Small Businesses and Home Working



**B Beautiful Salon on Lower Street**

- 4.7.1 Willoughby has a range of local businesses. These include businesses run from home, those with specific premises (e.g. B Beautiful and the Rose Inn) and farmers who work and live in the parish. A list of these local businesses is provided in Appendix 8 and the responses to the Issues and Options public consultation noted a range of local businesses where residents work largely from home. Examples included acupuncture, administration, business consultancy, IT, writing and software engineering. There were a number of suggestions for how businesses could be supported but most of these were non-planning matters - such as improving mobile telephone and broadband coverage - and these have been referred to the Parish Council and Rugby Borough Council for possible action.
- 4.7.2 The future sustainability of the parish is partially dependent upon maintaining the local economy and services and enhancing these where possible. Local businesses, appropriate to the rural area, should be encouraged and supported to ensure employment opportunities and economic growth are provided in the future.
- 4.7.3 Rugby Borough Council Local Plan supports appropriate economic development in the countryside (Policy ED3) and provides more detail about the forms of development that would be acceptable in principle (Policy ED4). The Plan acknowledges, however, that *'rural locations are not always likely to be the most sustainable employment locations in terms of access to both workforce and the local transport network'* and goes on to say that any development must be *'appropriate to its rural location and does not cause unacceptable adverse impacts in the area.'* (Paragraph 6.17)
- 4.7.4 Paragraph 6.18 states that *'The provisions of Parish Plans and Neighbourhood Plans will be taken into account when assessing development proposals in rural parts of the borough.'*

- 4.7.5 Policy W9 seeks to provide a local planning policy framework to guide local economic development in Willoughby parish and to support opportunities for local employment. The responses to the consultation on Issues and Options suggested that local residents support such a policy. 84.82% or 95 respondents wanted to see such a policy included in the NDP and 9.82% (11) were not in favour. Some minor amendments to the proposed Draft Policy wording were made in response to comments and suggestions. In the consultation on the First Draft Plan, Draft Policy W9 was supported by 95.37% of respondents (103), 1.85% (2) did not support the Draft Policy and 2.83% (3) did not respond. There was a suggestion that the Policy should refer to contamination and this has been incorporated.
- 4.7.6 There has been an increase in recent years in the proportion of people who work from home as opportunities for more flexible working arrangements have increased and there have been improvements in communication technologies. In Willoughby, the responses to the Issues and Options consultation demonstrated that at least 22 people (19.64% of respondents) currently work from home either all or part of the time. Small scale changes to houses including some extensions may not require planning consent if they fall under permitted development rights, but where planning permission is needed for instance for a larger extension or annex, the Parish Council wishes to support such proposals, where there are no adverse impacts on local character or amenity of neighbouring occupiers.

### **Policy W9: Supporting Home Working and Small Businesses**

Small scale economic development which is in keeping with Willoughby's rural location, setting and historic character will be supported. Proposals for such development, including development related to homeworking insofar as planning permission is required, should respond positively to the following matters:

- A. Where new buildings or extensions are proposed, designs are appropriate in terms of other policies in the NDP including Policy W1.
- B. Proposed development is appropriate to the rural parish setting in terms of size, design and type of business.
- C. Proposals incorporate appropriate mitigation measures to minimise any adverse impacts on the capacity of relevant local infrastructure, on local residential amenity in terms of noise, disturbance, capacity of the road network, highway safety, odour and any other environmental contamination.
- D. Car parking to development plan standards is provided for employees and visitors.

In addition, schemes will be encouraged where:

- E. Proposals are for small businesses and facilities which support local services or the visitor economy linked to the quiet enjoyment of the countryside; and
- F. Proposals are for the redevelopment or re-use of existing former agricultural buildings, workshops or previously used sites in the countryside for small scale retail (such as farm shops), professional and artisan type uses.

Proposals for haulage and distribution type businesses which would lead to an unacceptable level of additional traffic and heavy goods vehicles on rural roads in the parish leading to adverse impacts on highway safety will be strongly resisted.

## 4.8 Protecting and Improving Local Facilities and Services



**Village Hall**

- 4.8.1 Under 'supporting a prosperous rural economy', NPPF paragraph 84. sets out that *'planning policies and decisions should enable: d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.'*
- 4.8.2 Policy HS3: Protection and Provision of Local Shops, Community Facilities and Services in Rugby Borough Council's Local Plan is aligned with the NPPF and reiterates the importance of local facilities and the need to protect and improve these, where possible, to meet the needs of the local resident population.
- 4.8.3 The responses to the consultation on Issues and Options demonstrated strong support for the NDP to include a policy identifying and protecting existing village facilities with 89.29% of respondents (100) agreeing to such a policy. 82.14% of respondents (92) supported a policy to promote investment in new health and community facilities.
- 4.8.4 The consultation responses to the First Draft Plan also demonstrated a high level of support for Draft Policy W10 with 98.15% of respondents (106) supporting the Policy. There was a suggestion that the village pond should be referred to as a local community facility but this water feature is more appropriate to Policy W4 and therefore Policy W4 has been amended accordingly.
- 4.8.5 Willoughby Parish has a range of facilities. These include a village hall, a pub and a cafe, a playing field and children's playground, allotments, a cricket club and a church, a beauty salon and a car wash facility. A full list of local facilities and services is provided in



Appendix 9. The Issues and Options consultation asked residents about which facilities were important to them. The responses showed the following:

- Village Hall - 88.39% 99 respondents
- Cricket Club - 69.64% 78 respondents
- Playing Field & Playground - 82.14% 92 respondents
- Allotments - 53.57% 60 respondents
- Church - 75.00% 84 respondents
- Pub - 83.93% 94 respondents
- Hayward Lodge - 64.29% 72 respondents
- Amenity Garden - 69.64% 78 respondents
- Other (please specify) - 23.21% 26 respondents
- Not Answered - 6.25% 7 respondents

4.8.6 The recently refurbished village hall is well used by local clubs and societies and is the hub of social activity. The clubs and societies offer many and varied activities for local people and the popular Local and Live concerts entertain monthly throughout the year. Cricket plays an important part in the life of the parish and the club has senior and junior teams that play at local and regional levels. During the school holidays, there are also summer schools for children and young people from the local area. The excellent facilities on the Woolscott Road include a pavilion and several carefully tended pitches, as well as a practice area.



**Village Festival - playing tug-of-war on the playing field**

4.8.7 The playing field and the children's playground, next to the village hall and The Rose Inn, are enjoyed by local people and provide the venue for the village festival (complete with

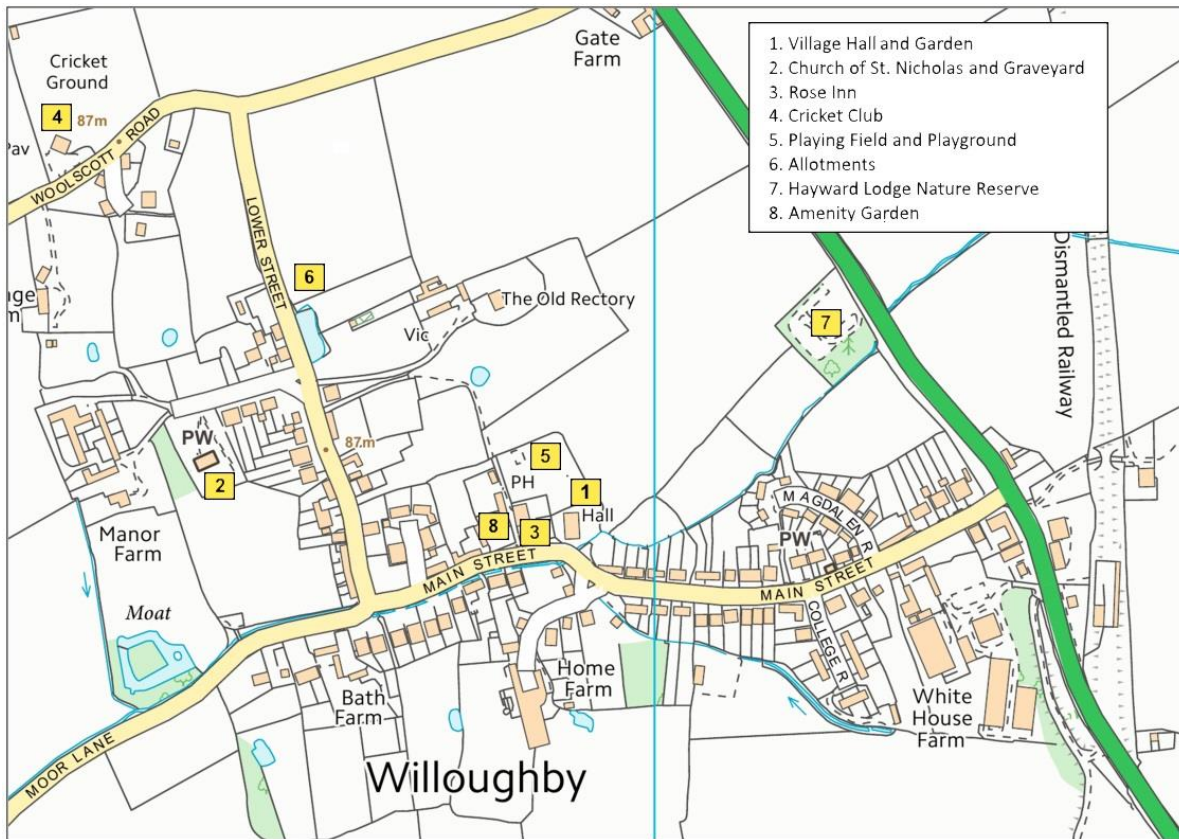
lots of races for all ages), concerts and sports activities in warmer months. Land for the allotments was bought and fenced to keep out rabbits after the responses to the 2012 survey for the Parish Plan indicated an interest locally in having such a facility. All kinds of produce and flowers are now grown and shared within the community. The allotments also provided the venue for a well-attended BBQ in the summer. For some years, there has been discussion about a possible project to develop a new car park behind the village hall. The land behind the village hall lies outside the settlement boundary. In March 2020, planning permission was finally granted for a new car park for 16 cars and 2 vehicles for disabled people on part of the village hall garden and adjoining land, plus a new access road between the car park and Main Street.

- 4.8.8 Two local charities give grants for various purposes. The Willoughby Education Foundation awards grants to village residents under the age of 25 for extra curriculum educational activities and to schools attended by village students. This includes textbooks for further education, educational school trips, sports clubs, computers and music studies. Under the Willoughby Charity a limited number of funds are available for discretionary grants for help with personal expenditure such as spectacles, dentures and other specialist items.
- 4.8.9 A great deal of information about the parish is provided on the Parish Council website<sup>14</sup>, together with minutes from Parish Council meetings so that people can find out what local issues are being addressed and what progress is being made. The website also gives information about the Community Emergency Plan and the Flood Action Plan. Both of these are reviewed and updated annually. The online resource [www.willoughbyweb.net](http://www.willoughbyweb.net) is a parish web site and repository of online archive/local history material including back editions of the Willoughby Monthly.
- 4.8.10 The Willoughby Monthly is the parish newsletter. It has been produced by a local resident since September 2008 and is distributed to every house in the parish. It contains an editorial, a calendar of local events each month, short articles from different organisations and groups about forthcoming events, activities and matters of note affecting the parish, as well as contact details for Neighbourhood Watch and the Police.
- 4.8.11 There is now, unfortunately, no regular bus service along the A45 so local people have to use their cars or vans to access most services. There is a public bus to/from Rugby twice a week on Monday and Friday and school buses take children to and from schools in Rugby.
- 4.8.12 NDP Policy W10 seeks to protect existing facilities (as identified on Map 8) and supports investment in new facilities in Willoughby.

---

<sup>14</sup> <https://www.willoughbyparishcouncil.org/>

**Map 8: Local Community and Recreation Facilities**



### **Policy W10: Protecting Existing Community and Recreation Facilities and Supporting Proposals for New Facilities and Services**

#### Existing Community and Recreation Facilities

The following local facilities in Willoughby (as identified on Map 8) are identified as existing community and recreational facilities:

- Village Hall and Garden
- Church of St. Nicholas and Graveyard
- Rose Inn
- Cricket Club
- Playing Field and Children’s Playground
- Allotments
- Hayward Lodge Nature Reserve
- Amenity Garden

Proposals for the use or the redevelopment of the existing community and recreational facilities for health, education or other community uses will be supported. Proposals for the change of use of the existing community and recreational facilities to other uses will not be supported unless either of the following circumstances can be demonstrated:

- A. The sites are accessible by various means of transport including walking and cycling and have adequate car parking, or
- B. There is no longer a need for the facility, and this can be robustly demonstrated in accordance with Local Plan Policy HS3.

#### Proposals for New Community and Recreation Facilities

Development proposals which would contribute towards the improvement of existing or provision of new health, education or community type uses to meet local needs will be supported where they:

1. Demonstrate that they meet the needs of the population; and
2. Incorporate a design that is appropriate to a rural location in terms of scale, siting and massing, and
3. Ensure accessibility for all through provision of adequate car and cycle parking and safe pedestrian and cycle access.

#### **Local Green Spaces**

- 4.8.13 The Issues and Options consultation document set out the NPPF criteria for designating areas as Local Green Spaces and asked for suggestions of what to include. The revised NPPF sets out in paragraph 102 that '*The Local Green Space designation should only be used where the green space is:*
- a) in reasonably close proximity to the community it serves;*
  - b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*
  - c) local in character and is not an extensive tract of land.'*
- 4.8.14 The Steering Group has considered all the suggestions, as well as other possible areas, at great length and has come to the conclusion that none meet all the criteria as required in the NPPF for designation as a Local Green Space. Almost all of the areas suggested by

respondents are, however, covered in other policies in the NDP such as W1: Protecting and Enhancing our Rural Landscape, W4: Green and Blue Infrastructure in Willoughby and W10: Protecting Existing Community and Recreation Facilities and Supporting Proposals for New Facilities and Services.

## 5.0 NDP Review

- 5.1 The NPPF sets out at paragraph 14 a set of specific circumstances where development which conflicts with a neighbourhood plan should not be permitted. Some of these circumstances are outside of the control of the Parish Council and relate to housing delivery across the Borough as a whole. However two of these criteria are specific to the neighbourhood plan itself; if a neighbourhood plan contains policies and allocations to meet its housing need and if it was made two or less years ago. The current iteration of the Willoughby neighbourhood plan does not allocate housing but it is felt it would be prudent to carry out a review of the plan on a two year cycle to ensure it remains up to date. This is the first review to be undertaken on the NDP. Reviews will continue to be undertaken every subsequent two years.

## 6.0 Non-Planning Issues and Concerns

- 6.1 The Parish Council has collated all the responses about non-planning issues and published a Responses and Proposed Actions document on 30 August 2018. This document is available on the Parish Council website in the Neighbourhood Plan section (Plan Progress) at

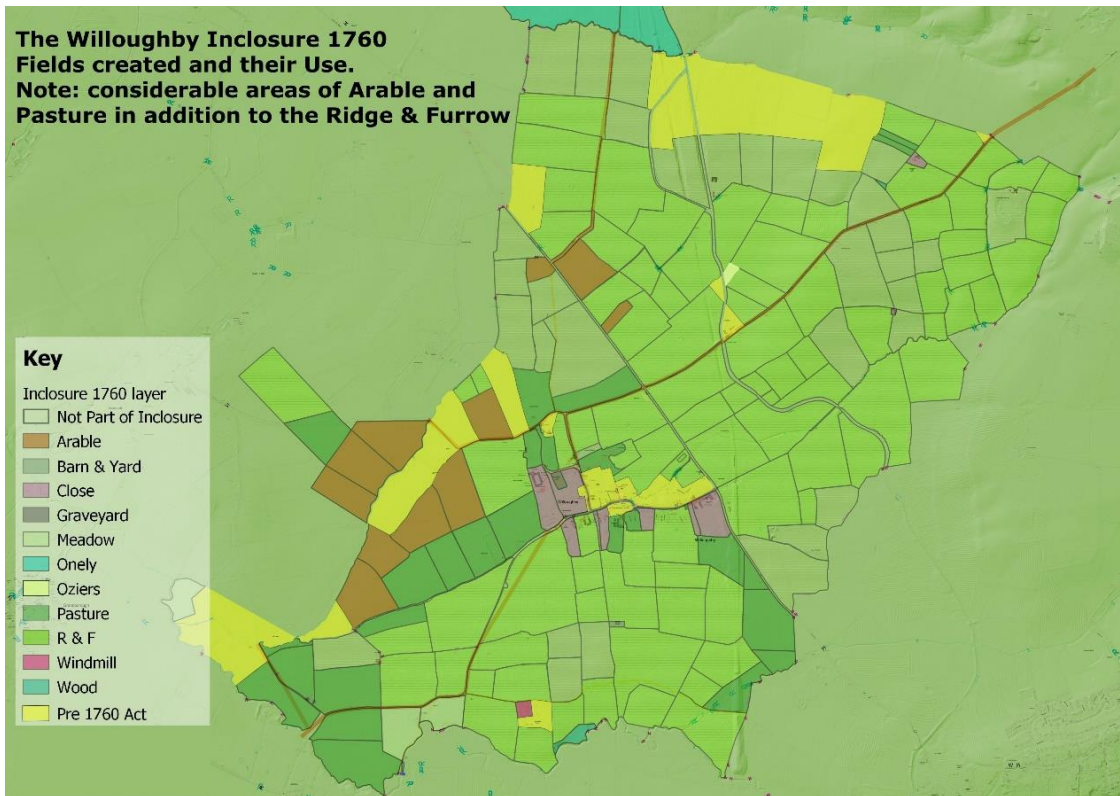
<https://www.willoughbyparishcouncil.org/copy-of-neighbourhood-plan-1> .

## Appendices

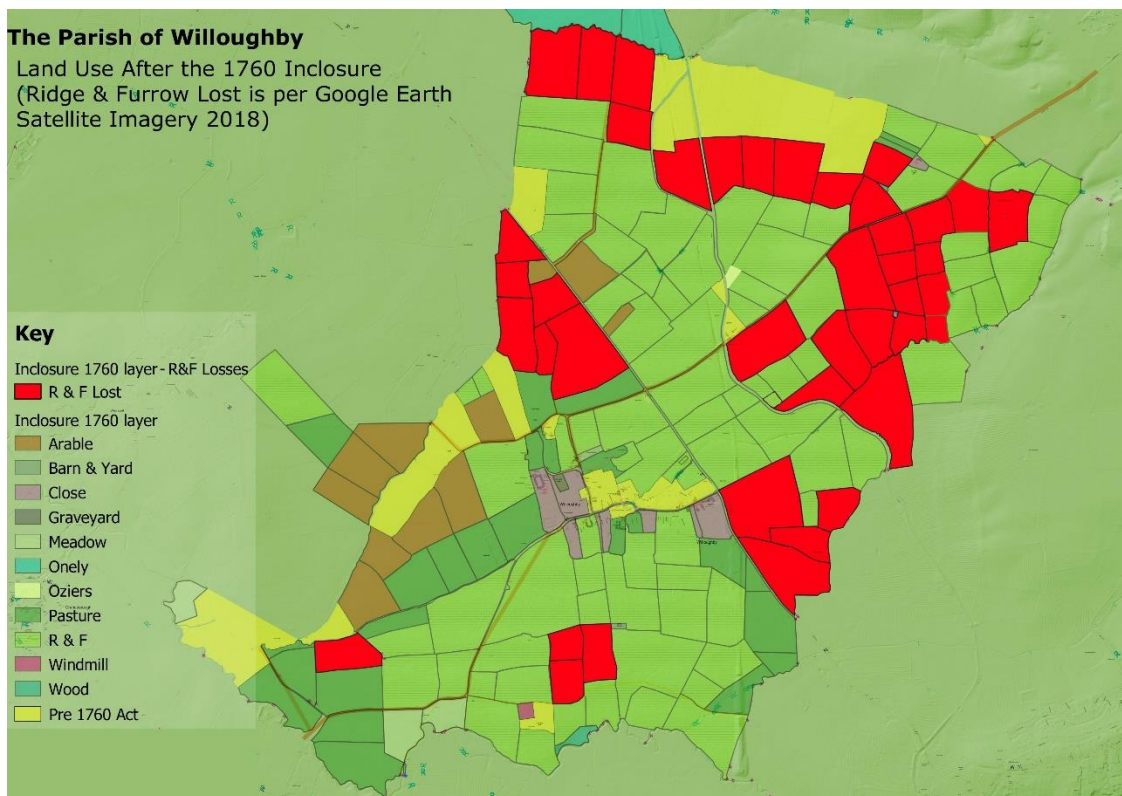


Appendix 1 Historic Landscape Character

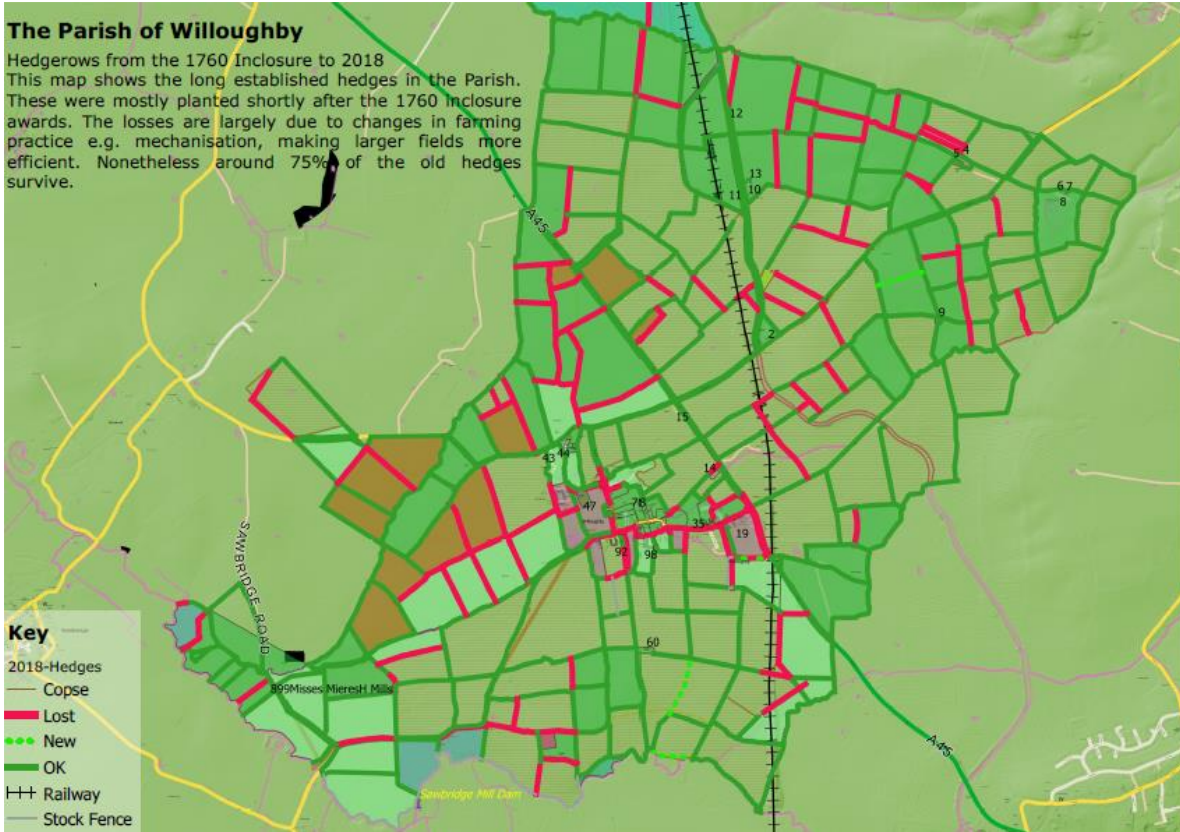
Map 9: Inclosure 1760 plus ridge and furrow



Map 10: Land Use After 1760 Inclosure including remaining ridge and furrow



Map 11: Hedgerows



Appendix 2 Listed Buildings in Willoughby Parish<sup>15</sup>

## WHITEHOUSE FARMHOUSE

List Entry Number: 1365063

Heritage Category: Listing Grade: II

Location: WHITEHOUSE FARMHOUSE, MAIN STREET, Willoughby, Rugby, Warwickshire

<https://historicengland.org.uk/listing/the-list/list-entry/1365063>

## THE SMITHY

List Entry Number: 1034926

Heritage Category: Listing Grade: II

Location: THE SMITHY, 28, MAIN STREET, Willoughby, Rugby, Warwickshire

<https://historicengland.org.uk/listing/the-list/list-entry/1034926>

## MANOR FARMHOUSE

List Entry Number: 1365062

Heritage Category: Listing Grade: II

Location: MANOR FARMHOUSE, BROOKS CLOSE, Willoughby, Rugby, Warwickshire

<https://historicengland.org.uk/listing/the-list/list-entry/1365062>

## THE ROSE PUBLIC HOUSE

List Entry Number: 1116423

Heritage Category: Listing Grade: II

Location: THE ROSE PUBLIC HOUSE, MAIN STREET, Willoughby, Rugby, Warwickshire

<https://historicengland.org.uk/listing/the-list/list-entry/1116423>

## VALE HOUSE

List Entry Number: 1116428

Heritage Category: Listing Grade: II

Location: VALE HOUSE, LOWER STREET, Willoughby, Rugby, Warwickshire

<https://historicengland.org.uk/listing/the-list/list-entry/1116428>

## Moated site S of Manor Farm House

List Entry Number: 1404858

Heritage Category: Scheduling

Location: Willoughby, Rugby, Warwickshire

<https://historicengland.org.uk/listing/the-list/list-entry/1404858>

## CHURCH OF ST NICHOLAS

List Entry Number: 1116454

Heritage Category: Listing Grade: II\* Location: CHURCH OF ST NICHOLAS, BROOKS CLOSE, Willoughby, Rugby, Warwickshire

<https://historicengland.org.uk/listing/the-list/list-entry/1116454>

---

<sup>15</sup> See Historic England statutory list <https://historicengland.org.uk/listing/the-list/>

Map 12: Location of Designated Heritage Assets

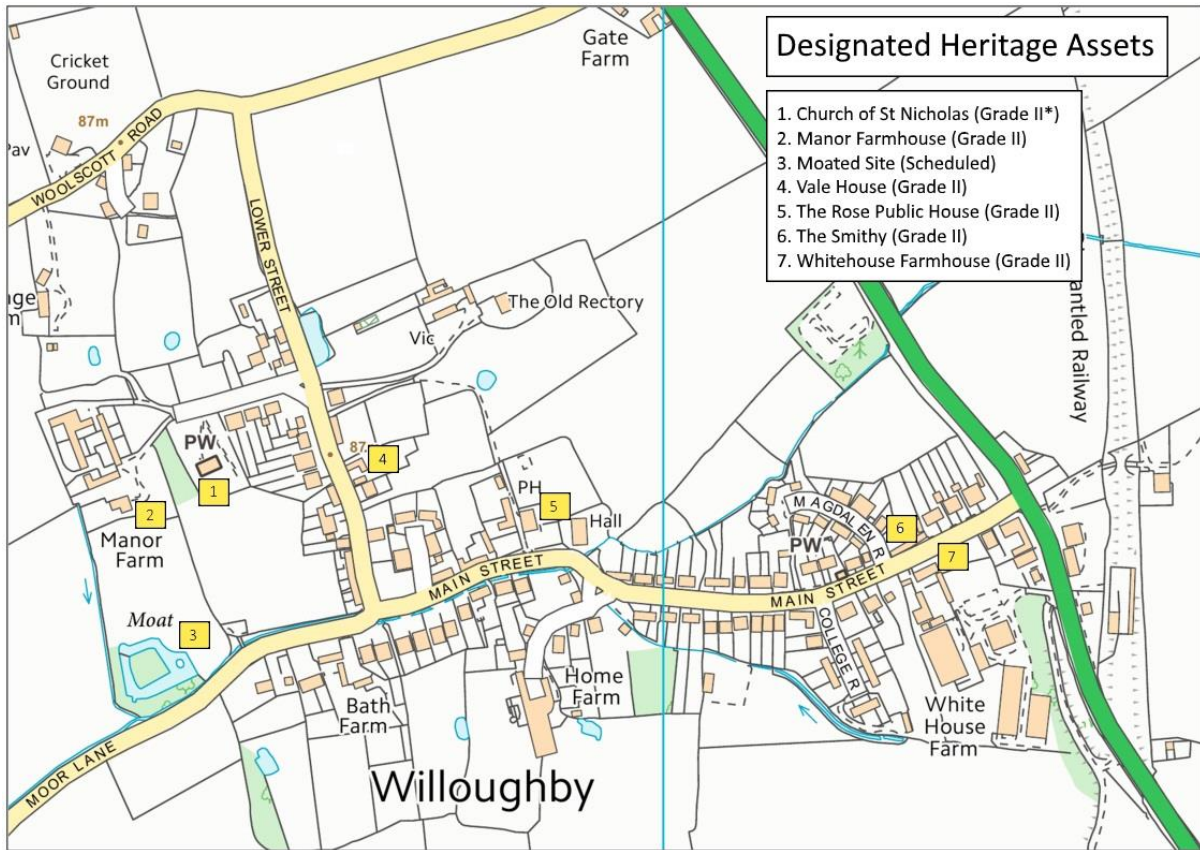


Figure 2: Photographs of Designated Heritage Assets

 A photograph of the Church of Saint Nicholas, a stone building with a prominent square tower and Gothic-style windows, set on a green lawn under a blue sky with scattered clouds.	 A photograph of a large, multi-story brick manor farmhouse with a gabled roof and a chimney, situated on a well-manicured lawn with a street lamp in the foreground.
<p>1. Church of Saint Nicholas (Grade II*)</p>	<p>2. Manor Farmhouse (Grade II)</p>
 A photograph of a moated site, showing a grassy area with a large tree and a body of water in the background, partially obscured by a fence in the foreground.	 A photograph of Vale House, a timber-framed Tudor-style house with a red-tiled roof, viewed from a cobblestone courtyard.
<p>3. Moated Site (Scheduled)</p>	<p>4. Vale House (Grade II)</p>
 A photograph of The Rose Public House, a stone building with a thatched roof and a white sign that reads "the Rose INN", viewed from a paved area.	 A photograph of The Smithy, a long, two-story stone building with a gabled roof and multiple windows, viewed from a street.
<p>5. The Rose Public House (Grade II)</p>	<p>6. The Smithy (Grade II)</p>

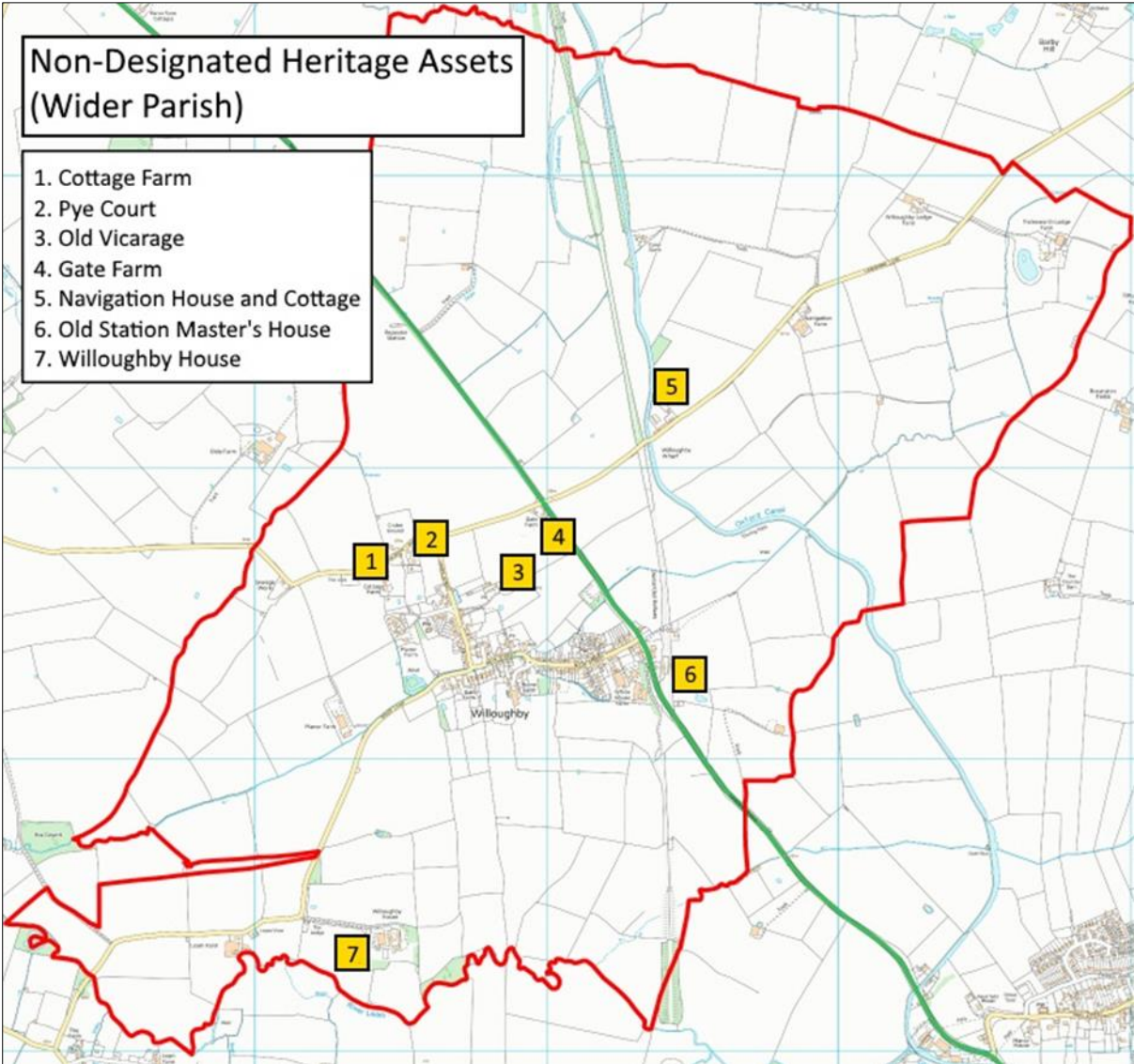


7. Whitehouse Farmhouse (Grade II)

Appendix 3 Proposed Non-Designated Heritage Assets

This appendix is in two sections - heritage assets in the wider parish and those found in the village. Sources used to provide information about these assets can be found on page 86.

Map 13: Proposed Non-Designated Heritage Assets (Wider Parish)



### Justification for Proposed Non-Designated Heritage Assets in the Wider Parish



#### 1. Cottage Farm

This farm was never part of the Magdalen College Estate. In 1760 it is recorded as freehold and the owner as Edward Shaw. Later, it came into the possession of a branch of the Ellard family who were still there in 1939.

The original house was a single storey cottage built in the Georgian period (1714 - 1830).

The metal braces and bolts used to secure the old beam in the kitchen behind the living room suggest that this part of the house was added in the late 1890s or early 1900s. During the 1930s, the then owner added the upper floor but, instead of building an internal staircase, he used a ladder outside to access his bedroom for many years. Only when a lady friend entered the picture was a staircase added to the house.

The ground floor of the existing main house still has the walls of this original cottage at the front and on the other side of the living room through the middle of the house. One gable end also remains. These solid walls are built of extremely hard, hand-formed clay bricks.

The building on the left is on the site of an old milking shed but has subsequently been completely rebuilt. A local resident remembers being sent by his mother across the fields each morning to fetch the milk from here when he was a boy during the 1940s.

The old records show the footpath from opposite the Church and then continuing to Woolscott Road as the drive does today. There is no evidence of a farm track following that line.



#### 2. Pye Court

Pye Court is a small hamlet of five houses. The name Pye Court is a corruption of Pycrofts after the man that owned the land long ago.

Further along Pye Court, two detached houses (Stonewell and Marlin) were built in the 1960s on the sites of three very basic cottages of cob and thatch construction which were condemned in the early part of the 20<sup>th</sup> century.

A 2015 watching brief report by Archaeology Warwickshire at Stonewell notes *'The remains of post medieval (1540-1750) cob walls from a cottage demolished in the 20th century and an associated hearth ....'*

The strip of land on the right of Pye Court was a link for Green Farm to its land on the other side of Woolscott Road. Green Farm was next to Ivy House Farm and was not part of the Magdalen College estate.



The houses on the left at the start of Pye Court were originally a terrace of four cottages built in 1860 which were converted into two by 1910. The shape of the doors blocked up as part of the conversion can still be seen on the facade.

The current owner, Mr Eric Palmer, was born in 1936 and has lived in one or other of the cottages all his life, apart from his time doing national service.

The Green Farm house was condemned in the first half of the 20<sup>th</sup> century and the land sold off. The portion on the right of Pye Court was developed as a house and specialist fuchsia and pelargonium nursery in the second half of the 1950s. The alignment of the roadway changed during this time to reflect the changed positions of the houses.



### 3. The Old Vicarage

The Old Vicarage was constructed in 1836. It replaced an earlier vicarage located on Main Street near the Lower Street and Moor Lane junction. At the time of enclosure the Church exchanged land with another land owner to acquire the land that the Old Vicarage stands on. The plot stretched from the house to Lower Street and included the land that the house on the right of the drive now stands on.

The house was constructed for the Rev. Richard Tawney who was the second son of a notable of Dunchurch as the previous vicarage was considered unsuitable. After Rev. Tawney's death in 1848 the contents were sold at auction. The advertised lots show the house was furnished in some style!

The house is of brick and slate construction and of 'neo-classical' Georgian style though strictly speaking it post-dates the Georgian era. The property also includes a substantial coach house from the same date. A rendered portico was added to the front of the house some time later in the 19th century. As built, the house had a large domestic wing attached to the north elevation. This was largely, though not entirely, demolished in the 1930s.

The house was sold by the Coventry Diocese in 1978, when the new Vicarage was built in what used to be the kitchen garden of the main house. The American actor and singer David Soul lived in The Old Vicarage briefly in the early 1980s.

The Old Vicarage was bought by the present owners in 2006. Shortly afterwards, the small remaining part of the domestic wing (the kitchen) was extended, replicating part of the footprint of the original, larger north-west wing which was mostly demolished in the 1930s. In September 2018, planning permission was granted to build a large extension which would encompass the kitchen extension and echo the historic massing of the old wing.

The gardens have a national Sites & Monuments Records in the Warwickshire HER and are designated for 'pleasure grounds with shrubbery, walks, paddock, kitchen garden.'



#### 4. Gate Farm

The 1760 Inclosure Award indicates that, as well as a farm, a public house known as the New Inn existed on this site. At this time an inn or public house would have often been little more than a sparsely furnished room in a house where the residents brewed ale. That was likely the case here where the drinking room was upstairs. Around the turn of the 20<sup>th</sup> century there was a shop, reputedly a butchers/grocers, and later a sweet shop (in the left-hand portion of the building). On the right of the building the original stable can be seen.

The New Inn's position on the crossroads made it quite popular in coaching days as a secondary hostelry to the Three/Four Crosses further south.

By August 1929, Richard George Hobley had taken on the tenancy. He is referred to in an article in the Rugby Advertiser which notes that three youths were charged with breaking and entering. In 1952, Mr Hobley bought the freehold of his farm from Magdalen College. When he died in 1975 his son 'Rolly' and daughter Betty took over farming until their deaths in 1999 and 2013 respectively. Roland and Betty never married and on Betty's death the farm was left to Brian Williams who had farmed the land with Betty in her later years.

It is likely that the farm changed its name to Gate Farm when the Hobleys took over as they seem to have been quite religious and so may not have approved of the connotations of a pub.

The photograph shows how much the road has been built up since the early 1900s so that now vehicles drive past halfway up the down-stairs windows. This has led to flooding into the house on a few occasions due to the drains under Longdown Lane being blocked by tree roots allowing water to build up in the corner of the field opposite and then flood over the road.



#### 5. Navigation House (Inn) and Cottage

The Oxford Canal was finally completed in 1790 and these two buildings may have been built

From at least 1876 to around 1900, the Mills family, who ran the inn and stables, also earned their living as farmers and coal merchants. From 1900, they continued as farmers but the coal merchant business is no longer mentioned.

From around 1912-1928, Frank Davenport took over the running of the inn and the farm. The tenancy then passed to Thomas Smith during the 1930s and 1940s. There is no indication that he was a farmer. By the early 1950s, Mr and Mrs Dawson ran the inn but presumably it was not profitable as it was finally closed by the brewery at Easter 1953.

During the first half of the 20th century the 'Navy' (its local name) was one of a large

while the canal was under construction or soon afterwards. They had certainly been built by 1812 and were originally used by boatmen and canal workers as an inn and stables for their horses.

The area around the inn contained wharfage for coal and agricultural supplies and for lime from kilns nearby used by farmers and for building in the heyday of canal traffic (1800-1940). The road in front of the properties gave immediate access from the canal to the local road system in any direction.

number of public houses owned by a Brackley and Northants firm of brewers who were later incorporated with the Chesham and Brackley Breweries. The latter finally sold the whole property as late as 1959 to the proprietor of a Kenilworth Hotel for £1,700. As well as the inn, its adjacent buildings and the wharf, the sale included over two acres of land.

Subsequently, the stables have been converted into Navigation Cottage and various extensions and modifications made to the ex-Inn and its buildings.

*Note: Navigation Cottage (Stables) are in the foreground with Navigation House (Inn) further up the road.*



#### 6. Old Station Master's House

Apart from the abutments of the railway bridge that used to span the A45, the Station Master's House is the only memorial to the Great Central Railway line (later the LNER) which travelled through the parish on its route from Sheffield to Marylebone in London.

The line was brought into use on 18 March 1899 with commercial coal traffic and the station master's house was built just before in 1898.

The station was originally called just Willoughby Station but the name was changed to Braunston and Willoughby in 1904 when the Great Central found that the village of Braunston was providing the majority of business for the new station.

Although popular locally for getting to Rugby and Leicester in particular, the line was not profitable and closed to passengers and goods on 1 April 1957. The most notable service was 'The Master Cutler' express from London to Sheffield which passed through each evening and indicated bedtime for village children!

The station buildings were demolished and removed during 1961-62 and the main line itself was closed in 1966. The Station Master's house has survived intact and is now a private residence.



### 7. Willoughby House

During the 1720s there was a windmill on part of the elevated site of Willoughby House which may have dated from medieval times. In 1760 the Inclosure Award notes three gentlemen owners John Clarke Snr & Jnr and Robert Brown.

In 1796, a sulphurous and saline spring was discovered which was eventually brought to a well-head in 1824. No doubt the water was similar to that of the New Willoughby Baths, which opened later on the High Road nearby, that was analysed and found similar to those of Harrogate.

The Bath Hotel was erected shortly afterwards in 1827 and prospered as it was widely believed that the spa waters would cure gout, rheumatism and skin complaints.

A Whites Directory entry in 1850 advertises the baths on behalf of the then owner Mr Edmund Edmunds as offering 'comfortable accommodations, with board and lodgings on reasonable terms at his large and commodious farmhouse'.

The hotel passed through various hands and names but was never a financial success.

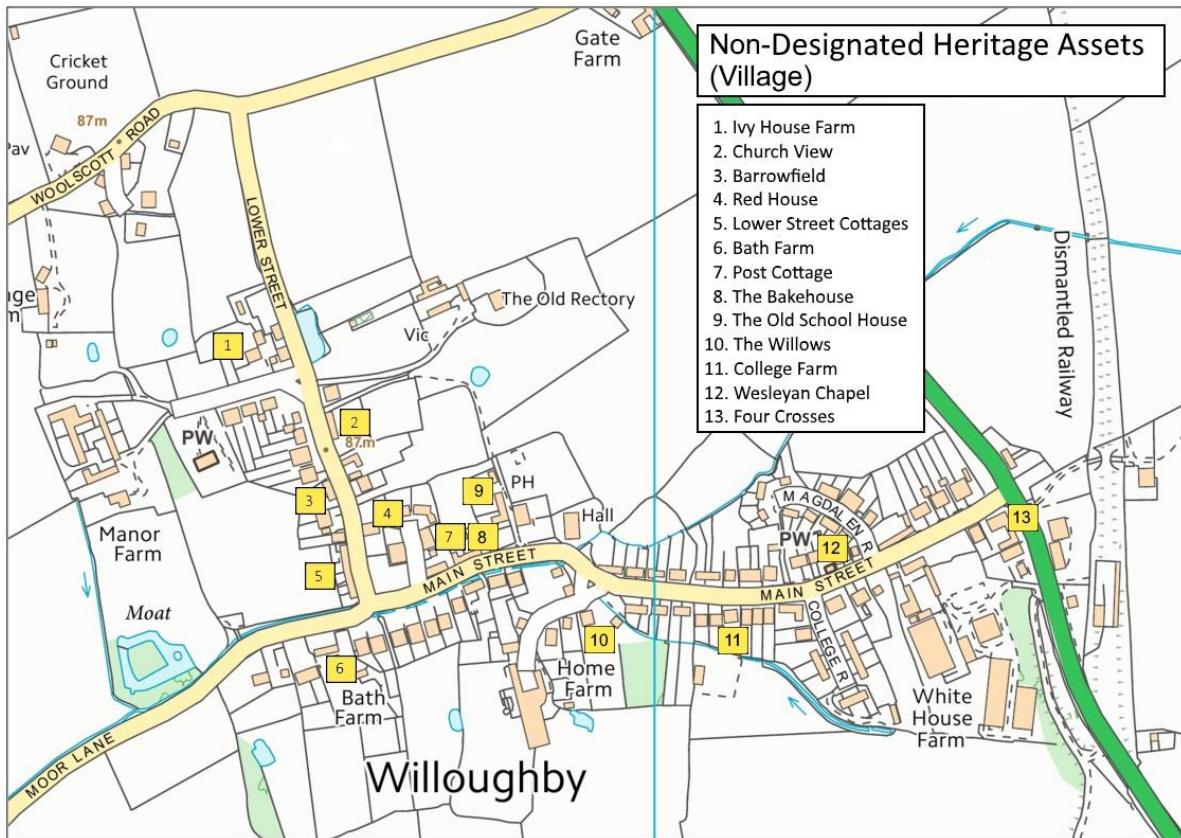
Whites Directory in 1876 says that some twelve years before (around 1864), Major Francis Mason, J.P. bought the estate and built a handsome mansion on the site of the Old Bath Farm. It notes that 'the spring still remains and is visited occasionally on account of its medicinal virtues but the baths are now extinct'.

Over the years since 1864, various owners have extended and improved the mansion so that today it is a large and imposing dwelling.

Interestingly the property was requisitioned in the Second World War and used as a repository for the valuables from St. Mary's Hall in Coventry.

Both the house and the gardens have national Sites & Monuments Records in the Warwickshire HER. The gardens are designated for 'the pleasure grounds, walks, parkland/paddocks and kitchen garden'.

Map 14: Proposed Non-Designated Heritage Assets (Village)



**Justification for Non-Designated Heritage Assets in the Village**



**1. Ivy House Farm**

Ivy House Farm was one of the Willoughby farms owned by Magdalen College, Oxford. It was farmed by the Ivens family as their tenants for many years.

Initially the tenant was Henry (d1895) and then

The tenancy passed to Sidney (Sid) George Ivens, the son of William Henry and Mary Ann, sometime between 1939 when Sid is noted as living at the farm and 1949 when his mother died.

Sid retained the tenancy until July 1952, when the college sold the farm including the house, other buildings and 129 acres of land to his uncle, William Johnson, for £5,350. Sid then continued as his tenant until December 1972 when Mr Johnson died.

By April 1974, the farm had been split up and sold. The farmhouse and some land was sold to Tony Marlow. He later sold off the farm buildings which were developed as Ivy Barn and Northcote House on Lower Street and the farmhouse and some land to the current owners in the 1990s. Since then the original farmhouse has been substantially enlarged with

his widow Sarah Ann (d1915). They were followed by their sons William Henry (d1929) and Frank (d1938) and William Henry's widow Mary Ann (d1949).

a two-storey extension on the left-hand side.

*Note: The village settlement boundary passes through the kitchen and breakfast room of Ivy House Farm which means that the Aga is situated in the open countryside while the washing machine remains in the village!*



## 2. Church View

The deeds for the house in the owners' possession only go back to 1860 but they believe the property was built in 1640 as two cottages and had a thatched roof. The cottages were subsequently converted into one property. The door to the second cottage can still be seen on the facade.

The white barn on the left is marked as being a Methodist Chapel (Wesleyan) on an 1880s map.

Large scale OS maps, used by the Inland Revenue Valuation Office to record the 1910-15 valuation survey, show that Church View was owned by the Church and that James M Hancock lived there. Subsequent records show that members of the Hancock family lived at the house for over thirty years from 1946.

The family were Primitive Methodists, a religious group that merged with the Wesleyans in 1932, and were stalwarts of the Daventry Methodist circuit.

The thatched roof of Church View went up in flames in about 1950 when the then owner, Fred Hancock, decided to repaint the windows and set light to the thatch with a blow lamp. An old photograph from 1920 shows the two left-hand windows upstairs which are now dormers were where the original windows sheltered under the thatched roof.

The road in front which is now Lower Street was previously called Church Street and the deeds show a direction to the railway station.

The current owners bought the house from Queenie Hancock in 1979.



## 3. Barrowfield

Ernest Holland Johnson arrived at Barrowfield in 1879 and was subsequently sent by Magdalen College to learn to be a wheelwright, a trade that would have been important on the Magdalen estate. He died in 1909 and Mr W G Reynolds moved in.

Mr Reynolds was the village carpenter and undertaker and combined this business with running the post office which included taking in and delivering telegrams to Willoughby and Grandborough.

From 1940, Jim and Connie Hall, the current

During renovation work, evidence of a wattle and daub cottage with a door to the road was found in the middle of Barrowfield, where the kitchen is now. Almost certainly, this dwelling dates from at least the early 1800s.

In the 1860s or 1870s, the cottage was incorporated into a much larger red-brick building built by Magdalen College, Oxford who were the owners at that time.

owner's parents, lived in Barrowfield and Jim worked for the Ivens family on Ivy House Farm for many years. In addition, he was the village milkman from 1940 to the late 1960s.

In 1971, the current owners established a village shop and newsagent in the building attached to the left of Barrowfield. The village shop and newsagent eventually closed in 1988 with the advent of supermarkets and the hairdresser's, which had been upstairs, moved downstairs. This business, together with a beauty salon, continues successfully today run by Mr and Mrs Hall's daughter-in-law.

Barrowfield is now a private residence.



#### 4. Red House

Red House was not part of the Magdalen College Estate. There are unregistered deeds and information going back to 1876 which refer to a cottage and slaughterhouse yard.

The name of the house refers to its use as a slaughterhouse for the farm next door.

The large scale OS maps used to record the 1910-15 valuation survey clearly show the main L-shape building facing the road and a range of buildings of varying sizes extending back along the left-hand boundary. At the time of the survey Mrs. G. Cowley was the occupier and the property was in the hands of Piddock & Co who were executors of the former owner.

Internally there is evidence of a much earlier one-up, one-down cob cottage (now the dining room).

Sid Ivens, who later lived and worked at Ivy House Farm for many years with his family, was born to parents William Henry and Mary Ann Ivens in Red House in 1913.



#### 5. Lower Street Cottages

Floor levels vary from one cottage to the next and the view from the back shows where outhouses used to be. The cottages now have overlapping rear extensions that stray into neighbours' gardens for historical reasons when boundaries were more fluid and planning regulations less obvious. Windows were acquired from other buildings or made to fit particular spaces and, even today, an example of this mismatch of sizes and styles can be seen with the windows at No. 3, Rosebud Cottage.

These seven roadside houses are among the oldest in the village. It is thought that the original buildings dated from before the enclosure in 1760 but were probably cob cottages at that time. They were rebuilt in brick using largely standard size bricks probably in the 1820s. Many of the cottages were built from an assortment of whatever was easily obtained locally - cob, stone, bricks and pieces of wood which is consistent with the replacement of older properties.

The cottages were originally thatched but, following a fire in 1926 which burned No. 3 down and damaged surrounding cottages, the roofs were tiled. The whole row was condemned in the 1950s, but unlike other houses along the road, these seven gained a reprieve to provide homes for villagers today.

In the 1960s, Mr Gurney who had a shop in Braunston set up a village shop in the third cottage from the left. Subsequently, the owner of No. 3 next door took this over until a new shop was set up by the Halls at Barrowfield, further along the road, in 1971.



#### 6. Bath Farm

Bath Farm and the tied cottage further along Moor Lane (once known as Gothic Cottage) were built in the 1850s and were owned by Magdalen College.

The farm was rented by the Hall family from 1899 until 1952 when John Hall bought the farm, the cottage, other outbuildings and 115 acres as a lot from the College for £5,000. At one time it was the only farm with arable land apart from the Manor.

After John's death at an early age, the farm was bought by Henry Nicholls who then sold the land in smaller parcels.

Major renovation, retaining the character of the original farmhouse, was started by the current owners, Mr and Mrs G Whitworth, in 1988.

Gothic Cottage is now known as Bath Farm Cottage and was bought recently by the owners of Bath Farm for their daughter. Planning permission has subsequently been granted to demolish the cottage and to build a new, larger family dwelling and garage.

The name Bath Farm is a bit of a mystery although many wells exist in and around the farm. There is an engine driven pump house behind the cottage which was used to pump water to Willoughby House.



#### 7. Post Cottage and 8. The Bakehouse

Ill health eventually forced the Dodds to retire and the bakery then passed to Michael Childs. He ran it until 1984 when he closed the bakery as he could no longer get the correct fuel to heat the ovens, due to a coal strike at the time, and alternatives were too expensive.

By the 1950s, the village no longer had a grocer's shop but was served by a mobile shop provided by John Gurney from Braunston in his lorry. During the same period, Mr Ken Gealy bought the terrace and split it into two rather



The histories of Post Cottage and The Bakehouse are intertwined. Originally, the terrace was three properties. On the left was the property now known as Post Cottage, in the middle was what became the post office in the mid-1930s, and to the right, the bakery (without the later two-storey extension).

The front door of The Bakehouse is now in the place of the two original front doors which were side by side, one for the post office and one for the bakery.

From at least 1876 to the 1940s, the terrace was owned by the Thompson family who were bakers and shopkeepers. By 1936, they no longer ran the bakery but instead ran the post office as well as their shop, presumably taking over the post office business from Mr Reynolds in Barrowfield.

In 1940, Cyril Dodd is noted as the village baker. He and his wife, Dina, ran the bakery for many years and lived in one of the semi-detached houses across the road. A map of houses and their residents around 1950-1952 notes that the Post Office was, by then, run by Mr and Mrs Goodacre and the Bakehouse was still run by Mr & Mrs Cyril (Pudding) Dodd.

As well as providing bread and other baked goods, Mr Dodd also used his ovens to help local people in a different way. Larger families in the village used to take their joints of meat to the bakery to be cooked, especially at Christmas time.

than three properties, incorporating the middle post office section into Post Cottage.

From 1988, Peter Montgomery lived in Post Cottage where he ran the village shop, after the shop at Barrowfield closed, and from where he also ran the post office. This finally closed in 2002 and was the last time Willoughby had its own post office.

In the 2000s, the current owners bought and renovated The Bakehouse. Subsequently they also acquired Post Cottage after the death of Mr Witney. This allowed them to change the rear access to the Post Cottage which previously ran through the Bakehouse garden close to the house. They then sold Post Cottage into separate ownership with a smaller parcel of land.

The new owners of Post Cottage completely refurbished the property and also acquired a small strip of land to form an access, to the left of the property, from Main Street to the rear of the property.

*Note: The first post office, before the one in Barrowfield or the one to the right of Post Cottage, was in a small cul-de-sac called Bakers Lane. This was near today's footpath running from Main Street to the end of Magdalen Road. The Lane had several small hovels as well as a baker's and the Post Office. They were most probably condemned and had to be demolished.*

*The Bakers Lane Post Office was run from at least 1876 to 1909/1910 by George Malin who was also a shoemaker and shopkeeper.*



**9. The Old School House**

The school educated boys and girls of the poor and was funded by the charity until it was taken over and run by the County Council.

The number of children attending the school decreased in the 1970s and the school was finally closed in July 1977 after 161 years. The building has since been divided and sold as two private residences - The Old School House and Woodstock House.

The charity received a lump sum from the County Council after the sale as it still owned

In 1816, a school and a schoolhouse were built at a cost of £430 and a schoolmaster and mistress were housed rent-free at a salary of £40 per annum. There is a stone tablet above the door of the Old School House commemorating the date.

The school was built and run by the trustees of the Village Charity, initially endowed by charitable donations from John and Margaret Hayward in 1437. In addition to financing the school, the trustees utilised the income from its investments and land it owned toward the relief of the poor, repair of the Church and improving the facilities in Willoughby.

the land and original buildings. The Charity was reorganised into two - one an educational foundation and the other a general one. The charity has a long, and sometimes turbulent, history that reduced its wealth considerably but it still exists today benefiting the people of Willoughby.

As well as being a school, from 1888, a 'reading room' was established in the building when a new classroom was built. By paying a subscription local residents could go and read newspapers (including The Daily Telegraph and The Daily Mirror) and play cards. This was also the village function room until the Village Hall was opened in 1933.



### 10. The Willows

A building has stood on the site of The Willows for several hundred years. The original building would have been a single-storey farm dwelling at the east end with stone foundations, some of which are still evident, and a cow byre at the west end. The stone outer wall of this byre remains as the inner wall of the present house and still includes the bottom rail of a hay manger. The back wall of this part of the building was cob of which a small section still remains.

The dwelling was part of the Thomas Newbold Estate. Newbold was a significant landowner in the village, whilst the majority of the village was owned by Magdalen College, Oxford.

The property was converted into a pair of two-storey farm dwellings in the early 1800s. The construction was in local brick, retaining some of the old stonework. The roof, which remains unchanged apart from new tile laths and sarking felt is of original thumb tiles, having no nails to secure them, only a central nib created by the tile maker's thumb. The house contains beamed ceilings and a large inglenook fireplace still exists in one of the rooms, surmounted by a beehive chimney in the room above.

Although Thomas Newbold died in 1873 his estate was not sold off until 1918, when the cottages were bought by John Johnson who farmed at the Manor. The cottages, along with other land, were sold to Magdalen College with sitting tenants Owen Hancock and Mrs Drinkwater in 1938. The College then sold the properties to Cecil Brittain in 1948. By this time the only sitting tenant was Mrs Drinkwater. Cecil modernised the unoccupied property and incorporated the other to make a single residence after Mrs Drinkwater died.

The Brittain family lived in the property until 1972, when it was purchased by Bert and Dorothy Ogle. Since then substantial alterations have been made including building a porch to the front and additional living accommodation at the rear.



### 11. College Farm

The original farm was part of the Magdalen College Estate, hence the name. The land was part of the allocations made to the College in the 1760 Inclosure and remained in its hands until 1953 when the farm was sold as part of the College's divestment programme.

The house was built in three sections. The right-hand side is the oldest and there is a stone dated 1703 on the back with the initials HCB and WM. Later, possibly in the 19th century, the section on the left at the back was built with bigger windows. A floorboard was found in this part of the house with a list of the workmen at the time written on it.

Finally, the section on the left at the front was added in the early 20th century. The various roof lines are testament to the different construction dates.

College Farm was farmed by the Cowley family in the latter part of the 19th century. In 1903, the tenancy was taken over by Mr James Bottrell Collett and Rowland T. Collett who farmed there until 1933 when he retired to Crick. He had four sons who all went into farming on their own account.

After 1933, Mr. H. Thomas took over and held the tenancy until the College sold the farm in 1953. He was followed by Mr. Vernon Skyrme and his sister Kate. Kate Skyrme died in 1963 followed by Vernon in 1973. The farm was then sold and split up.

The farmhouse became a private house and new houses were built on the farmyard (to the left) and tennis court (to the right). The land was acquired by local farmers/landowners and added to other holdings e.g. Home Farm.

By 1989, the former farmhouse was owned by Mr Richardson.

The current owners bought the house in 2007 and carried out extensive renovations to the house and to the roadside farm office.



### 12. Wesleyan Chapel

The chapel was built on a tiny piece of land in 1898 at a cost of £250 and was intended to seat seventy people.

It was in regular use until, by 1990, the congregation had dwindled and the chapel was sold into private ownership.

A watching brief report by C. Coutts for English Heritage in 2011 notes that *'Building work to the roof revealed that a number of names were scratched into the wood with the date September 1897. Inside the Chapel the pulpit was still in place.'*

Since 1990, the chapel has been used as a recording studio and a workshop and is now a private residence.

The chapel has a national Sites & Monuments Record in the Warwickshire HER.



### 13. Four Crosses

The original inn known as the Three Crosses faced the bye-road to Willoughby Village (now Main Street). The junction has three arms, hence the Three Crosses. Later it became the Four Crosses after a visit of Jonathan Swift in 1725\*. This building was demolished in 1898.

The present building was erected in 1900 to replace the original, and now famous, Four Crosses Inn. It is likely the inn operated from a building on the site of the current Four Crosses Cottage whilst the present building was constructed.

The Four Crosses public house was closed in the mid-1960s by the owners, Phipps Brewery, upon the retirement of the landlady, Mrs. Griffiths. It was subsequently sold and used as transport accommodation, together with two self-contained flats. The building was extended and converted into apartments in the 2000s.

Jonathan Swift, English Satirist, lodged at the Three Crosses and following a disagreement with the landlord's wife, engraved onto a diamond shaped window pane the following

“There are three  
Crosses at your door,  
Hang up your wife,  
And you'll count four.  
Swift, D., 1730”

Soon after the Inn gained an extra Cross!

One of the more famous owners/landlords was William Crupper, who utilised a mineral spring in the field behind Tattle Bank to open the New Willoughby Baths (1824-1841) which were probably adjacent to the Inn which, it is reported, had a resident chemist for a time.

A novel marketing ploy for the new baths was the commissioning of Thomas Deacon to write a book 'A History of Willoughby' (1828). He also got the Royal Institution to analyse the water and received a letter from Michael Faraday reporting that the water was almost identical to that at Harrogate. Sadly, his efforts and many advertisements in newspapers ended in bankruptcy.

*\* The date of Swift's visit is uncertain with some publications (e.g. Charles Harper, The Holyhead Road, 1902) suggesting 1730 with great authority as well as noting that scholars suggest his last visit to England was in 1727.*

### Bibliography and References

Thank you to the Willoughby Society for permission to use material from their archive.

*Material from the archive may not be further published without consent from the Society.*

*'The History of Willoughby in the County of Warwick containing an account of the Sulphurous and Saline Springs, Lately Discovered and the establishment of Hot, Cold, & Shower Baths'* (1828)

Thomas Deacon. Published by W. Clark, 60, Paternoster Row, London and available in The Willoughby Society Archives

'Willoughby, a Warwickshire Village' (1988), Compiled by W.L. Carlisle, S.G. Ivens, F.L. Mitchell, M.J. Reynolds, S.J. Troman, & R.J. Whitfield. The Willoughby Society Archives.

*Willoughby House History, Sawbridge Lane, Willoughby, Nr Rugby, Warwickshire and the lives of the people who lived there.* David Aston with acknowledgements to Mr Richard Hayward, Willoughby Society, Ordnance Survey, Crown.

*Warwickshire Heritage Environment Record*, Warwickshire County Council

<https://timetrail.warwickshire.gov.uk/detail.aspx?monuid=WA3074> Wesleyan Chapel

<https://timetrail.warwickshire.gov.uk/detail.aspx?monuid=WA30067> Cob walled cottage and hearth at Stonewell, Pye Court, Willoughby

<https://timetrail.warwickshire.gov.uk/detail.aspx?monuid=WA12707> The Old Vicarage Gardens

<https://timetrail.warwickshire.gov.uk/detail.aspx?monuid=WA3069> Willoughby House

<https://timetrail.warwickshire.gov.uk/detail.aspx?monuid=WA12705> Willoughby House Gardens

*WarwickshireRailways.com*, LNER Route: to Marylebone, Braunston & Willoughby Station

<https://www.warwickshirerailways.com/lner/braunstonewilloughby.htm>

<http://maps.warwickshire.gov.uk/historical/>

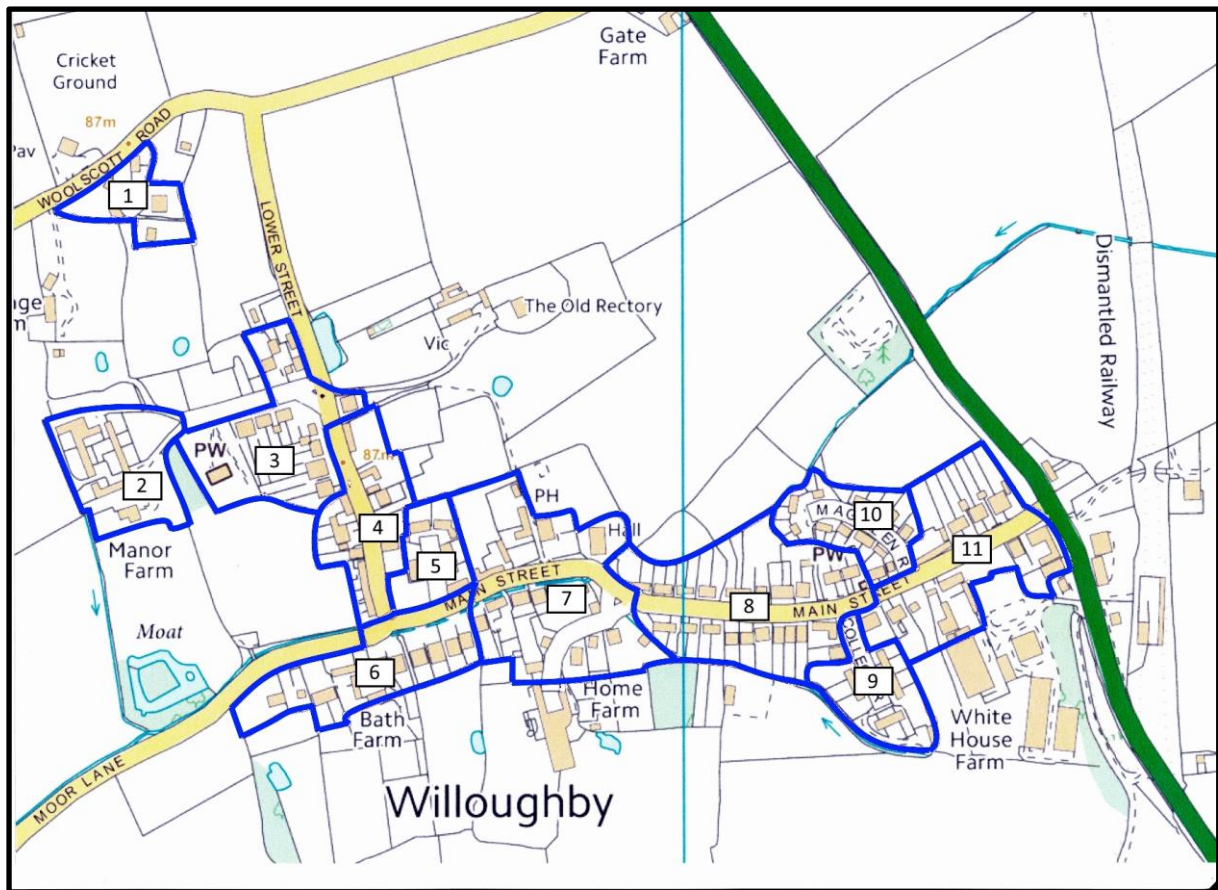
#### Thank you

We would like to sincerely thank all the residents of Willoughby who took the time to tell us about their historic houses and everyday life in the parish. We would also like to thank Richard Jackson who provided valuable additional information from various archives. Much of this kind of knowledge is being lost to the parish as people move away or die, so it is important to write it down while we can so that future generations can appreciate their heritage.

Appendix 4 Character Areas

Eleven character areas have been identified - two in the wider parish (Pye Court and Manor Farm Barns) and nine in the village. These are shown on the map below. The words in italics indicate design features for each character area.

Map 15: Character Areas



**Area 1. Pye Court**

Pye Court is a tiny hamlet of five houses to the north-west of the village. The houses are built along a narrow cul-de-sac with no turning space and consist of two *semi-detached cottages* and two *detached two-storey houses* on one side with a *bungalow* on the other side.

The cottages were built as a terrace of four on the roadside in 1860 and had been converted into two cottages by 1910. The other three houses sit within their plots. The bungalow was built around 1956 and the detached houses in the 1960s. All the houses are built of *red brick* with *hanging tile detail* on the two detached houses. Stonewell next to the cottages has two open gable ends facing the road and the bungalow has a large dormer at the front. The cottages have *slate-tiled roofs* and the other three houses have roofs of either *clay tiles (two)* or *concrete (one)*.

	
<p>Semi-detached cottages built originally in 1860 as a terrace of four</p>	<p>Detached house built in 1966 on the site of two old cob cottages condemned in 1920</p>

**Area 2. Manor Farm Barns**

This area includes the Grade II listed Manor Farmhouse and an adjacent group of agricultural barns which were converted to residential use in 1999 to provide eight houses. The barns are all built of *red brick with clay tiled roofs* and are *single storey with upstairs accommodation in the roof spaces*. *Windows in the roofs have grey, metal frames and lie flush with the slope of the roof*. *Doors and window frames are mostly dark brown and gutters and drain pipes are black*. Gardens are small and, in all except one case, are either to the front or the back of each property depending on how it is orientated to the rest of the group.

	
<p>Barn with open gable ends facing the road</p>	<p>Barn with long roof line parallel to the road</p>

**Area 3. Brooks Close**

This area includes the Grade II\* listed Church of St Nicholas, thirteen bungalows built in 1964 on the south side of the road and four large detached houses. Three of these are clustered together on the north side of Brooks Close and the fourth is across Lower Street.

The *bungalows are red brick with shallow-pitched, concrete tiled roofs and relatively large windows, set back from the road behind small gardens*. All except the one on the corner are *semi-detached*. Oddly, although seven of the bungalows face Lower Street, their postal address remains Brooks Close, presumably because of their association with the original close.

On the north side of Brooks Close stands Ivy House Farm, a large, old, two-storey red brick house with a shallow-pitched, slate-tiled roof set well back from the road behind a tall hedge. The other two houses in this group face onto Lower Street and the village pond. The setback of Ivy House and its tall hedge helps to relieve the sense of dominance such a large dwelling would have on the generally low-rise appearance of the area.



	
<p>Semi-detached bungalows in Brooks Close</p>	<p>Ivy House Farm</p>

**Area 4. Lower Street - Historic Core (A)**

Lower Street contains some of the oldest buildings in the village including Vale House, a listed timber-framed house dating in part from the 17th century, Church View, Red House, Barrowfield and the terrace of seven houses at the south end known as Lower Street Cottages. The four more modern buildings in this area were built in the 1960s on the sites of much older houses which had fallen down or were demolished.

Most of the houses in this area have *two storeys* and are *built of brick*. *A few are rendered and painted*. The roofs are *usually tiled in either clay or slate*. Many of the houses are on the roadside with attendant problems of no off-road parking where adjacent land was not available to create parking spaces. This is particularly the case for the Lower Street Cottages. On-road parking together with the narrowness of the road and the junction nearby with Main Street can lead to significant traffic problems in this area of the village.

	
<p>Red House</p>	<p>Vale House</p>

	
<p>Lower Street Cottage at the Main Street junction</p>	<p>Lower Street Cottages looking north</p>

**Area 5. Moor Lane and Main Street (Lower End)**

Apart from the two two-storey houses right at the western edge of the village and the one-and-a-half storey Bath Farm house built in the 1850s, the other nine houses are *detached bungalows* built in the 1970s. All the houses are constructed of *red brick* except two which are yellowish brick and all are on the south side of the road, *set well back behind gardens*. *Decorative panels* are a feature on some of the bungalow facades.

All the bungalows have *shallow-pitched, concrete-tiled roofs*. Seven have roofs with *closed gable ends facing the road* while the other two have *roof lines parallel to the road*.

	
<p>Bungalow with closed gable end facing the road</p>	<p>Bungalow with roof line parallel to the road</p>

### Area 6. White Barn Close

Five large executive-style houses were built in 2007 on the site of a large house known as White Barn. The houses are *two storeys*, built of red *brick with sandstone detailing and mock-tudor facings in part*. The roofs have *clay tiles*. Four of the houses are in the cul-de-sac, set back from the road *behind short gardens*. The fifth house faces Main Street and is set back a short distance from the pavement.



### Area 7. Main Street - Historic Core (B)

This part of Main Street again contains some of the oldest buildings in the village including the Grade II listed Rose Inn, the Post Office, the Bakehouse and the Old School House to the north side of the road and the White House and The Willows to the south side. Most of these buildings were constructed during the 18th and 19th centuries with the original part of The Willows dating from an earlier period and several retain the names that indicate their historic purpose.

All the houses are *two storeys* as are the relatively more recent properties built amongst them on the south side. Some are *detached* and others are *semi-detached*. Most are built of *red brick or rendered brick*. Almost all the buildings on the *north side have slate-tiled roofs* and the majority on the *south side have clay-tiled roofs*. The earliest part of the Rose Inn is built of *ironstone* as is The Willows (now partially rendered and painted) and the Rose Inn is the only remaining building in the village with a thatched roof. The stream and verges on the south side of Main Street with bridges into the gardens are an attractive feature as is the village sign with its surrounding plants.



The Post Office and the Bakehouse



The Old School House



The Willows



More modern semi-detached houses built in 1903 with bridge over the stream



**Area 8. Main Street (Central)**

All the houses, except College Farm, were built in the 20th century. Over the years, eighteen council houses were built. Subsequently, many of these have become privately owned and improved and extended by their owners so that they no longer meet the needs of those on lower incomes.

Going east along Main Street from the Village Sign, the first fourteen houses were built as council houses in 1919. These houses have *two storeys* and are *semi-detached*. They are built of *rendered brick* with windows that often vary considerably in size at the front. The front *roof lines of some are unusual and distinctive*. They are all *set back from the road behind small front gardens*.

The next group of houses up to College Road and Magdalen Road were built from the 1930s to the 1980s and include *terraced, semi-detached and detached* houses of various designs. The terrace of four houses on the north side at the end was built as council houses in 1948. They are set far back from the road behind long front gardens.

Almost all the houses in this area have *two storeys* and are *built of brick, rendered brick or painted brick*. Most have either *concrete or clay-tiled roofs*. Many of the houses on the north side are built well above the road and have no off-road parking which can lead to significant traffic issues, particularly when large agricultural vehicles and lorries are passing through.

	
<p>'Old' council houses built in 1919</p>	<p>'New' council houses built in 1948</p>



Detached houses built in the 1970s



Detached houses built in the 1980s

### Area 9. College Road

The fourteen houses in the College Road cul-de-sac consist of three terraces and were originally built as council houses in 1956. As with those on Main Street, many have become privately owned. All the houses have *two storeys* and are built of *red brick* with *reddish concrete-tiled roofs* set *behind short front gardens*. The pavements and grass verges give the road a spacious appearance.



The three terraces on College Road





The terrace of four on the west side

**Area 10. Magdalen Road**

All the houses in Magdalen Road, and the three of a similar style facing Main Street, are built of *red brick with concrete tiles*. All are set behind small front gardens.

The *one-and-a-half storey, detached and link-detached houses* at the south end of Magdalen Road were built in 1963 and are distinctive in style with *roof gables to the front and vertical panels of either render or tiles on the front facade*. The *roofs are steep in pitch* to accommodate the upper floor. In addition to these houses, there are a few detached bungalows with roof lines parallel to the road.

The road was extended to the north-west to form a cul-de-sac in 1983 with the intention of creating eight starter homes. Over the years, these have been improved and extended and are no longer ‘starter’ homes. These house are *two storeys and semi-detached with shallow-pitched roofs and small bay windows downstairs*.

	
<p>One-and-a half storey houses built in 1963</p>	<p>Starter homes (originally) built in 1983</p>

**Area 11. Main Street (Upper)**

There are three substantial building in this area - two listed buildings (The Smithy and Whitehouse Farmhouse) and the Four Crosses apartments. The Smithy and Whitehouse Farmhouse are opposite each other and are mostly *two storeys*. They are both built of *sandstone and brick* although the Farmhouse has a *rendered facade painted white*. The other buildings in the area are either *red or, occasionally, buff brick or painted render*. *All the roofs have clay or concrete tiles except The Smithy, Four Crosses apartments and cottage which have slate tiles*.

The Smithy has a single storey section to the east which helps to make the transition to the eight *semi-detached bungalows* at the top of Main Street which were built from 1962-1966. These bungalows are *set well back and up from the road* and are built of *brick or rendered brick* with relatively *large windows and concrete-tiled roofs*.

	
<p>The Smithy</p>	<p>1960s bungalows at the top of Main Street to the right of The Smithy</p>
	
<p>Semi-detached houses built in 1928</p>	<p>The Four Crosses apartments opposite the bungalows</p>



## Appendix 5 Housing Development in Willoughby Parish since the 1960s

Since the 1960s Willoughby Parish has slowly evolved and seen the delivery of new housing schemes and planning permissions.

- Magdalen Road - 1963 one-and-a-half storey houses and a few bungalows
- Brooks Close - 1964 thirteen bungalows
- Main Street (between The Smithy and the A45) - 1962 to 1966 eight semi-detached bungalows
- Moor Lane/Main Street (Lower) - 1970s nine detached bungalows
- The new Vicarage - built in 1978
- Main Street (Central) - 1970s and 1980s detached houses
- Magdalen Road - 1983 development originally designated as eight starter homes
- Barn Conversion next to the canal off Longdown Lane - mid 1990s
- Agricultural barns near Manor Farmhouse - 1999 converted to eight houses
- The Four Crosses on the corner of Main St and the A45 - 2000s converted to ten apartments
- White Barn Close - 2007 small scheme for 5 executive-style houses
- Little Leys adjacent to Manor Farm Works Unit - 2011 new building
- BT Repeater Station on A45 - 2012 change of use to a dwelling
- Shepherds Barn along Moor Lane - 2013 barn conversion
- Behind Whitehouse Farmhouse off Main Street - 2015 barn conversion
- Willowbrook Barn on Woolscott Road - 2017 barn conversion
- The Barn, Longdown Lane - 2020 barn conversion

Appendix 6 Willoughby Housing

**Willoughby Parish: Housing - Number of Bedrooms**

2011 Census

Total housing stock	<b>193</b>
Total number of occupied dwellings	<b>185</b>
Total number of unoccupied dwellings	<b>8</b>

1 Bedroom	2 Bedrooms	3 Bedrooms	4 Bedrooms	5+ Bedrooms
6	53	72	35	19

Additional dwellings since 2011 census     **5**

1 Bedroom	2 Bedrooms	3 Bedrooms	4 Bedrooms	5+ Bedrooms
1	0	3	1	0

Willoughby Housing Stock - 2018

Total Housing Stock 193 (2011 Census) + 5     **198**

185 (occupied dwellings from 2011 Census) + 5     **190**

(Percentage below is of 190 because no information about 8 unoccupied dwellings)

1 Bedroom	2 Bedrooms	3 Bedrooms	4 Bedrooms	5+ Bedrooms
7	53	75	36	19
3.68 %	27.89 %	39.48 %	28.95 %	

**For comparison**

SHMA\* Recommended Mix of Market Housing in Rugby Borough

1 Bedroom	2 Bedrooms	3 Bedrooms	4 + Bedrooms
5 - 10 %	25 - 30 %	40 - 45%	20 - 25 %

\* SHMA Strategic Housing Market Assessment,

Table copied from Rugby Borough Council Adopted Local Plan 2011 - 2031, June 2019 paragraph 5.10, page 41.

## Appendix 7 Definition of Affordable Housing (NPPF)

## Annex 2: Glossary

**Affordable housing:** housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions:

a) **Affordable housing for rent:** meets all of the following conditions: (a) the rent is set in accordance with the Government's rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).

b) **Starter homes:** is as specified in Sections 2 and 3 of the Housing and Planning Act 2016 and any secondary legislation made under these sections. The definition of a starter home should reflect the meaning set out in statute and any such secondary legislation at the time of plan-preparation or decision-making. Where secondary legislation has the effect of limiting a household's eligibility to purchase a starter home to those with a particular maximum level of household income, those restrictions should be used.

c) **Discounted market sales housing:** is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.

d) **Other affordable routes to home ownership:** is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision, or refunded to Government or the relevant authority specified in the funding agreement.

Appendix 8 List of Local Businesses in Willoughby Parish

<b>Name</b>	<b>Address</b>	<b>Business</b>
Willoughby Cafe	A45	Cafe
Reefkeeper	A45	Tropical Fish
Linda Noakes	32 Main Street	Acupuncture
JRCS Falconry	11 Magdalen Road	Falconry
Val Taylor	44 Main Street	Pilates
The Rose Inn	Main Street	Public House
Daisy Chain	Roseberry Dene, Main Street	Garden Services
Courts	Willoughby House, Moor Lane	Builder
B Beautiful	19 Lower Street	Hair and Beauty Salon
Natalie Wiltshire	Ivy House Farm	Yoga
Willoughby Alpacas	The Old Vicarage	Alpacas
Alan Board	Magdalen Road	Builder
Mark Hallam	Main Street	Window Cleaner
Old Garage Car Wash	A45	Car Wash
Di Ellard	Home Farm	Internet Sales
Lorraine Geddes	Magdalen Road	Keep Fit
The Decking Tool	Manor Farm Barns, Brooks Close	Decking

**Working Farms in Willoughby Parish where the farmers live in the parish.**

Manor Farm  
 Gate Farm  
 White House Farm  
 Navigation Farm  
 Leam Farm  
 Home Farm  
 Willowbrook Barn, Woolscott Road

## Appendix 9 Local Facilities and Services

- Village Hall
- Church
- Playing Field / Children's Playground
- Cricket Club
- Allotments
- Pub
- Cafe
- Societies, Clubs and Groups - Willoughby Society, the Willoughby Thursday Club, Willoughby Women's Institute, the Village Hall Committee, Art Group, Flower Club, the Willoughby Cricket Club, Mums' Group, Darts Team, Ladies' Fellowship
- B Beautiful - Beauty salon and hairdresser
- Car Wash facility on the A45
- School pick-up for schools in Rugby
- A & M bus service - one bus to and from Rugby on Monday and Friday. Routes 203 and 214 provided by National Express Accessible Travel and Coventry Minibuses
- Hayward Lodge Pocket Nature Reserve
- Amenity Garden
- Bridleways and Public Footpaths
- Broadband
- Parish Council Website
- Willoughby Monthly Newsletter
- Willoughby Charity and Willoughby Educational Foundation



Willoughby NDP Steering Group on behalf of  
the Parish Council

October 2021

## Willoughby Neighbourhood Development Plan Review 2021

### Modification Document

#### **Background**

The Willoughby Neighbourhood Development Plan successfully passed a referendum on 2<sup>nd</sup> December 2019 when a majority voted in favour for it to be used to help decide planning applications in the neighbourhood area. The plan was subsequently formally adopted by Rugby Borough Council at the Council meeting of 17<sup>th</sup> December 2019.

Since the plan's adoption there have been changes to national planning policy and also circumstances in the neighbourhood area. Willoughby Parish Council (as the neighbourhood plan Qualifying Body) have carried out a review of the plan with Rugby Borough Council.

A series of modifications have been identified to update the plan. A modified version of the plan together with a schedule of changes was submitted by Willoughby Parish Council to Rugby Borough Council in October 2021.

#### **Modifications**

National Planning Practice Guidance states there are 3 types of modifications that can be made to a Neighbourhood Plan:

*1: Minor (non-material) modifications which would not materially affect the policies in the plan. These may include correcting errors, such as a reference to a supporting document, and would not require examination or a referendum.*

*2: Material modifications which do not change the nature of the plan would require examination but not a referendum. This might, for example, entail the addition of a design code that builds on a pre-existing design policy, or the addition of a site or sites which, subject to the decision of the independent examiner, are not so significant or substantial as to change the nature of the plan.*

*3: Material modifications which do change the nature of the plan or would require examination and a referendum. This might, for example, involve allocating significant new sites for development.*

The modifications in full are set out in the Schedule included at the end of this statement. These are summarised as follows:

- Updating of references to the new National Planning Policy Framework 2021 (instead of the 2019 version).
- Updating the plan year references from 2019 to 2021 to reflect the review.
- Explanatory information about the review process and considerations.
- Factual information on the progress of housing developments and approved planning permissions.
- Update of list of local businesses operating in the neighbourhood area.
- Update on bus services.

## **Conclusion**

The modifications are not considered to change the nature of the plan or materially affect the policies. It has therefore been determined that the changes are Minor (non-material) modifications as described in Type 1 above. The modifications would not require an independent examination or further referendum, and can be approved by the Local Planning Authority under Section 61M(4) of the Town and Country Planning Act 1990 (as amended).

The decision to accept the modifications and approve the updated Neighbourhood Development Plan was agreed at the Council meeting of 15<sup>th</sup> December 2021. The plan as modified supersedes the original adopted version and has now been publicised on the Borough Council's website. Those notified of the adoption of the original plan have also been notified of the approval of the modified plan.

DRAFT



# EQUALITY IMPACT ASSESSMENT (EqIA)

## Context

1. The Public Sector Equality Duty as set out under section 149 of the Equality Act 2010 requires Rugby Borough Council when making decisions to have due regard to the following:
  - eliminating unlawful discrimination, harassment and victimisation, and other conduct prohibited by the Act,
  - advancing equality of opportunity between people who share a protected characteristic and those who do not,
  - fostering good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.
2. The characteristics protected by the Equality Act are:
  - age
  - disability
  - gender reassignment
  - marriage/civil partnership
  - pregnancy/maternity
  - race
  - religion/belief
  - sex/gender
  - sexual orientation
3. In addition to the above-protected characteristics, you should consider the crosscutting elements of the proposed policy, such as impact on social inequalities and impact on carers who look after older people or people with disabilities as part of this assessment.
4. The Equality Impact Assessment (EqIA) document is a tool that enables RBC to test and analyse the nature and impact of what it is currently doing or is planning to do in the future. It can be used flexibly for reviewing existing arrangements but in particular should enable identification where further consultation, engagement and data is required.
5. The questions will enable you to record your findings.
6. Where the EqIA relates to a continuing project, it must be reviewed and updated at each stage of the decision.
7. Once completed and signed off the EqIA will be published online.
8. An EqIA must accompany all **Key Decisions** and **Cabinet Reports**.
9. For further information, refer to the EqIA guidance for staff.
10. For advice and support, contact:  
Minakshee Patel  
Corporate Equality & Diversity Advisor  
[minakshee.patel@rugby.gov.uk](mailto:minakshee.patel@rugby.gov.uk)  
Tel: 01788 533509

## Equality Impact Assessment

<b>Service Area</b>	Development Strategy
<b>Policy/Service being assessed</b>	Willoughby Neighbourhood Development Plan modification
<b>Is this is a new or existing policy/service?</b> <b>If existing policy/service please state date of last assessment</b>	The original Willoughby Neighbourhood Development Plan was adopted by Council on 17 December 2021
<b>EqlA Review team – List of members</b>	Martin Needham – Senior Planning Officer
<b>Date of this assessment</b>	9 November 2021
<b>Signature of responsible officer (to be signed after the EqlA has been completed)</b>	

**A copy of this Equality Impact Assessment report, including relevant data and information to be forwarded to the Corporate Equality & Diversity Advisor.**

**If you require help, advice and support to complete the forms, please contact Minakshee Patel, Corporate Equality & Diversity Advisor via email: [minakshee.patel@rugby.gov.uk](mailto:minakshee.patel@rugby.gov.uk) or 01788 533509**

**Details of Strategy/ Service/ Policy to be analysed**

<b><u>Stage 1 – Scoping and Defining</u></b>	
(1) Describe the main aims, objectives and purpose of the Strategy/Service/Policy (or decision)?	Willoughby Parish Council have recently reviewed their Neighbourhood Plan and wish to make modifications to keep it up to date with national planning policy and circumstances.
(2) How does it fit with Rugby Borough Council's Corporate priorities and your service area priorities?	The Plan contributes to the Climate, Economy, Health and Communities, and Organisation priorities of the Council
(3) What are the expected outcomes you are hoping to achieve?	To process the modifications in accordance with legislation in order to update the Neighbourhood Plan in accordance with Willoughby Parish Council's proposals.
(4) Does or will the policy or decision affect: <ul style="list-style-type: none"> <li>• Customers</li> <li>• Employees</li> <li>• Wider community or groups</li> </ul>	No significant effects as a result of the modifications.
<b><u>Stage 2 - Information Gathering</u></b>	
(1) What does the information tell you about those groups identified?	As a minimum you must consider what is known about the population likely to be affected which will support your understanding of the impact of the policy, e.g service uptake/usage, customer satisfaction surveys, staffing data, performance data, research information (national, regional and local data sources).
	Population would be limited to the neighbourhood area of Willoughby however the proposed changes do not materially affect how the plan's policies are applied (and their affect on groups)

<p>(2) Have you consulted or involved those groups that are likely to be affected by the strategy/ service/policy you want to implement? If yes, what were their views and how have their views influenced your decision?</p>	<p>At previous stages of making the plan, the local community have carried out their own pre-submission consultation and have sought to reach out to groups as recommended by legislation. Any comments received were considered by the Parish Council in drafting the plan. The Borough Council have also carried out a consultation on the 'Submission version'. The comments received from this were considered by independent examiner as part of their examination of the plan. Due to the nature of the proposed modifications subject of this report, further consultation has not been considered necessary.</p>		
<p>(3) If you have not consulted or engaged with communities that are likely to be affected by the policy or decision, give details about when you intend to carry out consultation or provide reasons for why you feel this is not necessary.</p>	<p>The proposed modifications do not materially affect how the policies within the neighbourhood plan are applied.</p>		
<p><b><u>Stage 3 – Analysis of impact</u></b></p>			
<p><b><u>(1) Protected Characteristics</u></b>          From your data and consultations is there any positive, adverse or negative impact identified for any particular group, which could amount to discrimination?           If yes, identify the groups and how they are affected.</p>	<p><b>RACE</b> No impact</p>	<p><b>DISABILITY</b> No impact</p>	<p><b>GENDER</b> No impact</p>
	<p><b>MARRIAGE/CIVIL PARTNERSHIP</b> No impact</p>	<p><b>AGE</b> No impact</p>	<p><b>GENDER REASSIGNMENT</b> No impact</p>
	<p><b>RELIGION/BELIEF</b> No impact</p>	<p><b>PREGNANCY MATERNITY</b> No impact</p>	<p><b>SEXUAL ORIENTATION</b> No impact</p>

<p><u>(2) Cross cutting themes</u>  (a) Are your proposals likely to impact on social inequalities e.g. child poverty, geographically disadvantaged communities? If yes, please explain how?</p> <p>(b) Are your proposals likely to impact on a carer who looks after older people or people with disabilities? If yes, please explain how?</p>	<p>No.</p> <p>No.</p>
<p>(3) If there is an adverse impact, can this be justified?</p>	<p>N/A</p>
<p>(4) What actions are going to be taken to reduce or eliminate negative or adverse impact? (this should form part of your action plan under Stage 4.)</p>	<p>N/A</p>
<p>(5) How does the strategy/service/policy contribute to the promotion of equality? If not what can be done?</p>	<p>The proposed modifications help keep the neighbourhood plan up to date, which in itself is a document that improves opportunities for housing for disabled people, older people, and affordable housing for younger people.</p>
<p>(6) How does the strategy/service/policy promote good relations between groups? If not what can be done?</p>	<p>The neighbourhood plan has been prepared with community involvement through consultation and the proposed modifications will help keep the document up to date.</p>
<p>(7) Are there any obvious barriers to accessing the service? If yes how can they be overcome?</p>	<p>N/A</p>

<b><u>Stage 4 – Action Planning, Review &amp; Monitoring</u></b>																														
<p>If No Further Action is required then go to – Review &amp; Monitoring</p> <p>(1) Action Planning – Specify any changes or improvements that can be made to the service or policy to mitigate or eradicate negative or adverse impact on specific groups, including resource implications.</p>	<p>No further action is required.</p> <p>EqIA Action Plan</p> <table border="1" data-bbox="887 464 2141 692"> <thead> <tr> <th data-bbox="887 464 1133 539">Action</th> <th data-bbox="1133 464 1379 539">Lead Officer</th> <th data-bbox="1379 464 1626 539">Date for completion</th> <th data-bbox="1626 464 1872 539">Resource requirements</th> <th data-bbox="1872 464 2141 539">Comments</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>					Action	Lead Officer	Date for completion	Resource requirements	Comments																				
Action	Lead Officer	Date for completion	Resource requirements	Comments																										
<p>(2) Review and Monitoring State how and when you will monitor policy and Action Plan</p>	<p>This EqIA will be reviewed again when/if the local community produce another neighbourhood plan to update.</p>																													

Please annotate your policy with the following statement:

**‘An Equality Impact Assessment on this policy was undertaken on (date of assessment) and will be reviewed on (insert review date).’**

# Rugby Borough Council

## Climate Change and Environmental Impact Assessment

### CONTEXT

In 2019 the UK Parliament set a commitment in law to reach net zero carbon emissions by 2050. Achieving this target will require considerable effort with public bodies, private sector organisations, the third sector and individuals working together to take action. Rugby Borough Council declared a climate emergency in 2019, in doing so committed to:

- To move the Council's operations towards Carbon Neutrality by 2030.
- To establish action to tackle climate change as a key driver of all decision-making.
- To provide community leadership in reducing the impact of Climate Change.
- To take action to mitigate the impact of climate change on a Borough wide basis and beyond, through adaptation.

The Council's Corporate Strategy (2021-24) [\\*link\\*](#) sets ambitious outcomes in relation to Climate Change. These ambitions must now be progressed through the decisions which the Council makes.

It is therefore important that Rugby Borough Council gives due regard to climate change when making decisions. In the context of the Council's business, Climate Change includes carbon emissions, biodiversity, habitat loss and environmental destruction. When putting forward recommendations for decision, officers must assess how these recommendations are likely to influence our climate change commitments by completing the following Climate Change and Environmental Impact Assessment

A copy of this Climate Change and Environmental Impact Assessment, including relevant data and information should be forwarded to the Deputy Executive Director.

**If you require help, advice and support to complete the forms, please contact Dan Green, Deputy Executive Director**

**SECTION 1: OVERVIEW**

<b>Portfolio and Service Area</b>	Growth and Investment
<b>Policy/Service/Change being assessed</b>	Modification to the Willoughby Neighbourhood Development Plan
<b>Is this a new or existing Policy/Service/Change?</b>	Change to an existing adopted neighbourhood plan.
<b>If existing policy/service please state date of last assessment</b>	None.
<b>Ward Specific Impacts</b>	The policies within the plan are used to determine planning applications in Willoughby Parish, however the modifications subject of this report are minor and non-material in nature.
<b>Summary of assessment</b> Briefly summarise the policy/service/change and potential impacts.	Minor (non material) modifications to the Willoughby Neighbourhood Development Plan, mainly consisting of updated references to national policy and factual updates on circumstances in the area. No significant impacts identified.
<b>Completed By</b>	Martin Needham (Senior Planning Officer) - Development Strategy
<b>Authorised By</b>	
<b>Date of Assessment</b>	12/11/2021



**SECTION 2: IMPACT ASSESSMENT**

<b>Climate Change and Environmental Impacts</b>	<b>No Impact</b>	<b>Positive</b>	<b>Negative</b>	<b>Description of impact</b>	<b>Any actions or mitigation to reduce negative impacts</b>	<b>Action owner</b>	<b>Timescales</b>
<b>Energy usage</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<b>Fleet usage</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<b>Sustainable Transport/Travel (customers and staff)</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<b>Sustainable procurement</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<b>Community leadership</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<b>Biodiversity and habitats</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<b>Adaptation/Mitigation</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<b>Impact on other providers/partners</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				

**SECTION 3: REVIEW**

Where a negative impact is identified, the proposal and/or implementation can be adapted or changed; meaning there is a need for regular review. This review may also be needed to reflect additional data and evidence for a fuller assessment (proportionate to the decision in question). Please state the agreed review timescale for the identified impacts of the policy implementation or service change.

<b>Review date</b>	
<b>Key points to be considered through review</b>	
<b>Person responsible for review</b>	
<b>Authorised by</b>	

**AGENDA MANAGEMENT SHEET**

<b>Report Title:</b>	Appointments to Outside Bodies - Miscellaneous Appointments
<b>Name of Committee:</b>	Council
<b>Date of Meeting:</b>	15 December 2021
<b>Report Director:</b>	Chief Officer - Legal and Governance
<b>Portfolio:</b>	Finance, Performance, Legal and Governance
<b>Ward Relevance:</b>	All Wards
<b>Prior Consultation:</b>	Trustees of Hillmorton Charities
<b>Contact Officer:</b>	Linn Ashmore, Democratic Services Officer 01788533522 or linn.ashmore@rugby.gov.uk
<b>Public or Private:</b>	Public
<b>Report Subject to Call-In:</b>	No
<b>Report En-Bloc:</b>	No
<b>Forward Plan:</b>	Yes
<b>Corporate Priorities:</b>	This report relates to the following priority(ies): <input type="checkbox"/> Rugby is an environmentally sustainable place, where we work together to reduce and mitigate the effects of climate change. (C) <input type="checkbox"/> Rugby has a diverse and resilient economy that benefits and enables opportunities for all residents. (E) <input type="checkbox"/> Residents live healthy, independent lives, with the most vulnerable protected. (HC) <input checked="" type="checkbox"/> Rugby Borough Council is a responsible, effective and efficient organisation. (O) <a href="#">Corporate Strategy 2021-2024</a> <input type="checkbox"/> This report does not specifically relate to any Council priorities but
<b>Summary:</b>	To appoint representatives to the schedule of Outside Bodies for the 2021/22 Municipal Year
<b>Financial Implications:</b>	There are no financial implications arising from this report.

<b>Risk Management/Health and Safety Implications:</b>	There are no risk management/health and safety implications arising from this report.
<b>Environmental Implications:</b>	There are no environmental implications arising from this report. A Climate and Environmental Impact Assessment is attached at Appendix 1..
<b>Legal Implications:</b>	There are no legal implications arising from this report.
<b>Equality and Diversity:</b>	There are no equality and diversity considerations arising from this report.
<b>Options:</b>	N/A
<b>Recommendation:</b>	<p>The following appointments be made to the Trustees of Hillmorton Charities:</p> <ul style="list-style-type: none"> <li>(1) Mrs F Cameron be appointed to replace Mr R Price until 9 April 2022; and</li> <li>(2) Miss J Royle be re-appointed until 15 December 2025.</li> </ul>
<b>Reasons for Recommendation:</b>	To ensure continuation of representations made by Rugby Borough Council.

**Council - 15 December 2021**

**Appointments to Outside Bodies - Miscellaneous Appointments**

**Public Report of the Chief Officer - Legal and Governance**

**Recommendation**

The following appointments be made to the Trustees of Hillmorton Charities:

- (1) Mrs F Cameron be appointed to replace Mr R Price until 9 April 2022; and
- (2) Miss J Royle be re-appointed until 15 December 2025.

**1. BACKGROUND**

- 1.1 In order that appointments can be made to key outside bodies such as charitable bodies, local partnerships and other organisations, a schedule of appointments is produced.
- 1.2 Some appointments are renewed each Municipal Year, and some are renewed in line with the constitutions or aims and objectives of the individual organisations.

**2. VACANCIES – TRUSTEES OF HILLMORTON CHARITIES**

- 2.1 Mr R Price has retired from the Trustees of Hillmorton Charities. His term of office was due to expire on 9 April 2022. The Trustees of Hillmorton Charities met on 18 October 2021 and agreed to recommend to the Council that Mrs F Cameron be appointed to replace him.
- 2.2 The current term of office of Mrs J Royle is due to expire on 4 December 2021. Mrs Royle has been consulted and wishes to continue to serve a further four-year term of office to expire on 15 December 2025.
- 2.3 Under the Charities Act 1993, the Scheme governing the Hillmorton Charities Trust requires that five Trustees appointments are made by Rugby Borough Council.

**Name of Meeting:** Council

**Date of Meeting:** 15 December 2021

**Subject Matter:** Appointments to Outside Bodies - Miscellaneous  
Appointments

**Originating Department:** Legal and Governance

**DO ANY BACKGROUND PAPERS APPLY**  YES  NO

**LIST OF BACKGROUND PAPERS**

Doc No	Title of Document and Hyperlink

The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

---

Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A

# Rugby Borough Council

## Climate Change and Environmental Impact Assessment

### CONTEXT

In 2019 the UK Parliament set a commitment in law to reach net zero carbon emissions by 2050. Achieving this target will require considerable effort with public bodies, private sector organisations, the third sector and individuals working together to take action. Rugby Borough Council declared a climate emergency in 2019, in doing so committed to:

- To move the Council's operations towards Carbon Neutrality by 2030.
- To establish action to tackle climate change as a key driver of all decision-making.
- To provide community leadership in reducing the impact of Climate Change.
- To take action to mitigate the impact of climate change on a Borough wide basis and beyond, through adaptation.

The Council's Corporate Strategy (2021-24) [link](#) sets ambitious outcomes in relation to Climate Change. These ambitions must now be progressed through the decisions which the Council makes.

It is therefore important that Rugby Borough Council gives due regard to climate change when making decisions. In the context of the Council's business, Climate Change includes carbon emissions, biodiversity, habitat loss and environmental destruction. When putting forward recommendations for decision, officers must assess how these recommendations are likely to influence our climate change commitments by completing the following Climate Change and Environmental Impact Assessment.

A copy of this Climate Change and Environmental Impact Assessment, including relevant data and information should be forwarded to the Deputy Executive Director.

**If you require help, advice and support to complete the forms, please contact Dan Green, Deputy Executive Director.**

**SECTION 1: OVERVIEW**

<b>Portfolio and Service Area</b>	Finance, Performance, Legal and Governance
<b>Policy/Service/Change being assessed</b>	Appointments made by Council as representatives on outside bodies.
<b>Is this a new or existing Policy/Service/Change?</b>	No
<b>If existing policy/service please state date of last assessment</b>	N/A
<b>Ward Specific Impacts</b>	None
<b>Summary of assessment</b> Briefly summarise the policy/service/change and potential impacts.	The report has no potential impacts on climate change.
<b>Completed By</b>	Linn Ashmore
<b>Authorised By</b>	
<b>Date of Assessment</b>	



**SECTION 2: IMPACT ASSESSMENT**

<b>Climate Change and Environmental Impacts</b>	<b>No Impact</b>	<b>Positive</b>	<b>Negative</b>	<b>Description of impact</b>	<b>Any actions or mitigation to reduce negative impacts</b>	<b>Action owner</b>	<b>Timescales</b>
<b>Energy usage</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<b>Fleet usage</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<b>Sustainable Transport/Travel (customers and staff)</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<b>Sustainable procurement</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<b>Community leadership</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<b>Biodiversity and habitats</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<b>Adaptation/Mitigation</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<b>Impact on other providers/partners</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				

**SECTION 3: REVIEW**

Where a negative impact is identified, the proposal and/or implementation can be adapted or changed; meaning there is a need for regular review. This review may also be needed to reflect additional data and evidence for a fuller assessment (proportionate to the decision in question). Please state the agreed review timescale for the identified impacts of the policy implementation or service change.

<b>Review date</b>	
<b>Key points to be considered through review</b>	
<b>Person responsible for review</b>	
<b>Authorised by</b>	

**AGENDA MANAGEMENT SHEET**

<b>Report Title:</b>	Constitution Update
<b>Name of Committee:</b>	Council
<b>Date of Meeting:</b>	15 December 2021
<b>Report Director:</b>	Chief Officer - Legal and Governance
<b>Portfolio:</b>	Finance, Performance, Legal and Governance
<b>Ward Relevance:</b>	None
<b>Prior Consultation:</b>	Constitution Review Working Party
<b>Contact Officer:</b>	Aftab Razzaq Chief Officer - Legal and Governance 01788 533521, aftab.razzaq@rugby.gov.uk
<b>Public or Private:</b>	Public
<b>Report Subject to Call-In:</b>	Yes
<b>Report En-Bloc:</b>	No
<b>Forward Plan:</b>	No
<b>Corporate Priorities:</b>	This report relates to the following priority(ies): <input type="checkbox"/> Rugby is an environmentally sustainable place, where we work together to reduce and mitigate the effects of climate change. (C) <input type="checkbox"/> Rugby has a diverse and resilient economy that benefits and enables opportunities for all residents. (E) <input type="checkbox"/> Residents live healthy, independent lives, with the most vulnerable protected. (HC) <input checked="" type="checkbox"/> Rugby Borough Council is a responsible, effective and efficient organisation. (O) <a href="#">Corporate Strategy 2021-2024</a> <input type="checkbox"/> This report does not specifically relate to any Council priorities but
<b>Summary:</b>	The purpose of this report is to update the Scheme of Delegation and the Terms of Reference following the restructure of the Leadership Team and amendments within the Council's portfolios.
<b>Financial Implications:</b>	None arising directly from this report.

<b>Risk Management/Health and Safety Implications:</b>	None arising directly from this report
<b>Environmental Implications:</b>	None arising directly from this report.
<b>Legal Implications:</b>	None arising directly from this report.
<b>Equality and Diversity:</b>	The Council has duly considered its obligations as set out within the s.149 of the Equality Act 2010.
<b>Options:</b>	To accept or reject the recommendations set out within the report.
<b>Recommendation:</b>	<p>(1) The Scheme of Delegations, as set out in Appendix A to the report, be approved;</p> <p>(2) the Terms of Reference, as set out in Appendix B to the report, be approved; and</p> <p>(3) delegated authority be given to the Monitoring Officer to implement the above recommendations and, in consultation with the Constitution Review Working Party, to make any non-material amendments.</p>
<b>Reasons for Recommendation:</b>	To ensure the Council Constitution is updated to reflect the organisational restructures.

**Council - 15 December 2021**

**Constitution Update**

**Public Report of the Chief Officer - Legal and Governance**

**Recommendation**

- (1) The Scheme of Delegations, as set out in Appendix A to the report, be approved;
- (2) the Terms of Reference, as set out in Appendix B to the report, be approved; and
- (3) delegated authority be given to the Monitoring Officer to implement the above recommendations and, in consultation with the Constitution Review Working Party, to make any non-material amendments.

**1. INTRODUCTION**

The restructure of the Leadership Team (as detailed within Appendix 1) and the Council's portfolios has brought forward a requirement for both amendments to the Constitution and a full review.

The review of the constitution will be undertaken on a phased basis. In the first instance the priority is to address the structural changes within the organisation. The recommendations within this report address these changes.

**2. SCHEME OF DELEGATIONS/TERMS OF REFERENCE**

The overriding objective is to ensure that there is where required the checks and balances as and when powers are exercised. A key addition is the ability for Leadership Team to delegate further powers to other managers. This ensures that there is a more streamlined approach towards decision making but also the required visibility from the Leadership Team.

Both the Scheme of Delegations and Terms of Reference have been accordingly amended to reflect the organisational restructures. These are set out within Appendix 2 and 3 of this report.

**3. CONSTITUTION REVIEW WORKING PARTY**

The Constitution Review Working Party met on 1 December 2021 to consider the proposed revisions to the Scheme of Delegations and Terms of Reference. The recommendations as detailed within this report were unanimously approved.

**Name of Meeting:** Council  
**Date of Meeting:** 15 December 2021  
**Subject Matter:** Constitution Update  
**Originating Department:** Legal and Governance

**DO ANY BACKGROUND PAPERS APPLY**       YES       NO

**LIST OF BACKGROUND PAPERS**

Doc No	Title of Document and Hyperlink

The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

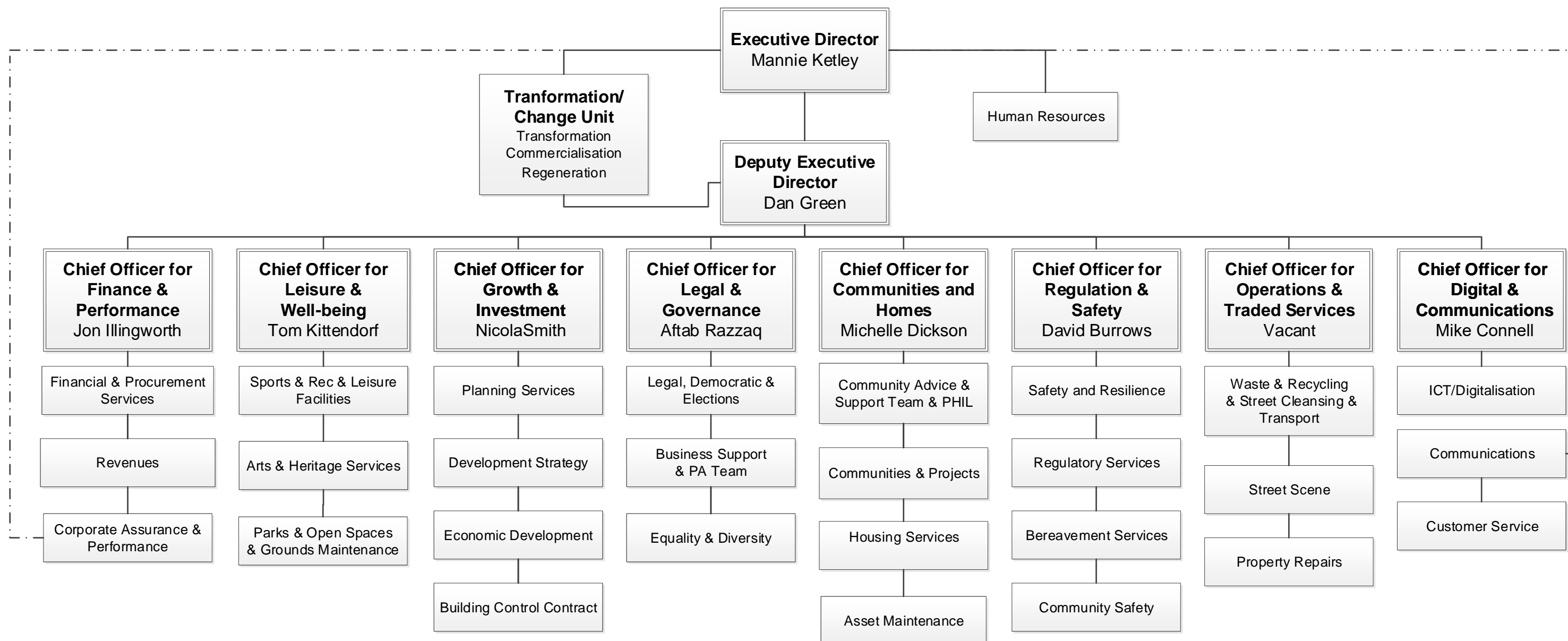
---

Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A

# Rugby Borough Council

2021



## 1. Introduction

The Executive Director and every Chief Officer shall have authority subject to the requirements of the provisions of this Constitution and within approved budgets to:

- (a) Take any necessary steps for the day-to-day management and routine administration of the functions or services for which they are responsible and any other service within the authority when deemed necessary.
- (b) Exercise the powers delegated to them and to authorise such other officers as they think appropriate to exercise on their behalf the powers delegated to them.

The Deputy Executive Director shall have authority to undertake all authority/powers that have been granted to the Executive Director. All such powers shall only be exercised in the absence of the Executive Director and in the event that the Executive Director is not absent such powers shall be exercised in consultation with the Executive Director.

## 2. Delegations

### Emergency Decision Making

#### 2.1 The Executive Director is authorised subject to 2.2 to exercise the following:

- (a) For Full Council in cases of urgency in consultation with the Leader (or Deputy Leader) of the Cabinet and the relevant Portfolio Holder and the Leader (or nominee) of the main opposition group, to make decisions which shall include key decisions and shall require the approval of the Chair of the Scrutiny Committee and shall be reported to the next ordinary meeting of Full Council.
- (b) For Cabinet in cases of urgency and in consultation with the Leader (or Deputy Leader) of the Cabinet and the relevant Portfolio Holder and the nominee of the main opposition group, on behalf of the Cabinet, all such decisions to be reported to the next ordinary meeting of the Cabinet.
- (c) For committees in cases of urgency and in consultation with the Chairman and Vice-Chairman of the relevant committee and the Leader or, in his absence, another nominee of the main opposition group, to make decisions on behalf of the committee, all such decisions to be reported to the next ordinary meeting of the relevant committee.

#### 2.2 When exercising the powers set out in 2.1 the Executive Director must consult the Monitoring Officer and both alongside all required consultees shall be satisfied of the following:

- (a) It is within the overall best interest of the Council, and it is reasonably impracticable to delay the decision until such time that the required Council, Cabinet or Committee meeting can take place.



- (b) There is no abuse of power by the Executive Director to prohibit the democratic decision-making process and this shall be determined by the Monitoring Officer.
- (c) Make public statements on controversial matters or where there is no decided council policy, after consultation where necessary with the Leader, portfolio holder or chairman of the relevant committee.
- (d) Publish material (after consultation when necessary with the Leader, portfolio holder or chairman of the relevant committee) in accordance with decided council policy to inform others of the council's work, its initiatives and achievements.
- (e) In connection with the council's functions relating to elections:
  - (i) Assign officers in relation to requisitions of the registration office (Section 8 (2) of the Representation of the People Act 1983)
  - (ii) Fulfil the duty to provide assistance at European Parliamentary elections (Parliamentary Elections Act 2002)
  - (iii) Fill vacancies in the event of insufficient nominations (Section 21 of the Representation of People Act 1985)
  - (iv) Declare vacancies in office in certain cases (Section 86 of the Local Government Act 1972)
  - (v) Give public notice of a casual vacancy (Section 87 of the Local Government Act 1972)
  - (vi) Determine fees and conditions for the supply of copies of, or extracts from, elections documents (Rule 48(3) of the Local Elections (Principal Areas) Rules 1986 and rule 48(3) of the Local Elections (Parishes and Communities) Rules 1986)

### **Head of Paid Service**

The Executive Director shall be granted all such powers in respect of the Head of Paid Service and shall be granted the following powers:

- (a) Subject to the provisions of the Officer Employment Standing Orders set out in Part 3 of this constitution, take all necessary steps in respect of the appointment of Chief Officers (or any such role that should be the equivalent).
- (b) Exercise wherever appropriate, the functions allocated to the Chief Officers in paragraphs 2.3 to 5.2 of this scheme.
- (c) Carry out the functions of the Head of Paid Service dealing with the management of human resources, including the following:
  - (i) Arranging, in conjunction with the Communities and Homes Chief Officer, the housing of staff in cases approved by the Cabinet.
  - (ii) Arranging, in conjunction with the Communities and Homes Chief Officer and any other Chief Officer concerned, service tenancies.
  - (iii) Authorising payment of relocation expenses, etc. to employees in accordance with the Council's scheme.
  - (iv) Interpreting and implementing local and national conditions of service within principles laid down by the Cabinet.

- (d) Grant additional or accelerated increments to staff within their existing grade as a result of appropriate examination successes or where staff have shown particular merit in the performance of their duties.
- (e) Grant any statutory allowances to statutory officers up to a maximum of £5,000 and if applicable any allowances shall be reported in respect of the Council's annual pay policy statement
- (f) Grant, after consultation with the Chief Financial Officer, honoraria for employees who perform duties outside the scope of their post or where they undertake duties and responsibilities which are exceptionally onerous in circumstances not covered by the National Conditions of Service subject to all of the following:
  - (i) The payment not exceeding £3,000 per annum, subject to (iii) below.
  - (ii) The period during which the work is undertaken not exceeding 24 months, subject to (iii) below.
  - (iii) In the case of maternity leave cover, the payment not exceeding £3,000 in each instance and the period during which the work is undertaken not exceeding 52 weeks.
  - (iv) The expenditure being funded from existing salary budget provision and Cabinet authority being obtained if any of the limits in (i) – (iii) above will be exceeded.
- (g) Deal with requests for certificates of opinion in relation to politically restricted posts under Section 3 of the Local Government and Housing Act 1989.
- (h) Approval of market supplements in accordance with any approved policy and in the absence of such in consultation with the Leadership Team
- (i) All other duties reasonably associated with the Head of Paid Service provided any such decision does not exceed the key decision threshold

### **The Leadership Team**

The Leadership shall be the team detailed within Appendix A and shall comprise of the Executive Director, Deputy Executive Director, and the various Chief Officers within the organisational structure within Appendix A.

Each member of the Leadership Team shall be authorised to do the following:

- (a) Exercise wherever appropriate, the functions allocated to any officer that reports directly or indirectly to a Chief Officer and detailed within paragraphs [ ] to [ ] of this scheme.
- (b) Select, interview and appoint candidates to all posts on the establishment which are below Chief Officer level. In the case of the Executive Director and Deputy Executive Director, to appoint Chief Officers. This authority may be delegated further to relevant managers.

- (c) Take disciplinary action, including oral, written and final warnings, appeal hearings, relegation and fair dismissal in respect of staff and manual workers. This authority may be delegated further to relevant managers.
- (d) Manage their services in accordance with the Council's policies, practices and procedures, including Local Conditions of Service, within the approved budget for each service.
- (e) Refuse requests for environmental information and waive the charges for requests for environmental information about the condition of land.
- (f) Settle, after consultation with the Chief Officer for Legal & Governance and the Chief Officer concerned, claims by employees for personal damage or loss incurred in the course of their work subject to the settlement being ex-gratia and without admission of liability and the payment not exceeding the lower of 50% of the value of the claim or £100.
- (g) Appoint and authorise such officers as are appropriate to carry out the Council's statutory responsibilities.
- (h) Serve or issue such notices and certificates as considered appropriate.
- (i) Make public statements concerning the discharge of the functions of their services on matters which are likely to be non-controversial or within the terms of decided Council policy.

### **2.3 Each Chief Officer is authorised to do the following:**

- (a) Take any action on matters relating to the day-to-day administration of services within their remit including the issuing of all notices, licences, orders and other legal action as appropriate.
- (b) Take any action to maintain the operation and effectiveness of services within their remit.
- (c) Take any action incidental to, or to give effect to, decisions taken by elected members within their sphere of responsibility.
- (d) Determine the allocation of, and responsibility for, matters within their remit.
- (e) Delegate any of their powers and appointments to employees within their service who possess the relevant qualification, experience and skills for the task. A list of such powers indicating the post to which they have been delegated, must be kept by the Monitoring Officer and made available for public inspection.
- (f) Make any minor changes to the establishment or job titles within their service, subject to the proposed changes:
  - (i) being able to be met from existing staffing budgets.

- (ii) being subjected to the appropriate consultation requirements with the affected officers and unions.
  - (iii) not leading to any risk of redundancy.
- (g) Incur normal expenditure up to the limit of provision within the budgets under their control subject to compliance with contracts standing orders, financial standing orders, financial regulations and financial instructions.
  - (h) Appoint engineers, surveyors, architects, valuers or such other experts as may be necessary to fulfil the functions delegated to them and obtain such specialist reports and advice as appropriate.
  - (i) Invite and accept tenders or quotations for contracts, subject to contract standing orders, financial standing orders, financial regulations and instructions.
  - (j) Accept tenders or quotations received for schemes within the approved capital programme where the tender or quotation does not exceed the provision made by more than £7,500.
  - (k) Review fees and charges as necessary and at least annually.
  - (l) Apply for planning permission for Council development within their sphere of responsibility, in consultation with the Growth and Investment Chief Officer.
  - (m) Programme and implement the construction of engineering, building and landscape works and carry out other works in approved schemes and within approved budgets.
  - (n) Take decisions and any appropriate action, after consultation with any appropriate Chief Officer, in relation to the repair, maintenance and alteration of buildings and plant that is relevant to the service.
  - (o) Write off any debts and associated costs after consultation with the Finance and Performance Chief Officer.
  - (p) In consultation with the Legal and Governance Chief Officer, enforce or refuse the waiver of covenants in respect of property in which the council has an interest.
  - (q) Keep all public registers required by law.
  - (r) Approve, but not refuse, the temporary use of land under the control of his or her service for a period not exceeding one month and subject to satisfactory insurance arrangements.

#### **2.4 Managers appointed directly reporting to Chief Officers:**

Each manager shall be authorised to exercise any powers within each section that is within the sphere of responsibility of a Chief Officer provided the following is satisfied:

- (a) They report directly to the Chief Officer within the organisational structure of the specific section.
- (b) Where necessary and reasonable to consult the relevant Chief Officer prior to the exercising of the decision.
- (c) Signed delegation has been granted by the relevant Chief Officer and this has been forwarded and has been confirmed by the Chief Officer for Legal & Governance.
- (d) Any decisions that have been exercised are reported to the relevant Chief Officer on a monthly basis or such other period stipulated by a Chief Officer provided it is no less than six weeks and such reporting shall be subject at any time for inspections by the Chief Officer for Legal & Governance or the Corporate Assurance Manager.

### **Legal & Governance**

The relevant manager shall be authorised to do the following:

- (a) Commence, conduct, defend, settle or withdraw legal proceedings and issue and serve all notices and orders after consultation with the appropriate Chief Officer, together with any steps required to achieve this.
- (b) Order the affixing of the Common Seal of the Council to any documents necessary in the exercise of any powers and duties authorised by a committee, the Cabinet or Council or expressly delegated to officers.
- (c) Sign on behalf of the Council documents which are not required to be executed by the affixing of the Common Seal of the Council.
- (d) Serve notices under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976 for the obtaining of particulars of persons interested in land.
- (e) Carry out the procedures and transactions, including the service of notices, in connection with the sale of a council house after the tenant's right to buy has been admitted.
- (f) Allow legal charges to approved lending institutions, given in respect of former Council properties, to take priority over the statutory charge under the Housing Acts protecting the discount repayment.
- (g) Allow further charges to approved lending institutions, given in respect of properties already in mortgage to the Council, to take priority over the Council's legal charge subject to being satisfied that there is sufficient equity in the property to protect the Council's interest.

- (h) Make arrangements for civic functions after consultation with the Mayor.
- (i) Authorise direct surveillance and the use of covert human intelligence sources under Sections 28 and 29 of the Regulation of Investigatory Powers Act 2000.

## **Finance and Performance**

The relevant manager shall be authorised to do the following:

- (a) Conduct internal audits of all financial transactions of the Council.
- (b) Ensure that adequate insurance is taken out to cover the Council's interest and deal with all matters relating to the insurance of any risk and subsequent claims.
- (c) Make contributions of up to £1,000 towards another authority's legal expenses in cases involving matters of significance to local authorities generally which are brought to the attention of the Council by the Local Government Association.
- (d) Vire across budget heads where each individual virement does not exceed £20,000.
- (e) After consulting the appropriate Chief Officer, write off sums not exceeding £2,000 in respect of any debtor.
- (f) Write off rates, Council Tax, housing benefit and other miscellaneous debts not exceeding £2,000 and any court costs associated with such debts.
- (g) Amend the Employees' Allowances Scheme.
- (h) Amend the Members' Allowances Scheme.
- (i) Manage and direct the financial affairs of the Council in accordance with Section 151 of the Local Government Act 1972 and Section 114 of the Local Government Finance Act 1988, including the issue of financial instructions and the declaration of the estimated surplus on the Collection Fund for Council Tax purposes.
- (j) Manage all funds under the control of the Council, including investment of surplus funds.
- (k) Make all payments on behalf of the Council.
- (l) Make safe and efficient arrangements on all financial matters and security.
- (m) Supervise the accounts of the Council, prepare financial accounts, control of equipment, furniture and stores, the checking and certification of invoices,

contract certificates, time sheets and other vouchers initiating the disbursement of Council monies.

- (n) Conduct all financial negotiations with government departments, other local authorities and all other persons.
- (o) Manage all the Council's bank accounts.
- (p) Negotiate loans raised by the Council.
- (q) Manage the Council's loan debt including dealing with the register of stocks and bonds, mortgage register, negotiations of terms with lenders and advertising for loans.
- (r) Take all necessary steps relating to the demand, collection, imposition of penalties and recovery of rates, Council Tax and business improvement district scheme charges and issue all necessary notices and statements and the signing of any documents on behalf of the Council as rating, business improvement district schemes, Council Tax and billing authority.
- (s) Require the valuation officer to apportion the rateable value of partly unoccupied property in accordance with Section 44 of the Local Government Finance Act 1988.
- (t) Act as the Council's duly authorised officer to appear before the Valuation Tribunal.
- (u) Determine charitable status under Sections 43(6) and 45(6) of the Local Government Finance Act 1988.
- (v) Write-off irrecoverable debts in accordance with Financial Standing Orders.
- (w) Arrange for the collection and recovery of all monies due to the Council.
- (x) Settle terms for issues of negotiable bonds up to the maximum amount obtainable, having regard to advice of the Council's brokers and appointment of a registrar for the Council in any proposed new bond issues.
- (y) In consultation with the Chief Officer concerned, review and implement charges made to cover expenses incurred in providing minor administrative services for third parties and the early discharge of loans to the Council.
- (z) Determine the level of grant to be paid in respect of rent payable by voluntary organisations for land leased from the Council.
- (aa) Approve and pay death grants under schemes adopted by the Council.
- (bb) Serve all notices under the Pension Acts.
- (cc) Implement national awards affecting wages, salaries and conditions of service.

- (dd) Administer and review the Council's car loan, car leasing and car user allowance schemes.
- (ee) Assess value for pension purposes of emoluments in kind paid to employees and give effect to them.
- (ff) Implement, in consultation with the Communities and Homes Chief Officer, changes in the rates of interest on loans for housing purposes.
- (gg) Implement, in consultation with Communities and Homes Chief Officer, an improvement for sale scheme in accordance with government circulars and acquire and dispose of property in accordance with the scheme.
- (hh) Approve, but not refuse, requests for the assignment or transfer of mortgages securing advances under the Housing Acts.
- (ii) Instruct estate agents to dispose of property in respect of which the Council is mortgagee in possession.
- (jj) Let properties in mortgage to the Council for up to two years.
- (kk) Determine rent and Council Tax rebates, eligible rents and service charges in the light of applicants' personal circumstances and payment of rent allowances, in accordance with the scheme adopted by the Council under the Social Security Act, 1992.
- (ll) Act within the scope of their duties and responsibilities, as Contract Administrator as defined by the JCT Conditions of Contract.
- (mm) Settle the terms for leases to utilities companies of sites for sub-stations, easements, wayleaves and similar matters.
- (nn) Maintain the list of assets of community value in accordance with Sections 87-108 of the Localism Act 2011 and regulations made under the Act and:
  - (i) agree or refuse nominations for inclusion on the list of assets of community value; and
  - (ii) make decisions on compensation claims in respect of listing.
- (oo) Take decisions and appropriate action in relation to the write-off of rent arrears in accordance with Financial Standing Orders.

### **Communities and Homes**

The relevant manager shall be authorised to do the following:

- (a) Approve and refuse applications for mandatory and minor works assistance grants and loans under the Local Government and Housing Acts.



- (b) Seek a nominal amount as repayment of a house renovation grant in cases where there has been a breach of the grant conditions and where a lender is selling as mortgagee in possession and where the proceeds of sale do not exceed the mortgage debt and the lender's costs.
- (c) Approve but not refuse applications for discretionary grants to make accommodation fit for use by a registered disabled person or for other work not directly related to the needs of his or her disability.
- (d) Authorise and serve time and place notices and other notices in relation to demolition orders, and do any of the following:
  - (i) Revoke demolition orders on the completion of approved works.
  - (ii) Determine closing orders if premises are rendered fit.
  - (iii) Accept, but not refuse, undertakings to carry out work within 12 months to unfit houses for the purpose of such revocation or determination PROVIDED THAT any request to extend the time limit be decided by the Cabinet.
- (e) Allocate tenancies, garages and parking spaces to applicants on the waiting list and, in consultation with the Executive Director, to the Council's employees in accordance with the policies of the Council.
- (f) Authorise the transfer and exchange of tenancies.
- (g) Fix the rents of new housing properties.
- (i) Assess service charges for leases under the provisions of the Housing Acts and conduct their regular review.
- (j) Conduct consultation with tenants.
- (k) Issue notices of intention to seek possession and notices to quit in accordance with policies of the Council.
- (l) Use distraint to recover arrears of rent on Council dwellings.
- (m) Take such action as he or she considers necessary to ensure compliance with the conditions of tenancy of Council houses.
- (n) Determine tenants' claims to exercise the Right to Buy and determine tenants' claims to exercise the right to a mortgage.
- (o) Exercise the Council's powers in relation to homeless persons.
- (p) Exercise the Council's powers and responsibilities as landlord in relation to the management of gypsy and traveller sites.
- (q) Approve 364-day grazing licences.

- (r) Administer any scheme adopted by the Council for the disregard of income received from the War Pensions Scheme and the Armed Forces Compensation Scheme when calculating entitlement to Council Tax reduction and housing benefit.
- (s) Administer, in accordance with established Council policy, a discretionary housing payments scheme.
- (t) Act within the scope of their duties and responsibilities as Engineer as defined by the ICE Conditions of Contract.

### **Digital and Communications**

The relevant manager shall be authorised to do the following:

- (a) Take decisions on the management and compliance of software and hardware licensing and maintenance agreements.
- (b) Take decisions on the management and provision of corporate ICT services and contracts.
- (c) Take decisions on contract and hardware management for mobile phones.
- (d) Approve any amendments to GCSX (Government Connect Secure Extranet) and EAS (Employee Authentication Service) Compliance.
- (e) Ensure compliance with the Payment Card Industry Data Security Standard.
- (f) Approve any changes to hardware maintenance agreements and hosting for the corporate web site infrastructure.
- (g) Approve changes to data links for the wide area network, internet service links and other data links.
- (h) Ensure compliance of electronic data/network security arrangements.in accordance with the Public Services Network (PSN) requirement.
- (i) Manage secure disposal of the ICT (electrical) equipment.

### **Regulation and Safety**

The relevant manager shall be authorised to do the following:

- (a) In connection with the Council's car parking functions, operate, and administer car parks including the issue of parking permits to officers, members of the Council, visitors to the Town Hall and other Council offices and car parks and this shall include any necessary enforcement action relating to the discharge of such functions and management

- (b) Grant consent under the Council's charter market rights for the holding of markets (including car boot sales) in consultation with a Council solicitor.
- (c) Exercise the Council's powers and duties in connection with the following:
  - (i) The inspection of the Council's area to detect any statutory nuisance.
  - (ii) The investigation of any complaint as to the existence of a statutory nuisance.
  - (iii) The service of an abatement notice in respect of a statutory nuisance.
  - (iv) The control of pollution and the management of air quality.
- (d) Approve the installation of furnaces and plant for arresting grit and dust and approve the heights of furnace chimneys under the Clean Air Act 1993.
- (e) Exercise the powers of the Council to control rodents, foxes, pigeons, and other pests.
- (f) Register and determine noise levels for premises in noise abatement zones.
- (g) Act as Liaison Officer under the Rabies Contingency Plan.
- (h) Deal with the day-to-day management of health and safety matters and take any appropriate enforcement action on them.
- (i) Operate food hygiene schemes.
- (j) Do the following in connection with the provisions of the Environmental Protection and Pollution Prevention and Control Acts:
  - (i) Approve, but not refuse authorisations or permits except for revocations through mutual consent or cessation of the activity.
  - (ii) Deal with stray dogs and their registration.
  - (iii) Waive up to half the Council's charges in connection with the keeping of stray dogs in relation to people who are in receipt of state pension or who are registered disabled.
- (k) exercise the Council's functions in connection with the Water Acts.
- (l) Carry out the procedures for individual burials or cremations where no arrangements have been or are likely to be made.
- (m) Exercise the powers of the Council under the National Assistance Acts.
- (n) In connection with the Council's land drainage, sewers and sewerage functions, serve or issue such notices or certificates as he or she considers appropriate.
- (o) In connection with the Council's waste collection and environmental cleansing functions, take all necessary steps for the collection of refuse and abandoned vehicles.

- (p) Issue street litter control notices and litter abatement notices.
- (q) Authorise expenditure to carry out works in cemeteries under an approved scheme and in accordance with the approved budget.
- (r) Manage and regulate the Council's cemeteries and crematorium including the approval but not refusal of applications to waive conditions imposed under the Council's cemetery regulations in connection with erection of memorials.
- (s) Exercise the powers of the Council under the Public Health (Control of Disease) Act 1984 as amended and accompanying regulations.
- (t) Authorise the service of notices and the taking of any other action, in connection with the Council's powers in relation to unsatisfactory housing conditions overcrowding and houses in multiple occupation, including the granting and refusal of licences under the houses in multiple occupation regime.
- (u) Approve, but not refuse, scrap metal dealer licences under the Scrap Metal Dealers Act 2013.

### **Growth and Investment**

The relevant manager shall be authorised to do the following:

- (a) Make observations to other Local Planning Authorities on development proposals subject to any views expressed being indicated as those of the Head of Growth and Investment and subject to any other views expressed by the Cabinet.
- (b) Undertake the Council's building control functions as follows:
  - (i) Determine applications and notices and deal with any other matters requiring decisions under the Building Regulations.
  - (ii) Determine the fees for building control services.
  - (iii) Deal with dangerous, ruinous and dilapidated structures and land and the demolition of buildings.
  - (iv) In consultation with a Council solicitor, authorise and serve:
    - (aa) Notices requiring a person to cut into, lay open or pull-down work to establish whether the work contravenes the Building Regulations.
    - (bb) Notices requiring the removal or alteration of work not in conformity with Building Regulations or the Building Acts.
    - (cc) Notices of entry under the Building Acts.
    - (dd) Notices in respect of ruinous and dilapidated buildings under the Building Acts.

- (c) Operate, manage and promote activities to promote economic activity in the borough within the approved budget and in accordance with the policies approved by the Cabinet and Council.
- (d) Take decisions to deal with the day-to-day management of the general market.
- (e) Produce and implement the Council's Economic Development Strategy.
- (f) Pay the removal expenses and disturbance allowances to owners and occupiers of properties affected by a compulsory purchase order.
- (g) Pay home loss payments under the Land Compensation Act 1973 and pay sums equivalent to home loss payments where the owners of properties wish to sell to the Council in advance of any compulsory purchase order made by the Council being confirmed.
- (h) Approve, after consultation with any appropriate Chief Officer, owner occupier supplement compensation negotiated by the Council's valuer for a property which is subject to a closing order.
- (i) Hold and maintain a register of the refusal of requests for information in the Environmental Information Regulations.
- (j) In connection with the provisions of the Planning (Hazardous Substances) Act 1990, serve contravention notices under Section 24

### **Operations and Traded Services**

The relevant manager shall be authorised to do the following:

- (a) Manage the Property Repairs Service, including all buildings, vehicles and staff.
- (b) Authorise routine repair and maintenance work to be carried out in accordance with approved estimates and the Council's financial regulations.
- (c) Grant permission to tenants to improve or alter their Council house subject to the tenant obtaining any necessary planning permissions or building regulation consent.
- (d) Manage the Hunter's Lane Depot operations including all buildings, vehicles and plant.
- (e) Manage the entire Council's Vehicle Fleet.
- (f) Take any decision regarding the placement of advertising on plant, vehicle, equipment and, in consultation with the Head of Growth and Investment, any buildings within the Operations and Traded Services area in accordance with

any agreement in relation to this and determine the appropriate fees for such advertising ensuring demonstration of value for money.

- (g) Negotiate charges for trade refuse collection.

### **Leisure and Wellbeing**

The relevant manager shall be authorised to do the following:

- (a) Authorise expenditure to carry out works in parks under an approved scheme and in accordance with the approved budget and deal with applications for concessionary use of parks facilities in accordance with Council policy.
- (b) Authorise expenditure to carry out works in recreation grounds, allotments or other land under an approved scheme and in accordance with the approved budget and deal with applications for concessionary use of leisure facilities in accordance with Council policy.
- (c) Provide the Council's arts development services within the approved budget.
- (d) Arrange for the operation and management of leisure centres, the Benn Hall and the Rugby Art Gallery, Museum and Library including the World Rugby Hall of Fame and the Rugby Visitor Centre.
- (e) Do the following in consultation with the Finance and Performance Chief Officer/Chief Financial Officer:
  - (i) Fix the charges for the hire of Council leisure and cultural facilities.
  - (ii) Approve, but not refuse, sponsorship for cultural activities, where the aid requested does not exceed £1,000.
- (f) Operate, manage and promote the Council's recreational facilities within the approved budget.
- (g) Provide the Council's sports and recreation services, within the approved budget.
- (h) Approve, but not refuse, sponsorship for sporting activities where the aid requested does not exceed £1,000.
- (i) Make arrangements for the publication of guides and street plans.
- (j) Determine applications to reproduce the Borough's Coat of Arms.
- (k) Exercise the Council's powers under the Local Government Acts for the removal of dangerous trees.
- (l) Serve notices to quit on allotment tenants and take action to recover possession.

- (m) Approve applications for circuses and fairs.

### **Change Unit/Communities & Homes/Finance & Performance**

The relevant officer from either the Change Unit or Communities & Homes shall in consultation with the appointed officer from Finance & Performance be authorised to undertake the following:

- (a) After consultation with the appropriate Chief Officer or designated manager, purchase and disposal of property in accordance with the relevant policy.
- (b) Approve requests to assign leases or sublet land.
- (c) Grant consent for utilities companies to place any minor apparatus in, on, over or under land or buildings belonging to the Council, subject to the concurrence of the appropriate Chief Officer and agree terms for the necessary easements or wayleaves.
- (d) Agree to vary, waive or give consent under a restrictive covenant in favour of the Council where planning or building regulation approval has been given and the implementation of these would otherwise involve breach of covenant.

## **3. Licensing and Safety Committee**

### **3.1 The Executive Director is authorised to do the following:**

- 3.1.1 Grant but not refuse licences consents and permits and effect but not refuse registrations and renewals under the acts, regulations, orders and byelaws for which the Licensing and Safety Committee is responsible (other than those specifically delegated to the Chief Officer for Regulation and Safety).
- 3.1.2 Where necessary for the protection of the inhabitants of the borough, exercise powers under Section 222 of the Local Government Act 1972 and give any undertakings required in an application for an injunction to prevent such functions taking place.

### **3.2 The Regulation and Safety Chief Officer is authorised to do the following:**

- 3.2.1 Approve but not refuse the registration, issue or renewal of licences, consents or permits as set out in the table below: and take any other action necessary in the exercise of the Council's functions under the statutes specified:

Function	Statutory authority
(a) Issue of caravan site licences.	S 3(3) Caravan Sites and Control of Development Act 1960 as amended and added to by the Mobile Homes Act 2013.
(b) Moveable dwellings and camping sites. Power of local authority to control use of moveable dwellings.	S 269 (1) Public Health Act 1936.
(c) Acupuncture, tattooing, electrolysis and ear piercing: (i) Application to Part VIII (ii) Acupuncture (iii) Tattooing, ear-piercing and electrolysis (iv) Provisions supplementary to S14 and S15 (v) Power to enter premises (acupuncture etc)	S13 Local Government (Miscellaneous Provisions) Act 1982 S14 LG(MP) Act 1982 S15 LG(MP) Act 1982  S16 LG(MP) Act 1982  S17 LG(MP) Act 1982
(d) Pleasure boats and vessels: (i) Power to licence pleasure boats	S94 Public Health Acts Amendment Act 1907
(e) Markets and street trading: (i) Power of Council to adopt Schedule 4 (ii) Street trading	Part III LG (MP) Act 1982 Part III of, and Schedule 4 to, LG (MP) Act 1982
(f) Registration and licensing of food preparation premises.	S19 Food Safety Act 1990
(g) Dog breeding premises: (i) Licensing of breeding establishments for dogs (ii) Licensing of breeding establishments	S1 Breeding of Dogs Act 1973 (BDA)  S1-S7 Breeding and Sale of Dogs (Welfare) Act 1999 (BSDA)



Function	Statutory authority
(h) Pet shops and other animal boarding and breeding establishments: (i) Licensing of pet shops (ii) Licensing of boarding establishments (iii) Licensing of riding establishments (iv) Provisional licences for riding establishments (v) Licensing of breeding establishments for dogs (vi) Licensing of breeding establishments	S1 Pet Animals Act 1951 S1 Animal Boarding Establishments Act 1963 S1 Riding Establishments Act 1970 and S1 Riding Establishments Act 1970  Breeding of Dogs Act 1973  Ss 1-8 Breeding and Sale of Dogs Act 1999
(i) Zoos (i) Licensing by zoos by local authorities	S1 Zoo Licensing Act 1981
(j) Dangerous Wild Animals (i) Licences	S1 Dangerous Wild Animals Act 1976
(k) Collections for charitable and other causes (i) Licences	S5 Police Factories etc. (Miscellaneous Provisions) Act 1916 S2 House to House Collections Act 1939
(l) Consent to the operation of loudspeakers in streets or roads	Schedule 2 Noise and Statutory Nuisance Act 1993
(m) Approval of premises as various types of food product establishments.	Various regulations.

3.2.2 Appoint Inspectors under the Health and Safety at Work Acts to exercise the powers of an inspector for the purposes of the acts and to institute, after consultation with the Legal and Governance Chief Officer, such proceedings as they consider necessary.

3.2.3 (a) Operate and manage the Council's hackney carriage and private hire, operational and advertising policies, including the approval and renewal, but not refusal, of applications for licences in respect of:

- (i) hackney carriages
- (ii) private hire vehicles
- (iii) drivers of private hire vehicles
- (iv) operators of private hire vehicles

- (b) The power to suspend hackney carriage and private hire vehicles licenses, and operator licenses, where there is a serious or imminent risk to public safety that requires immediate action.
- (c) The power to suspend and revoke driver licenses, in consultation with chairman or vice chairman of the Licensing and Safety Committee, where there is a serious or imminent risk to public safety that requires immediate action.

3.2.4 Grant and approve applications under the Gambling Act 2005 but not to do any of the following:

- (i) issue licences under Section 166.
- (ii) formulate the three-year licensing policy under Section 349.
- (iii) determine premises licence fees under Section 212.

### **3.3 The Regulation and Safety Chief Officer is authorised to do the following:**

3.3.1 Make representations on behalf of the Council in relation to any premises or other licence application or licence variation, or to request a licence review, as stated under the provisions of the Licensing Act 2003 as amended by the Police Reform and Social Responsibility Act 2011 and subsequent legislation.

## **4. Licensing Sub-Committee (Alcohol and Regulated Entertainment)**

### **4.1 The Regulation and Safety Chief Officer is authorised to do the following:**

(a) Grant or approve, but not refuse, applications or requests made under the Licensing Act 2003 as set out in the table below.

<b>Statutory reference</b>	<b>Type of application</b>	<b>Limit on delegation</b>
S.18 (3)	Application for premises licence	Where no representations have been made
S.31 (3)	Application for provisional statement	Where no representations have been made
S.35 (3)	Application for variation of premises licence	Where no representations have been made
S.39 (3)	Application to vary designated premises supervisor	If no police objection received
S.44 (5)	Application for transfer of premises licence	If no police objection received
S.48 (3)	Interim authority notice	If no police objection received

<b>Statutory reference</b>	<b>Type of application</b>	<b>Limit on delegation</b>
S.72 (3)	Application for club premises certificate	Where no representations have been made
S.85 (3)	Application to vary club premises certificate	Where no representations have been made
S.120 (7)	Application for personal licence	If no police objection received
S.121 (6)	Application for renewal of personal licence	If no police objection received
Para 4(3) (a) of Schedule 8	Application for the conversion of an existing licence	If no police objection received
Para 16 (a) of Schedule 8	Application for the conversion of an existing club certificate	If no police objection received
Para 26 (3) (a) of Schedule 8	Application by the holder of a justices' licence for a personal licence	If no police objection received

- (b) Determine whether representations made by an interested party (who is not also a responsible party) are frivolous or vexatious.

## **5. Planning Committee**

### **5.1 The Legal and Governance Chief Officer is authorised to do the following:**

- (a) Make and confirm tree preservation orders to which no objection is made.
- (b) In consultation with the Growth and Investment Chief Officer, apply for injunctions in connection with breach of planning control and in connection with listed buildings.

### **5.2 The Growth and Investment Chief Officer is authorised to do the following:**

#### **5.2.1 Trees and hedgerows:**

- (a) Approve applications for the removal, or partial removal of hedges under the Hedgerow Regulations 1997.
- (b) Approve applications to undertake work to trees, the subject of a tree preservation order or within a conservation area under the Town and Country Planning (Trees) Regulations 1999.
- (c) Approve applications to maintain trees within the highway (but not their roots).

#### **5.2.2 Development**

Determine the following categories of applications below:

- (a) Applications for planning permission under the Town and Country Planning Act 1990 (as amended) including applications to discharge conditions attached to existing planning permissions and to amend or vary existing planning permissions, including non-material amendments, or any conditions attached to such permissions.
- (b) Applications for a certificate of lawful existing or proposed use or development under the Town and Country Planning Act 1990, subject to consultation with the Legal and Governance Chief Officer.
- (c) Applications for listed building consent or conservation area consent under the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, including applications for the demolition of a building within the curtilage of a listed building and applications to discharge conditions associated with those consents.
- (d) Applications for advertisement consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
- (e) “Prior notifications” under the Town and Country Planning General (Permitted Development) Order 1995 (as amended).
- (f) Observations on “county matters” applications and neighbouring Council applications.
- (g) Applications by a local authority under the Town and Country Planning General Regulations 1992.
- (h) In consultation with the Regulation and Safety Chief Officer, applications for hazardous substances consent under the Planning (Hazardous Substances) Act 1990 and the revocation of any existing hazardous substances consent.
- (i) For clarity, the issuing of screening and scoping opinions associated with the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

The authority given in Sections (a)-(i) above includes any revisions, updates to, or re-enactment of, those regulations and acts.

### **5.2.3 Exceptions**

The applications set out in the table below shall not be determined by the Growth and Investment Chief Officer but shall be referred to the Planning Committee for determination.

Description of application		Categories applicable in paragraph 5.2.1 and 5.2.2 above
(a) Requests from Councillors	Applications where any borough Councillor has requested that the application be determined by the Planning Committee. Such requests must be made in writing or by email to the case officer within the 21-day consultation period for that application.	5.2.2 (a), (c), (d), (g) and (h)
(b) Head of Growth and Investment	Applications delegated to the Head of Growth and Investment but which he or she considers should be determined by the Planning Committee.	5.2.1 (a)-(c) 5.2.2 (a)-(h)
(c) Major Applications	Full or outline applications (but not applications for the approval of reserved matters; variation of conditions; or removal of conditions, included within the definition of "major developments" as set out in the General Development Control Return, produced by the Department for Communities and Local Government or any such relevant body.	5.2.2 (a), (c), (d), (g) and (h)
<p><b>EXCEPT THAT:</b> The Growth and Investment Chief Officer shall have authority to determine applications for the following:</p> <p>(i) Residential development comprising no more than 15 dwellings or, where an application is in outline with no number of dwellings specified, the site extends to no more than 0.5 hectare, within the defined boundaries to the urban area and villages.</p> <p>(ii) Industrial and commercial development within an established or permitted industrial or commercial area or where development is to take place within the curtilage of a site that has an established or permitted industrial or commercial use.</p>		
(d) Referrals to the Secretary of State	Applications which are required to be referred to the Department for Communities and Local Government or any such relevant body under any direction issued by them.	5.2.2 (a), (c)*, (d), (g) and (h) *only if English Heritage objects
(e) Controversial Applications	Applications to which the following level of objection has been received: (i) letters of objection representing 15 or more households residing in the locality of application site; or (ii) a petition containing 50 or more signatures opposing the application	5.2.2 (a), (c), (d), (g) and (h)

Description of application		Categories applicable in paragraph 5.2.1 and 5.2.2 above
	For the purposes of this provision an objection or a petition shall only be treated as an objection if in the opinion of the Head of Planning and Recreation it expresses objection to the application on valid planning grounds.	
(f) Applications by Councillors and Officers	Applications submitted by or on behalf of: (i) the Council; or (ii) current Councillors or officers of the Council.	5.2.2 (a)*, (b), (c)*, (d), (g) and (h) *excluding applications for non-material amendments or discharge of conditions
(j) Departures from Policy	Applications where it is recommended that the decision departs from adopted planning policy.	5.2.2 (a), (c), (d), (g) and (h)
(h) Demolition of Listed Buildings	Applications for the total demolition of a listed building.	5.2.2 (c)
(i) Departures from advice of Highway Authority	Applications where it is recommended for approval and the Highway Authority raise an objection.	5.2.2 (a), (d) and (g)

#### 5.2.4 Technical Issues

- (a) Determine, in consultation with a Council solicitor where appropriate, as to whether planning or associated permissions or consents are required.
- (b) Determine whether consultation with the County Planning Authority is required under Schedule 1 Town and Country Planning Act 1990.
- (c) Grant rights of entry under the Town and Country Planning Acts.
- (d) Undertake the duties relating to the making of determinations of planning applications as set out in paragraph 16.1 (e) of Part 2A of this constitution.

- (e) Exercise the powers relating to permitted development rights as set out in paragraph 16.1 (g) of Part 2A of this constitution.
- (f) Decline to determine repetitive planning applications in accordance with Section 70A of the Town and Country Planning Act 1990.

### **5.2.5 Enforcement**

- (a) Consult and instruct the Legal and Governance Chief Officer to issue and serve the following notices:
  - (i) Enforcement Notices, including listed building enforcement notices and notices in relation to demolition in conservation areas.
  - (ii) Breach of Condition Notices.
  - (iii) Notices requiring the proper maintenance of land.
  - (iv) Building Preservation Notices.
- (b) Issue and serve the following notices:
  - (i) Planning Contravention Notices.
  - (ii) Notices requiring the provision of information as to interests in land.
- (c) Issue and serve the following notices following consultation of the Legal and Governance Chief Officer:
  - (i) Stop Notices.
  - (ii) Temporary Stop Notices.
- (d) Where any steps required by an enforcement notice to be taken are not taken within the period for compliance with the notice:
  - (i) Enter the land and take the steps.
  - (ii) Recover from the owner of the land any expenses reasonably incurred in doing so.

### **5.2.6 Decisions of Growth and Investment Chief Officer**

All decisions made by the Growth and Investment Chief Officer in connection with the powers delegated to them in 5.2.1 and 5.2.2 shall be reported for information to the next practicable meeting of the committee.

**REGULATION & SAFETY**

- (a) The control of pollution, including refuse collection and recycling, street cleansing and abandoned vehicles.
- (b) The powers and duties of the council in connection with all public health and environmental health matters.
- (c) Markets.
- (d) Environmental protection, improvement, and promotion.
- (e) The management and control of, and the formulation of policy and strategy for the provision of services relating to Crematoria, cemeteries, closed churchyards and burial grounds
- (f) The exercise of the council's powers under Part 8 of the Anti-Social Behaviour Act 2003 in relation to complaints about high hedges.
- (g) The management and control of the council's functions in relation to crime and disorder.
- (h) The management and control of all matters relating to the council's health and safety duties including the formulation, approval, implementation and monitoring of policies and strategies.
- (i) Emergency planning and dealing with emergencies
- (j) The review and monitoring of community safety policies.
- (k) The overview and discharge of the council's responsibility for crime and disorder and community safety including liaison and joint action with the police and other public agencies.
- (l) Car parking

**LEISURE & WELLBEING**

- (a) The management and control, and the formulation of policy and strategy of the council's functions in relation to the following:
    - (i) The declaration of conservation areas
    - (ii) Leisure centres
    - (iii) Museums and art galleries
    - (iv) Leisure management contracts
    - (v) Grants to arts, cultural and recreational organisations
    - (vi) Sports twinning
- The promotion of health improvement
- (b) The promotion of initiatives to increase and facilitate tourism activities in the borough.
  - (c) The management and control of, and the formulation of policy and strategy for the provision of services in the following:
    - (i) The council's parks, open spaces, play areas, recreation grounds, country parks and nature reserves



(ii) Allotments

(d) Liaison and joint working with organisations responsible for the delivery of health care in the borough

#### **OPERATIONS AND TRADED SERVICES**

(a) The control of pollution, including refuse collection and recycling, street cleansing and abandoned vehicles.

(b) The management and control of the Works Services Unit, the council's vehicle and plant fleet, stores, supplies and central purchasing.

#### **GROWTH AND INVESTMENT**

(a) The consideration of the economic needs of the borough at local, subregional and regional level including the development and publication of the council's economic development strategy and the promotion of initiatives aimed at creating employment opportunities and actions to improve the prospects of attracting new industry and commerce into the borough.

(b) Liaison with government departments, local authorities and other bodies on the preparation and review of such regional planning policies and guidance as may exist to promote the best interests of the borough including the making of representations on policy content or omissions, at all stages of the process.

(c) The preparation, monitoring and review of a comprehensive statutory core strategy for the borough in accordance with prevailing national and regional policy guidance, the structure plan, and the borough council's planning objectives.

(d) Liaison with, and the making of representations to, the Government, adjoining local planning authorities and local authority and professional associations on economic development, planning and building control policy, practice and legislative issues.

(e) The Council's duties and responsibilities relating to Local Land Charges.

#### **COMMUNITIES, HOMES, DIGITAL AND COMMUNICATIONS**

(a) The development and implementation of a strategy for the production of community plan(s) in the borough together with monitoring and reviewing the effectiveness of any plans.

(b) Communication and consultation with the local community including the following:

(i) Overseeing the implementation of, and monitoring and reviewing, the council's external communication strategy

(ii) Considering additional or alternative means for seeking the views of citizens and increasing community involvement and engagement in decision-making, in particular by the young and elderly

(iii) Examining the potential of new technology in facilitating means of informing and engaging with the community

(iv) Establishing, examining and developing the role of area forums

(c) The promotion and implementation of community development as a means to build capacity within communities and to reduce social and economic exclusion.

(d) The promotion and development of joint working, collaboration and partnerships with statutory and non-statutory organisations with particular reference to the following:

(i) The promotion and achievement of sustainability

(ii) The promotion of social inclusion

(e) The management and control of the council's functions in relation to the following:

(i) Media and publicity, Data protection and freedom of information.

(ii) Grants to community and voluntary organisations

(iii) The functions of the council as a local housing authority

(f) the management and control of land and buildings other than those appropriated to the Housing Revenue Account.

(g) Action under the Rent Acts and the Housing Act 1988.

(h) The administration of housing and council tax benefit including the council's powers to promote the take up of benefits.

(i) The functions of the council in relation to gypsy and traveller caravan sites (excluding licensing activities).

(j) The responsibility for the council's customer services including the customer service centre and the council's website.

#### **FINANCE, PERFORMANCE, LEGAL AND GOVERNANCE**

(a) The council's performance and systems for managing it.

(b) Procurement.

(c) The management and control of the day-to-day administration of the financial affairs of the council.

(d) The administration, collection and enforcement of the council tax, and non-domestic rates and sundry income.

(e) The management and control of land and buildings other than those appropriated to the Housing Revenue Account.

(f) The management and control of all democratic and electoral functions and services to councillors, including the following:

(i) Fixing the dates and times of Council, the Cabinet and committee meetings

(ii) The appointment of councillors, officers and others to other bodies, associations and organisations

(iii) To consider the election of the Mayor and the appointment of Deputy Mayor and to recommend to Council on the private and confidential agenda at its first meeting in each calendar year, a councillor for election as Mayor and a councillor for appointment as Deputy Mayor

(iv) Standing Orders

(v) Councillor training and development

(vi) Civic twinning

(g) The management and control of the following functions of the council:

(i) Central support services

(h) The promotion and provision of access and facilities for disabled people.

(i) The promotion and development of joint working, collaboration and partnerships with statutory and non-statutory organisations with particular reference to the creation of equality of opportunity

#### **CHANGE AND TRANSFORMATION**

(a) To drive and promote the development and implementation of Change and Transformation

(b) Consult, lead, and collaboratively work with the various portfolios in respect of Change and Transformation Projects

(c) Explore and determine areas of Change and Transformation across all functions of the Council