

MINUTES of a meeting of the COUNCIL held in the Council Chamber, Council Offices, Coalville on TUESDAY, 27 JUNE 2017

Present: Councillor V Richichi (Chairman)

Councillors R Adams, G A Allman, R Ashman, R D Bayliss, R Blunt, R Boam, J Bridges, R Canny, J Clarke, N Clarke, J Cotterill, J G Coxon, D Everitt, T Eynon, F Fenning, J Geary, S Gillard, T Gillard, L Goacher, D Harrison, G Houlton, J Houlton, R Johnson, G Jones, J Legrys, S McKendrick, K Merrie MBE, T J Pendleton, P Purver, N J Rushton, A C Saffell, S Sheahan, N Smith, A V Smith MBE, M Specht, D J Stevenson and M B Wyatt

Officers: Ms T Ashe, Mr S Bambrick, Mr A Hunkin, Mr G Jones, Mrs M Long, Mrs M Meredith, Mrs B Smith and Miss E Warhurst

## **18. APOLOGIES FOR ABSENCE**

There were no apologies for absence received.

## **19. DECLARATION OF INTERESTS**

Councillor S Sheahan declared a non pecuniary interest in item 7, Motions, as a member of Leicestershire County Council.

Councillor M Specht declared a non pecuniary interest in item 10, End of Year Performance Report 2016/17, as a volunteer in the local community.

Councillor M B Wyatt declared a non pecuniary interest in item 10, End of Year Performance Report 2016/17, as his business was a beneficiary of the small grants scheme.

Councillor J Legrys declared a non pecuniary interest in item 10, End of Year Performance Report 2016/17, as a volunteer at Hermitage FM.

## **20. CHAIRMAN'S ANNOUNCEMENTS**

The Chairman made the following announcements:

In remembrance of all those who had lost their lives in the series of tragic events which had taken place in recent weeks in London and Manchester, the Chairman invited members to join him in observing a minute's silence. The Chairman had also sent a letter to the Mayor of Manchester and the Mayor of London as an expression of support.

The Chairman announced that the flag had been raised for Armed Forces Day and he was grateful to have been able to raise the flag himself.

The Chairman referred to the success of the Proms in the Park, Picnic in the Park and the Moira steam rally event which had been very well attended. He also announced that two defibrillators had been installed in Ashby de la Zouch.

The Chairman formally welcomed Bev Smith to her first Full Council meeting following her appointment as Chief Executive.

The Chairman said farewell to Steve Bambrick who was leaving the Council after over 10 years.

Chairman's initials

## 21. LEADER'S AND PORTFOLIO HOLDERS' ANNOUNCEMENTS

Councillor R Blunt made reference to the Whitwick Green Wedge and the recent success in defending an appeal against a refusal of a planning application relating to the site. He felt that the defence of the Green Wedge should be celebrated.

Councillor R Blunt reminded members that Steve Bambrick had joined the Council in 2006 as Head of Planning and had been quickly promoted to Director of Environment within two years and again to Director of Services and Deputy Chief Executive within another two years. He added that Steve had worked seamlessly with Christine Fisher for all of that time and had been the only director for a four year period during the recession, which was a testament to his dedication. He commented that the Council had been transformed in recent years and Steve had been at the forefront of this change, which had been difficult and challenging. He stated that at heart Steve was a planner and should feel great pride at the way in which he had transformed a poor performing planning service. He wished him luck.

Councillor J Bridges commented that he had dealt with Steve on many occasions on various issues. He agreed that Steve was a planner at heart, and felt that to become a good leader you needed to be able to plan. He referred to the qualities that Steve had brought to the Council and the Planning Department, which he knew from first-hand experience was as good as it got. He added that Steve had empowered people to make decisions, he had allowed talented staff to flourish and had got the best out of them. He commented that the Council had been very lucky to have had someone like Steve and his leaving was a big loss for the authority. He thanked Steve for all the exceptional work he had done for the Council.

Councillor S Sheahan thanked Steve for his service to the Council, particularly in his role in supporting members. He commented that Steve had carried a lot of responsibility in his post as Director of Services, he had performed admirably and thoroughly deserved his new role.

Councillor N Smith thanked Steve for the changes he had made to the Planning Department and his dedication. He thanked him for all he had done and wished him all the very best for the future.

Councillor M Specht commented that as a new Councillor he had had cause to discuss an issue with Steve and he was ruthless in the efforts he undertook to resolve the issue. He congratulated Steve on his new post and wished him all the best for the future.

Councillor J Legrys stated that he was disappointed that Steve was leaving as he had been a friend, a mentor and an individual. He thanked Steve for all he had done for him personally.

Councillor T J Pendleton recalled the frank discussions he had had with Steve as a portfolio holder with new responsibility for planning. He added that Steve had the measure of the landscape and had got the Local Plan by the scruff of the neck. He made reference to the imminence of the adoption of the Local Plan which was down to Steve's stewardship. In reference to the Green Wedge, he commented that it was a team effort across the political spectrum to protect this. He highlighted that the Planning Department now performed well above the national standard in terms of determining applications within 8 weeks which was a great legacy to leave. He thanked Steve and had always found him to be approachable.

Councillor V Richichi commented that Steve was a good and honourable man and would be sorely missed.

Councillor A V Smith announced that the Council had received a bronze award for the Armed Forces Community Covenant employee recognition scheme. She stated that the award recognised the Council's commitment to support defence personnel in the workplace, including existing and prospective employees who were in the armed forces. She advised that the Council had signed the covenant on 2 May 2014 and she was pleased to report that during this time, the Council had supported a number of initiatives including the Remembrance Day Parade, Armistice Day, Flying the Flag for Armed Forces, housing support to veterans in the district, access to leisure services through discounted membership schemes, health service information and support, war memorials and signposting. She expressed a huge thank you to all members and officers for supporting this scheme.

Councillor A V Smith also thanked Steve for all the support he had given her in her portfolio and she commented that he had been superb and had always been accessible. She wished him good luck in his new role.

Councillor R D Bayliss made reference to the recent catastrophe at Grenfell Tower. He stated that in the immediate aftermath he had contacted the Director of Housing to seek reassurance of the Council's position with our own tenants. He advised that there were no Council owned high rise properties in the district. External wall insulation had been fitted to a number of tenants' homes, however this was of a different type to that which was fitted to Grenfell Tower and it was permanently embedded within concrete render. He added that officers were confident having checked their records that the specifications for the insulation used met all fire safety regulations at the time. He reported that updated fire risk assessments had recently been conducted on the Council's seven sheltered schemes and the three three-story blocks, which had identified the need for some remedial works and a programme of works had been developed to complete this which would be approved by the end of June. He advised that this had highlighted only one urgent requirement to upgrade four fire doors, which were currently being manufactured. He explained that fire risk assessments were currently being commissioned for the remaining low rise blocks of flats with communal entrances and once the outcome was known, a programme of works would be developed and implemented promptly. He reported that Cabinet had recently approved the commissioning of a range of improvement works to Marlborough Flats in Coalville. He advised that the proposed works would include compliance with all current building regulations regarding fire safety. He explained regarding the sheltered housing schemes, the fire alarms were tested weekly by the support officers and the results were recorded. He added that fire evacuation tests were undertaken at least annually. He advised that all tenants in sheltered housing had been written to in order to reassure them and to remind them of the arrangements in place. He advised that there were no sprinkler systems in place and whilst these were effective, these were primarily designed for large blocks of flats and false alarms / activation had a significant impact. He reiterated the close working arrangements with the fire and rescue service and the advice given to tenants.

Councillor N Clarke offered congratulations to all those involved with the Armed Forces Community Covenant bronze award. He congratulated Steve on his new post, thanked him for his help over the last few years and wished him good luck for the future.

Councillor J Bridges requested a copy of the report on the facades of the renovated buildings.

Councillor J Legrys thanked Councillor R D Bayliss for the statement and he agreed entirely. He referred to the number of properties which had been sold under the Right to Buy scheme. He asked if the Council could write to those former tenants whose houses had been fitted with external cladding to reassure them. He felt it would be a prudent measure to reassure those people that the cladding was safe.

Councillor R D Bayliss agreed that he would make enquiries insofar as what records existed and if it was practical to do so he would see what could be done.

## **22. QUESTION AND ANSWER SESSION**

There were no questions received.

## **23. QUESTIONS FROM COUNCILLORS**

Councillor N Clarke put the following question to Councillor N J Rushton:

“In November 2016 the Government was defeated at the Supreme Court by two families who claimed " the bedroom tax is discriminatory ". This decision related to disabled people and their carers.

Can the portfolio holder confirm whether this decision has affected any families in North West Leicestershire. If so, how many and have these families been properly reimbursed with back payment for the Government’s unlawful imposition of the "bedroom tax?”.

Councillor N J Rushton gave the following response:

“We are only aware of one case in North West Leicestershire affected by this decision.

The case involved a couple whose husband required a spare bedroom due to his disability. In April 2013 their appeal was dismissed in line with the regulations at that time.

Following the decision by the Supreme Court in November 2016, new regulations took effect from April 2017 and cases cannot be reimbursed for decisions prior to that date.

In this particular case, no reimbursement would have been payable even if it was allowed as the loss of benefit had been compensated through Discretionary Housing Payments until the couple’s income had increased sufficiently due to the award of Personal Independence Payments. It should also be noted that the couple moved out of our area in August 2016”.

As a supplementary question, Councillor N Clarke sought assurances that all cases which may have been affected by the supreme court decision had been reviewed and that proper monitoring would continue to ensure that no lawful imposition could occur in future.

Councillor N J Rushton advised that the high court ruling was observed and taken account of and any subsequent applications would be treated accordingly.

Councillor R Johnson put the following question to Councillor T J Pendleton:

“On 21 June I was informed by my Parish Clerk at 10:05am of an email sent to him of a meeting at Morrisons on the same day with Willy Bach Police commissioner and the Chief constable Simon Cole of what matters in Coalville. Was this council aware of this yes or no and if so, why weren’t councillors informed of this event?”.

Councillor T J Pendleton gave the following response:

“Officers at North West Leicestershire District Council were not formally advised of the visit to Morrisons by the Police and Crime Commissioner and Chief Constable on 21 June 2017. Officers did become aware of a potential visit, but only informally, as a result of a passing comment from a police representative on 20 June.

The PCC website provides a publicly available list of PCC events and meetings, including those within the “What Matters to You?” programme. Members can see that information using the following URL: <http://www.leics.pcc.police.uk/News-and-Events/Events-Calendar.aspx> . Officers have established that the PCC visit to Morrisons in Coalville was listed on this page ahead of the event”.

As a supplementary question, Councillor R Johnson commented that all members would not look at the PCC website and he felt that Democratic Services should monitor and report this in the weekly bulletin.

Councillor T J Pendleton responded that the Police and Crime Commissioner would have informed the Council if he had expected members to attend the event.

## 24. MOTIONS

Councillor S Sheahan moved the following motion:

“This Council notes with concern the most recent figures (2015) released by Public Health England on air quality in North West Leicestershire. They show that North West Leicestershire has the worst mortality rates (5.8%) attributable to fine particulate air pollution of any Council area within the East Midlands. Source - <http://www.phoutcomes.info/public-health-outcomes-framework#page/0/gid/1000043/pat/104/ati/101/are/E07000131>

The Council will, in line with DEFRA LAQM Policy Guidance PG16 April 2016 and this Council’s latest Air Quality Annual Status Report, actively engage with the County Council and specifically the Director of Public Health to –

- better understand why the mortality rate in North West Leicestershire due to man-made PM2.5 particulates is worse even than the East Midlands' largest cities of Leicester and Nottingham,
- bring forward an Air Quality Action Plan, identifying new priority measures to tackle PM2.5 emissions and concentrations”.

Councillor S Sheahan spoke to the motion, referring to the five air quality management areas in the district and the failure of the Council to produce an action plan despite being required to do so and recommendations from DEFRA that a new action plan be submitted. He highlighted that the district had the worst mortality rate in 2017 for PM2.5 particulates in the East Midlands. He felt that the Council had dragged its feet and the guidance provided by DEFRA showed that there was no safe level for particulate matter. He stated that the Council needed to play its part and in doing so would save lives.

The motion was seconded by Councillor T Eynon. She referred to the 2014 action plan and framework document which remained unmonitored and unreviewed. She stated that the fraction of mortality in respect of particulates was 5.8%, however this was not just a statistic, these were people who had to choose between walking and talking. She commented that the evidence was there, however it was not being updated and the Council had the responsibility but was not exercising it.

Councillor A V Smith moved the following amendment to the motion:

“This Council notes the most recent figures (2015) released by Public Health England on air quality in North West Leicestershire. They show that 5.8 % of deaths of residents of North West Leicestershire are attributable to fine particulate air pollution. This does not mean that air pollution was the cause of those deaths, it means that air pollution was a factor in those deaths. Sources of PM2.5 air pollution include diesel vehicles, quarrying and agriculture and it is the case that North West Leicestershire hosts quarrying and

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agriculture activities, which employ thousands of residents.

The Council will, in line with DEFRA LAQM Policy Guidance PG16 April 2016 and this Council's latest Air Quality Annual Status Report, actively engage with the County Council and specifically the Director of Public Health to –

- better understand why the mortality rate in North West Leicestershire due to man-made PM2.5 particulates is worse even than the East Midlands' largest cities of Leicester and Nottingham
- if as a result it is considered to be necessary, support the development of an Air Quality Action Plan, identifying new priority measures to tackle PM2.5 emissions and concentrations.

It is worth noting that, while the percentage of deaths within this district, for which PM2.5 particulates are a factor, is higher than the equivalents for Leicester and Nottingham, the average life expectancy here is higher than it is in Leicester and Nottingham. An appropriate balance will therefore need to be struck between taking steps to tackle air pollution and the knock-on impacts such as increasing unemployment, if quarrying and agriculture were to be reduced as a result”.

Councillor A V Smith thanked Councillor S Sheahan for bringing this matter to her attention and Councillor T Eynon for her passionate seconding of the motion. She stated that air quality affected everybody and this was an important issue. She referred to the amendment, the aim of which was to seek clarity and ensure that action was not being taken prematurely. She stated that the 5.8% figure did not necessarily mean that air quality was the cause of death, but was a factor. She highlighted that North West Leicestershire had a longer life expectancy than Leicester and Nottingham and sources of air pollution in the district included not just cars, but also quarrying, agriculture and the airport. She added that it was necessary to ensure that any proposals put forward would not affect jobs.

Councillor R Blunt seconded the amendment and echoed Councillor A V Smith's comments. He added that this issue would be taken very seriously.

Councillor S Sheahan exercised his right of reply and felt that the Council was continuing to evade its responsibilities. He added that residents in the district were overly reliant on car use and the data needed to be utilised to press the case.

The Chairman then put the amendment to the vote and it was declared CARRIED.

The Chairman then put the substantive motion, as amended, to the vote and it was declared CARRIED.

## **25. PETITIONS**

No petitions were received.

## **26. MINUTES**

Consideration was given to the minutes of the meeting held on 16 May 2017.

It was moved by Councillor V Richichi, seconded by Councillor J Clarke and

RESOLVED THAT:

The minutes of the meeting held on 16 May 2017 be approved and signed by the Chairman as a correct record.

## **27. END OF YEAR PERFORMANCE REPORT 2016-17**

Councillor R Blunt presented the report to members, outlining the key highlights in performance from the previous year.

Councillor M B Wyatt expressed concerns in respect of the reference to the management of leisure services and sought clarity on the scope of that reference.

Councillor K Merrie commended the report and the focus on businesses and jobs. He made reference to the industrial development in Ellistown and the woodland park which had received a national award.

Councillor N Smith welcomed the heritage aspects of the report and the promotion of Coalville.

Councillor J Clarke welcomed the Green Footprints section of the report and the free trees and bulbs given away which he would like to see increased. He commented however that litter remained a major problem.

Councillor J Bridges made reference to the LEAP programme case study highlighted in the report and recalled the pride he felt meeting Mr Pollard and hearing his story.

Councillor T Eynon commented that the document really sold the Council as good value. She expressed disappointment that the document had not been considered by scrutiny. She requested that a functioning scrutiny system be put in place to enable members to wholeheartedly support documents such as this.

Councillor J Geary welcomed the private sector housing stock survey as he felt it was important to understand the condition of all housing stock. He thanked the Council for taking this initiative. He made reference to the scheme to replace solid fuel heating in non-gas areas and he hoped the advice would be made available to the private sector once the best solution was known.

Councillor M Specht welcomed the celebration of volunteers event and clarified that there were far more than 90 volunteers in the district.

Councillor R D Bayliss highlighted the ongoing work in respect of the decent homes programme and the high rates of tenant satisfaction. He also made reference to the excellent work of the Tenant Scrutiny Panel, the high rate of rent collection and the reduction in the re-let time of empty properties.

Councillor J Legrys commented that he would have liked to have seen a significant improvement in the housing repairs service demonstrated in this document. He highlighted that the business photographed in the document in respect of the shop fronts scheme had subsequently closed. He commented that there had been a lot of effort put into bringing jobs into the town which many people could not access due to a lack of public transport. He stated that he would have preferred a focus on where things could have been done better and some comment on engagement with the community and elected members of all levels. He referred to recent comments made in relation to poor Council Tax collection rates and added that he would have liked to have seen some statistics on this issue.

Councillor R Ashman commended the report. He welcomed the focus on value for money. He commented that in his experience the housing department was very responsive and he was not surprised to see the satisfaction rates.

Councillor T Gillard commended the report and thanked the Business Focus Team who worked exceedingly hard in supporting small businesses to provide jobs in the district. He clarified that the shop pictured in the report did not take up a grant from the shop fronts improvements scheme and had not closed. He also thanked Steve Bambrick for all his work, particularly in respect of the Green Wedge and he wished him all the best in his new venture.

Councillor D Everitt commented that the statistics in the report might be accurate but they did not show the true picture. He added that tenants got very frustrated when they felt the housing officer and staff did not respond sympathetically and there was still a lot of work to be done.

Councillor N Clarke commended the efforts of residents in respect of recycling and congratulated the resident involvement team. He also welcomed free car parking after 3pm in Coalville.

In response to Councillor M B Wyatt's question, Councillor R Blunt emphasised that the possibility of building a new leisure centre was being investigated and if this did happen, some staff who were directly related to the running of the leisure centres would transfer to the new employer through the TUPE procedures, however some relating to the cultural services aspect of the leisure service would be retained. He added that and a business case would be consulted upon.

Councillor R Blunt stated that the document was not intended to sell the Council but was an aide memoire to remind people of what had been achieved in the previous year. He stated that time and resources would be invested to improve the performance of Policy Development Group and he added that the performance report would certainly be considered by Policy Development Group under the new structure.

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

RESOLVED THAT:

The End of Year Performance Report 2016/17 be received and noted.

## **28. COMMUNITY SAFETY STRATEGY 2017 – 2020**

Councillor T J Pendleton presented the report to members, highlighting the new priority relating to cybercrime and the slight rise in crime overall.

Councillor S Sheahan paid tribute to the Police who did a great job facing enormous responsibility to keep people safe. He also paid tribute to the partnership working ethos. He commented however that this could not replace bobbies on the beat which had been reduced. He made reference to the Prevent strategy and the need to ensure right wing extremism was also countered.

Councillor N Clarke questioned whether a £2,000 budget to tackle anti-social behaviour across the whole of North West Leicestershire was a serious commitment. He added that there did not appear to be any clear objectives or targets.

Councillor T Eynon welcomed the document having been considered by Policy Development Group and she welcomed the focus on cybercrime which had been

increasing exponentially. She emphasised the need to measure the outcomes of the strategy and hoped this data would be considered by scrutiny to enable this.

Councillor J Legrys welcomed the report and commended the officers. He made reference to the further cuts planned in the police service and asked how the Council would cope with this.

Councillor R Canny welcomed the support for the Prevent strategy and relayed her experiences as a school teacher.

Councillor J Geary commented that there were many crimes committed which did not get reported. He felt that elected members should be represented on the partnership to perform a scrutiny function and he gave an example highlighting the importance of receiving feedback from the grass roots.

Councillor T J Pendleton advised that the Police and Crime Commissioner was currently recruiting. He highlighted that the £2,000 funding to tackle anti-social behaviour was additional. He assured members that CCTV was well funded from Section 106 contributions when there was a requirement and a complete review of the system was currently being undertaken. He advised that the partnership was constituted lawfully and took on board information from many external sources.

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

RESOLVED THAT:

The North West Leicestershire Community Safety Strategy 2017 – 2020 be noted.

The meeting commenced at 6.30 pm

The Chairman closed the meeting at 8.12 pm