

MINUTES of a meeting of the CABINET held in the Board Room, Council Offices, Coalville on TUESDAY, 19 SEPTEMBER 2017

Present: Councillor R Blunt (Chairman)

Councillors R D Bayliss, T Gillard, T J Pendleton, N J Rushton and A V Smith MBE

In Attendance: Councillors N Clarke, J G Coxon, D Everitt, J Geary, G Hault, R Johnson, J Legrys, S Sheahan and M Specht

Officers: Ms T Ashe, T Galloway, Mrs C Hammond, Mr A Hunkin, Mr G Jones and Miss E Warhurst

29. APOLOGIES FOR ABSENCE

There were no apologies for absence.

30. DECLARATION OF INTERESTS

In accordance with the Code of Conduct, Members declared the following interests:

Councillor R Blunt declared a pecuniary interest in item 5 – Response to HS2 Environmental Impact Consultation as a land owner in the affected area and would leave the meeting for the consideration of the item.

Councillor T J Pendleton declared a pecuniary interest in item 5 – Response to HS2 Environmental Impact Consultation as his daughter owned property in the affected area and would leave the meeting for the consideration of the item.

Councillor J G Coxon and S Sheahan (attending as observers) declared a pecuniary interest in item 5 – Response to HS2 Environmental Impact Consultation as property owners in the affected area and would leave the meeting for the consideration of the item.

31. PUBLIC QUESTION AND ANSWER SESSION

There were no questions received.

32. MINUTES

Consideration was given to the minutes of the meeting held on 25 July 2017.

It was moved by Councillor R Blunt, seconded by Councillor A V Smith and

RESOLVED THAT:

The minutes of the meeting held on 25 July 2017 be approved and signed as a correct record.

Reason for decision: To comply with the Constitution

33. RESPONSE TO HS2 ENVIRONMENTAL IMPACT CONSULTATION

Having declared a pecuniary interest in the item Councillor R Blunt left the chair and with Councillors J G Coxon, T J Pendleton and S Sheahan left the meeting for the consideration of the item.

Councillor A V Smith took the Chair.

Chairman's initials

The Community Services Portfolio Holder presented the report to Members.

She reminded Members that HS2 had confirmed the route as a variant of the 2013 route and it was holding a number of meetings along the route which included one in Measham later in the week. She advised that a consultation on the Environmental Impact was being held which closed on the 29 September and the Council's response was attached as appendix 1 and she was pleased that HS2 had responded to the comments made about the November 2016 route. She informed Members that the Council was working closely with all those who had been impacted by the route and that at least 40 businesses had been contacted about the impact. She also advised Members that the Council had been consulted on the East Midlands Rail Franchise the deadline for which comments were to be received by was the 11 October and the Council's response was attached at appendix 2 adding that the authority was broadly content with the proposal but reminded the HS2 about the River Mease Special Area of Conservation.

It was moved by Councillor A V Smith, seconded by Councillor R D Bayliss and

RESOLVED THAT:

- 1) The suggested response to the HS2 phase 2B Environmental Impact Assessment Scope and Methodology Consultation at appendix 1 be endorsed; and
- 2) The suggested response to the East Midlands Rail Franchise Consultation at appendix 2 be endorsed

Reason for decision: To provide officers with authority to respond to the technical consultations concerning the HS2 Phase 2b Environmental Impact Assessment Scope and Methodology (Appendix 1) and the East Midlands Trains Franchise Consultation (Appendix 2).

Councillor R Blunt, J G Coxon, T J Pendleton and S Sheahan returned to the meeting.

Councillor R Blunt returned to the chair.

34. DISCRETIONARY RATE RELIEF SCHEME 2017/18

The Corporate Portfolio Holder presented the report to Members.

He advised Members that the report outlined the proposed scheme to distribute the £293,000 funding allocated for North West Leicestershire to businesses that had seen increases in the level of business rates they pay following the revaluation which came into effect in April. He informed Members that the funding was announced by the Chancellor in March 2017 and would support businesses for a 4 year period, although the funding for the following 3 years would dramatically reduce.

He highlighted that Local Authorities had the discretion to design their own scheme to support local businesses and that the scheme for North West Leicestershire would support approximately 139 small businesses with an average discount of 23%, adding that the major precepting authorities had confirmed their support with the scheme. He informed Members that following Cabinet approval, the companies who met the criteria would be contacted to award the relief.

It was moved by Councillor N J Rushton, seconded by Councillor A V Smith and

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RESOLVED THAT:

- 1) The average 23% Discretionary Rate Relief Scheme for 2017/18 be approved and
- 2) Authority be delegated to the Section 151 Officer to amend the scheme based on actual levels of applicants for 2017/18 and future funding allocations for the next 3 financial years to 2020/21

Reason for decision: Requirement of Financial Procedure Rules

35. AUTHORITY TO AWARD THE CONTRACT FOR GAS SUPPLY

The Corporate Portfolio Holder presented the report to Members.

He advised Members that the charge for gas over a four year period was in the region of £760,000 and Members were therefore being asked to delegate authority to award the contract to the Interim Director of Resources in consultation with himself as Portfolio Holder.

It was moved by Councillor N J Rushton, seconded by Councillor R D Bayliss and

RESOLVED THAT:

Authority to award the contract for the supply of gas be delegated to the Interim Director of Resources in consultation with the Corporate Portfolio Holder.

Reason for decision: The level of expenditure on this contract exceeds the authority threshold in the Scheme of Delegation.

36. AUTHORITY TO AWARD THE CONTRACT FOR MAINTENANCE OF FIRE SAFETY SYSTEMS

The Corporate Portfolio Holder presented the report to Members.

He advised Members that the authority was looking to procure fire safety equipment servicing as a single contract from early November for a period of three years with the option to extend for two 12 month periods and If the contract was to run for five years, the estimated value for servicing alone was £90,000, and any further work identified and agreed to be done could push the overall value of the contract over £100,000. He reminded Members that contracts over £100,000 require Cabinet approval and that they were being asked to delegate authority to award the contract to the Interim Director of Resources in consultation with himself as Portfolio Holder.

It was moved by Councillor N J Rushton, seconded by Councillor R D Bayliss and

RESOLVED THAT:

Authority to award the contract for maintenance of fire safety systems be delegated to the Interim Director of Resources in consultation with the Corporate Portfolio Holder.

Reason for decision: The level of expenditure on this contract exceeds the authority threshold in the Scheme of Delegation.

37. DOG WARDEN AND STRAY DOG KENNELING CONTRACT

The Community Services Portfolio Holder presented the report to Members.

She reminded Members that in March 2016 Cabinet had delegated authority to the Head of Legal and Support Services in consultation with herself as Portfolio Holder to award the contract and had now been informed that the sole trader was undergoing a change to a limited company, therefore it was necessary to novate the existing contract for that reason.

It was moved by Councillor A V Smith, seconded by Councillor T J Pendleton and

RESOLVED THAT:

- 1) The novation of the current dog warden and stray dog kennelling agreement be approved; and
- 2) Authority to conclude the novation agreement be delegated to the Head of Legal and Support Services in consultation with the Community Services Portfolio Holder.

Reason for decision: To ensure the Council discharges its statutory function under the Environmental Protection Act 1990 to appoint a dog warden and deal with stray dogs in its area

38. DESIGNATION OF HUGGLESCOTE CONSERVATION AREA

The Regeneration and Planning Portfolio Holder presented the report to Members.

The Leader invited Councillor R Johnson, Ward Member, to address the meeting.

“Thank you Chairman for allowing me to speak on the subject before you in the designation of a conservation area in my ward, I would ask before Cabinet votes on this to please consider are you satisfied that due process has been fulfilled in the consultation process.

You will see on page 56 4.1 that there were seven responses received after the closing date of 21 July. Eight in favour and two against, you will probably wonder why.

As I am Chair of my Parish Council of Hugglescote and Donington le Heath, I thought it prudent to discuss this proposal at our Parish meeting, there it was considered that the residents needed relevant information regarding the pros and cons of what a conservation area was.

We as a Council being very proactive produced an information sheet (as you have before you) and delivered to all concerned in the proposed designation area.

One has to ask WHY this Council did not do this at the beginning of the process.

Tying notices on lamp posts is not a consultation as nobody ever takes notice of them, as residents prefer involvement with good information, as not everyone has access to the internet.

It is my view that this Council has failed in its duty to consult proactively”.

Councillor T J Pendleton thanked Councillor R Johnson for his comments but stated that he had been aware of many similar consultations done in other areas of the district and

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only one had been challenged. He informed Members that the consultation had been held between 12 June and 21 July and that all twelve responses, of which seven were late, had all been considered.

He highlighted to Members that it had been suggested that the Church of St John the Baptist should be included, however the church was already a listed building and was separated from the proposed area by a modern housing development. It had also been suggested that the Community Centre at the crossroads be included. He informed Members that the Community Centre was separated from the proposed area by a terrace of Georgian houses which was typical for large parts of the wider area and it would be more appropriate to include the centre on a local list of heritage assets which would afford the building some status and protection.

Councillor R Blunt stated that he felt that Councillor R Johnson had added some value in his role as Chairman of the Parish Council in sharing the message and that he understood that home owners in the area had concerns over what they could do to the buildings in the area, but the value of properties tended to increase in a designated conservation area.

It was moved by Councillor T J Pendleton, seconded by Councillor R Blunt and

RESOLVED THAT:

The designation of the Hugglescote Conservation Area be approved.

Reason for decision: Designation of the Hugglescote conservation area would: a) support the aims of the Council Delivery Plan relating to sustainable development and growth and people feeling proud of their homes and communities and b) support the council in fulfilling its duties under the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the 1990 Act") relating to the designation and review of conservation areas.

39. AUTHORITY TO AWARD THE CONTRACT FOR REPAIRS TO THE MEMORIAL CLOCK TOWER, COALVILLE

The Corporate Portfolio Holder presented the report to Members.

He informed Members that the Memorial Clock Tower was a Grade II listed building owned by the Council, it had been designed by a Coalville company and unveiled in 1925 and that the Council had been maintaining it and had carried out basic repairs where necessary, but a recent survey had shown a significant amount of work was now required, estimated at about £120,000.

He advised that the opportunity had arisen to obtain external funds from the War Memorials Trust to pay for some of the costs of the required repairs and that an application had been made that if successful, the Trust would reimburse the Council for the repairs undertaken up to the full value of the award.

He reminded Members that the Tower was a lasting memorial to those who fought so valiantly for the country and it was fitting that we should effect the necessary repairs to ensure the longevity of the iconic monument and it is the Council's desire to have the work completed in time for the following year's Remembrance celebrations, adding that it was not just a safety duty but also a moral responsibility to ensure the lifetime of the memorial.

He asked Members to make reserves available of up to £120k that would either be used alongside any grant that was awarded; or to carry out essential repairs.

Councillor R Blunt stated that this was the year to be repairing the tower ahead of the 100 year anniversary and that it was not only an incredible memorial but now a landmark in Coalville.

It was moved by Councillor N J Rushton, seconded by Councillor R Blunt and

RESOLVED THAT:

- 1) Authority to tender and award the contract for repairs to the Memorial Clock Tower be delegated to the Director of Resources in consultation with the Portfolio Holder for Corporate Services.
- 2) (Up to) £120k from reserves be approved towards repairs either as part of a joint funding approach or as a standalone fund to effect essential (health & safety) repairs.

Reason for decision: The contract value exceeds the authority threshold in the Scheme of Delegation.

40. 2017/18 QUARTER 1 PERFORMANCE MANAGEMENT REPORT

The Leader invited Members of the Cabinet to talk to their portfolio areas.

Councillor T Gillard informed Members that the Enterprising Town Centres business support and funding programme had been launched with the first workshop having been held at Coalville Market in July, and it was very well attended. He advised that five further workshop would be held across the district over the following months. He highlighted to Members that the Business Focus team was working in partnership with JCP and Stephenson College to hold a Jobs & Skills Fair in October which was aimed at both those who were looking to change their job and those seeking a job. The times had been considered to cater for all.

Councillor R D Bayliss informed Members that Housing Management continued with promoting events over the summer which had been well attended. In relation to the service performance indicators he advised that the rent arrears of current tenants were being looked at and with insight it was hoped that Quarter 2 would be better, the average re-let times were still slightly higher, but compared to the previous year the figures were a great improvement and that the number of new affordable homes delivered was below target for the quarter, but the number of gifted units that were due to be handed over during the year would balance out the target.

Councillor T J Pendleton informed Members that the planning performance was remained well above the national targets, that the Design Guide Supplementary Planning document had been adopted by Council in May and would ensure that the design standards would remain high, and that the recent planning inquiry that considered the refusal of planning permission for homes on the Whitwick Green Wedge had dismissed the appeal.

Councillor A V Smith informed Members that in relation to the Leisure Service, Hood Park had retained its 'Good' grade by Quest following a maintenance assessment, that the service continued to deliver a range of physical activity interventions and that the income for leisure was down, but the centre usage was up. She highlighted that the authority had been successful in its bid to procure the treatment and disposal of the district's dry recyclables which was predicted to generate an additional income of £500k, and that Environmental Health had brought a successful prosecution against Champneys Springs Ltd for health and safety failings following an accident on site.

Councillor Blunt stated that he was proud of the Design Guide Supplementary Planning document that had been adopted by the Council as it set out good design practice and felt that it may be due to the document that the Council was receiving less complaints in relation to new developments. He advised that both the General Fund and Special Expenses budgets were forecasting a underspend of £1.06 million, the HRA was forecast to have a favourable variance of £142k and the Housing Capital Programmes were expected to be on budget at the yearend.

In relation to the management of absence he informed Members that the sickness figure for quarter 1 was 2.10 days lost per fte and that the yearend was currently forecast to be 8.4 days which was on target and well below the previous year's figure. He added that the HR team was working closely with managers on the issue of long term sickness as the figure for the current year was significantly higher than the previous year.

It was moved by Councillor R Blunt, seconded by Councillor A V Smith and

RESOLVED THAT:

The Quarter 1 Performance Report (April – June 2017) be received and noted.

Reason for decision: The report is provided for members to effectively monitor the organisation's performance.

41. FORMER TENANT RENT ARREARS, CURRENT TENANT RENT ARREARS, COUNCIL TAX, NON DOMESTIC RATES AND SUNDRY DEBTOR WRITE OFFS

The Interim Director of Resources presented the report to Members. He asked Cabinet to note the delegated write offs and that there were currently no debts over £10,000 for which Cabinet's approval for write off was sought. He reminded Members that writing off debts was only considered when all appropriate recovery and enforcement measures had been taken, or where the Council was legally prohibited from pursuing the debt, but the Council made a provision for bad debts annually.

It was moved by Councillor R Blunt, seconded by Councillor T J Pendleton and

RESOLVED THAT:

The amounts written off under delegated powers be noted.

Reason for decision: To comply with proper accounting practices.

42. MINUTES OF THE COALVILLE SPECIAL EXPENSES WORKING PARTY

The Community Services Portfolio Holder presented the report to Members. She congratulated the Working Party for the successful delivery of Proms and Picnic in the Park which saw over 7,000 people attend them and informed Members that despite really positive feedback she was pleased that the group was continually looking for ways to improve the event and were considering a proposed name change and revised format for Proms in the Park. She advised Members that the proposed dates for the event in 2018 were 23 and 24 June.

She asked Members to support the Working Party's recommendation in relation to the Christmas lights that included replacing non-working bagatelles with pea lights and providing an additional tree on Marlborough Square. She informed Members that the current stock was old and failing, and the investment would not only improve the displays but futureproof them until such time that alternative options could be considered.

The Community Services Portfolio Holder advised Members that she supported the Working Party in their attempts to secure external funding to help improve Coalville Forest Adventure Park and looked forward to seeing the recommendations as well as hearing about potential footpath improvements to Melrose Road Play Hub that would improve access to the new green gym.

Councillor R Blunt was pleased to support any projects that would enhance the Coalville project and acknowledged the cross-party work and support that was carried out by the Working Party.

It was moved by Councillor A V Smith, seconded by Councillor R Blunt and

RESOLVED THAT:

The recommendations made by the Coalville Special Expenses Working Party as detailed within the minutes be noted and the recommendations as summarised at 3.0 be approved.

Reason for decision: To progress Coalville Special Expenses projects and programmes.

43. EXCLUSION OF PRESS AND PUBLIC

RESOLVED THAT:

In pursuance of Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the remainder of the meeting on the grounds that the business to be transacted involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Act and that the public interest in maintaining this exemption outweighs the public interest in disclosing the information.

Reason for decision: To enable the consideration of exempt information.

44. LAND SALE - COALVILLE

The Housing Portfolio Holder presented the report to Members on behalf of the Corporate Portfolio Holder.

The Leader invited Councillor N Clarke to address the Committee.

Councillor N Clarke thanked the Leader for the opportunity to put forward the question and the response that had been received.

Councillor R Blunt thanked the Interim Director of Resources for all his hard work as the proposal had been a key part of his work since joining the authority.

It was moved by R D Bayliss, seconded by Councillor R Blunt and

RESOLVED THAT:

1. The proposed approach to communications and engagement be approved;
2. The updated valuation / anticipated capital receipt of the site be noted;
3. The latest draft masterplan that will form the basis of the submission for outline planning consent be approved.

Reason for decision: Cabinet approval is required to approve the valuation of the site and the draft masterplan that will form the basis of the submission for outline planning permission and public consultation.

Councillor G Hoult left the meeting at 5.17pm

Councillor N J Rushton left the meeting at 5.18pm

The meeting commenced at 5.00 pm

The Chairman closed the meeting at 5.39 pm