

MEETING OF THE COUNCIL

TUESDAY, 23 MAY 2023

ADDITIONAL PAPERS

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ANNUAL COUNCIL

APPOINTMENT OF COMMITTEES AND GROUPS, ELECTION OF CHAIRS AND DEPUTY CHAIRS

NOMINATIONS

APPOINTMENTS COMMITTEE (4 members plus appropriate Portfolio Holder)

Any changes/additions to the nominations will be considered at the meeting.

Current Membership	Nominees for 2023/24
Chair: Councillor R Blunt Deputy Chair: Councillor R Ashman Councillor A C Saffell Councillor S Sheahan Appropriate Portfolio Holder	Chair: Councillor S Sheahan Deputy Chair: Councillor J Legrys Councillor R Blunt Councillor L Windram Appropriate Portfolio Holder
Substitutes: Councillors R D Bayliss, C Benfield, D Bigby, R Canny, T Gillard, J Legrys, K Merrie and N J Rushton.	Substitutes: Councillors D Bigby, M Blair-Park, A Morley, S Lambeth, J Simmons, N Rushton & M Wyatt

AUDIT AND GOVERNANCE COMMITTEE (10 members)

Current Membership	Nominees for 2023/24
Chair: Councillor S Gillard Deputy Chair: Councillor N Smith Councillor E Allman Councillor C Benfield Councillor J Clarke Councillor M Hay Councillor R Morris Councillor S Sheahan Councillor V Richichi Councillor M B Wyatt	Chair: Councillor D Everitt Deputy Chair: Councillor G Rogers Councillor A Barker Councillor D Cooper Councillor C Sewell Councillor J Simmons Councillor N Smith Councillor R Boam Councillor R Sutton Councillor Vacant

COALVILLE SPECIAL EXPENSES WORKING PARTY

Current membership	Nominees for 2023/24
Ward members for Bardon, Broom Leys, Castle Rock, Coalville East, Coalville West, Greenhill, Snibston North, Snibston South and Thringstone: Councillor E Allman Councillor A Black Councillor A Bridgen Councillor D Everitt	Ward members for Bardon, Broom Leys, Castle Rock, Coalville East, Coalville West, Greenhill, Snibston North, Snibston South and Thringstone: Councillor Legrys Councillor Geary Councillor Everitt Councillor Page

Councillor M French Councillor J Geary Councillor J Legrys Councillor J Windram Councillor M B Wyatt	Councillor L Windram Councillor M Wyatt Councillor M Burke Councillor J Windram Councillor M French
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COMMUNITY SCRUTINY COMMITTEE (10 members)

Current membership	Nominees for 2023/24
Chair: Councillor J Hoult Deputy Chair: Councillor R Morris Councillor A Bridgen Councillor C Benfield Councillor Dr T Eynon Councillor J Geary Councillor M Hay Councillor G Hoult Councillor J Simmons Councillor M B Wyatt	Chair: Councillor T Eynon Deputy Chair: TBC from below Councillor J Geary Councillor J Page Councillor L Parle Councillor A Wilson Councillor P Lees Councillor K Horn Councillor M Ball Councillor M Burke Councillor M French
Substitutes: Councillors D Bigby, A Black, R Canny, J Clarke, M French, L Gillard, S Gillard, J Legrys, A C Saffell, C Sewell and S Sheahan.	Substitutes: Councillors D Everitt, G Rogers, C Sewell, D Cooper, N Smith, J Simmons, R Morris, R Boam, L Windram & J Windram

CORPORATE SCRUTINY COMMITTEE (10 members)

Current membership	Nominees for 2023/4
Chair: Councillor N Smith Deputy Chair: Councillor V Richcihi Councillor E Allman Councillor D Bigby Councillor A Bridgen Councillor G Hoult Councillor J Simmoms Councillor A C Saffell Councillor S Sheahan Councillor M B Wyatt	Chair: Councillor TBC from below Deputy Chair: Councillor T Eynon Councillor J Geary Councillor J Page Councillor L Parle Councillor A Wilson Councillor K Horn Councillor R Morris Councillor M Ball Councillor J Windram Councillor L Windram
Substitutes: Councillors C Benfield, J Bridges, R Canny, D Everitt, Dr T Eynon, M French, L Gillard, S Gillard, D Harrison, B Harrison-Rushton M Hay, R Johnson, R Morris, and J Windram.	Substitutes: Councillors D Everitt, G Rogers, C Sewell, D Cooper, N Smith, J Simmons, R Boam, M Burke & M French

ELECTORAL REVIEW WORKING PARTY (5 members)

Current membership	Nominees for 2023/24
Councillor R Ashman Councillor R Blunt Councillor N J Rushton Councillor S Sheahan Councillor M B Wyatt	Councillor S Sheahan Councillor C Sewell Councillor K Merrie Councillor M Wyatt Councillor A Woodman
Substitutes: Councillors R D Bayliss, D Bigby, M French, T Gillard, K Merrie, R Morris, C Sewell and J Windram.	Substitutes: Councillors J Legrys, D Bigby, P Moulton, S Lambeth, R Morris, R Boam & R Canny

EMPLOYEE JOINT CONSULTATIVE COMMITTEE (5 members)

Current membership	Nominees for 2023/24
Councillor J Clarke Councillor J Geary Councillor G Houlton Councillor J Houlton Councillor A C Saffell	Councillor S Sheahan Councillor J Legrys Councillor J Simmons Councillor M French Councillor R Johnson
Substitutes: Councillors C Benfield, R Canny, Dr T Eynon, L Gillard, R Johnson, R Morris and J Simmons.	Substitutes: Councillors J Geary, C Sewell, D Bigby, D Cooper, A Woodman, R Blunt & M Wyatt

INVESTIGATORY COMMITTEE (5 members)

Current membership	Nominees for 2023/24
Chair: Councillor R Blunt Deputy Chair: Councillor R Ashman Councillor J Clarke Councillor S Sheahan Councillor M B Wyatt	Chair: Councillor S Sheahan Deputy Chair: Councillor J Legrys Councillor N Smith Councillor L Windram Councillor R Sutton
Substitutes: Councillors R D Bayliss, A Black, D Everitt, M French, J Geary, G Houlton, J Houlton, R Morris.	Substitutes: Councillors C Sewell, A Morley, E Parle, A Wilson, T Gillard, K Merrie & M Wyatt

LICENSING COMMITTEE (15 members)

Current membership	Nominees for 2023/24
Chair: Councillor J Clarke Deputy Chair: Councillor K Merrie Councillor E Allman Councillor D Everitt Councillor M French Councillor S Gillard Councillor M Hay Councillor G Hoults Councillor J Hoults Councillor R Morris Councillor V Richichi Councillor A C Saffell Councillor C Sewell Councillor S Sheahan Councillor J Simmons Councillor N Smith Councillor M B Wyatt	Chair: Councillor TBC from Below Deputy Chair: Councillor A Wilson Councillor A Barker Councillor D Cooper Councillor D Everitt Councillor J Legrys Councillor G Rogers Councillor N Smith Councillor K Horn Councillor J Simmons Councillor P Lees Councillor M Ball Councillor M French Councillor J Windram Councillor M Burke Councillor R Johnson
Substitutes: Councillors C Benfield, R Bayliss, D Bigby, A Black, R Boam, J Bridges, R Canny, J Geary, L Gillard, T Gillard, D Harrison, R Johnson, J Legrys and J Windram.	Substitutes: Councillors S Lambeth, A Morley, T Eynon, A Wilson, C Sewell, J Page, K Merrie, T Gillard, A Woodman, N Rushton & M Wyatt

LOCAL PLAN COMMITTEE (11 members)

Current membership	Nominees for 2023/24
Chair: Councillor J Bridges Deputy Chair: Councillor J Simmons Councillor D Bigby Councillor D Everitt Councillor D Harrison Councillor J Hoults Councillor J Legrys Councillor A C Saffell Councillor R Morris Councillor N Smith Councillor M B Wyatt	Chair: Councillor T Eynon/Simmons Deputy Chair: Councillor D Bigby/P Lees Councillor D Everitt Councillor A Morley Councillor P Moults Councillor J Simmons/T Eynon, Councillor A Woodman Councillor P Lees/D Bigby Councillor R Morris Councillor L Windram Councillor M Wyatt

Substitutes: Councillors R Bayliss, C Benfield, A Black, A Bridgen, R Canny, J Clarke, Dr T Eynon, M French, J Geary, B Harrison-Rushton, G Houlton, R Johnson, C Sewell, A Woodman.

Substitutes: Councillors C Sewell, S Lambeth, G Rogers, D Cooper, K Merrie, K Horn, R Blunt, T Gillard

PLANNING COMMITTEE (11 members)

Current membership	Nominees for 2023/24
<p>Chair: Councillor R Morris Deputy Chair: Councillor R Boam</p> <p>Councillor D Bigby Councillor A Bridgen Councillor J Bridges Councillor D Everitt Councillor D Harrison Councillor J Houlton Councillor J Legrys Councillor J Simmons Councillor M B Wyatt</p>	<p>Chair: Councillor D Everitt/R Boam Deputy Chair: Councillor J Geary/ R Morris</p> <p>Councillor D Cooper Councillor C Sewell Councillor A Wilson Councillor J Simmons Councillor R Boam/ D Everitt Councillor R Morris/J Geary Councillor N Smith Councillor R Canny Councillor M Burke</p>
<p>Substitutes: Councillors E Allman, R Ashman, M French, J Geary, S Gillard, T Gillard, B Harrison-Rushton, G Houlton, R Johnson, C Sewell, S Sheahan and J Windram.</p>	<p>Substitutes: Councillors T Eynon, J Page, L Parle, A Barker, A Woodman, R Blunt, P Lees, K Horn & M Wyatt</p>

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ITEM 13 - APPOINTMENTS TO COMMITTEES AND GROUPS, ELECTION OF CHAIRS AND DEPUTY CHAIRS

Appendix 1

The details in relation to proportionality are set out in the report on the agenda for this meeting. In summary appointments to Committees and Groups need to be made taking account of the principles in Section 15 Local Government and Housing Act 1989 (allocation of seats to political groups). The allocations of seats on committees are based on the principles of proportionality and the overall make-up of the Council (in line with LGA guidance regarding Independent councillors) as follows:

Labour	17
Conservative	12
Liberal Democrat and Independent Group	7
Independent	2

Membership of Audit and Governance Committee and Scrutiny Committee

Advice has been sought in relation to the requirement in the Council's constitution that members of the Scrutiny Committee cannot be members of the Audit and Governance Committee and the appointment of substitutes.

Section 15 of the Local Government and Housing Act 1989 provides that, when allocating seats to its committees the Council has to comply with the principles of proportionality so far as reasonably practicable (emphasis added).

Therefore, section 15 recognises that, in practice, it may not always be possible to allocate seats in political balance, however, the Council should aim to do so whenever possible.

CIPFA's Position Statement: Audit Committees in Local Authorities and Police 2022

This Position Statement provides that the Audit and Governance Committee in local authorities, should be independent of both the Executive and the Scrutiny functions.

The Position Statement further states:

"CIPFA expects that all local government bodies should make their best efforts to adopt the principles, aiming for effective audit committee arrangements." (emphasis added)

Therefore, CIPFA's Position Statement also recognises that, in practice, it might not always be possible for the Audit and Governance Committee to be independent from Scrutiny, though again, the Position Statement should be followed whenever possible.

North West Leicestershire District Council's Constitution

Audit and Governance Committee

The Constitution states, in Part 2, Section D7 – Audit and Governance Committee, at paragraph 1.5 "Members of the Committee should not be members of Cabinet or Scrutiny."

This reflects the legislation and the CIPFA's Position Statement.

North West Leicestershire District Council's Constitution – Scrutiny Committees

The Constitution states, in Part 2, Section D6 – Scrutiny Committees under the subheading “Composition”

“1.7 The Scrutiny Committees will each comprise 10 Councillors in Political Balance.

1.8 Members of the Scrutiny Committees must not be Cabinet Members or members of the Audit and Governance Committee.

1.9 The Chair and Deputy Chair will be appointed by Full Council annually.

1.10 The Scrutiny Committees shall be entitled to recommend to Council the appointment of a number of people as non-voting co-optees.”

Therefore, there is no restriction on a Councillor(s) sitting on both Scrutiny Committees, but they should not be members of Audit and Governance Committee.

The Councillors' Substitute Scheme

The Councillors' Substitute Scheme states at paragraph 1.1

“The Council recognises that the purpose of the Local Government (Committees and Political Groups) Regulations is to ensure that, in the decision-making process, the Political Balance of and representation on Committees and Sub-Committees of the Council is maintained. This Scheme for the use of substitutes has been adopted to ensure this principle is maintained.”

The Scheme states at paragraph 2.1.2 that it does not apply to Audit and Governance Committee. Therefore, the need to have substitutes available for the Audit and Governance Committee does not arise because substitutes are not allowed on that Committee.

However, the Substitute Scheme does apply to the Scrutiny Committees. The Councillors' Substitute Scheme provides that substitutes are appointed on the basis of political balance and also sets out the number of substitutes that can be appointed.

Whilst it would be contrary to the CIPFA Position Statement, it may be possible to appoint substitutes to the Scrutiny Committees from those members that are sitting on the Audit and Governance Committee, if it can be justified that the Council has used its best efforts to adopt the principles in the CIPFA Position Statement.

Chief Finance Officer Advice

CIPFA has updated its Position Statement to promote best practice and provide clear guidance for local authorities to maximise the effectiveness of their Audit Committees. This follows a number of high profile cases of failings in governance within local authorities. It is the professional advice of the Chief Finance Officer that CIPFA's updated Position Statement should be fully adopted at North West Leicestershire District Council.

The Council faces a range of financial challenges over the medium term, so it is important to follow professional guidance. The financial challenges include:

- Making decisions to maintain its financial sustainability. Inflationary pressures and local government funding reform are expected to lead to significant funding gaps over the medium term. To maintain a balanced budget the Council will need to make some difficult decisions. It is important these decisions are subject to robust and independent scrutiny.
- The regulatory/control environment within which the Council operates is being strengthened following a number of high profile failings at councils within the local government sector. An example of this 'strengthening' is CIPFA's Guidance on Audit Committees.
- A change in its External Auditor. From 1 April 2023 Azets Audit Services, a new entrant to the local government audit market, has been appointed by the Public Sector Audit Appointments (PSAA) as the Council's external auditor. As part of their audit work, they will undertake a review of the Council's Value For Money arrangements. This will include reviewing the Council's governance processes in place for financial decision making and internal control. It is therefore important the Council is adhering to the CIPFA guidance regarding Audit Committees.

The advice from the Chief Finance Officer is the Council should adhere to the CIPFA Guidance regarding Audit Committees. It is important to keep a clear separation between Audit & Governance and Scrutiny. By keeping a clear separation between the two it demonstrates the Council is committed to a best practice governance framework and minimises the risk of potential future issues from both a Council and an individual Councillor perspective.

Conclusion

Whilst the professional advice remains that the CIPFA Position Statement should be followed and there should be a clear separation between the Scrutiny Committees and the Audit and Governance Committee, it is recognised that in this case, this could present an issue in terms of appointing substitutes. The Council's Substitute Scheme recognises that the purpose of the legislation is to ensure that the principles of political balance are maintained in representation on committees and in this case, it may be that in order to follow such principles there would have to be some overlap with Audit and Governance members sitting as substitutes on Scrutiny Committees. The CIPFA Position Statement acknowledges that authorities should use best efforts to adopt the principles of separation and therefore, provided that the main appointed committee members do not overlap, it may be justified that best efforts have been used to maintain separation whilst also ensuring political balance. Members could therefore consider adopting Audit and Governance Committee members as substitutes for the Scrutiny Committees where they do not have enough numbers to appoint separate members in such positions, provided that they have regard to the advice above.

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ANNUAL COUNCIL

APPOINTMENT OF REPRESENTATIVES ON COMMUNITY BODIES

NOMINATIONS

Any changes/additions to the nominations will be considered at the meeting.

Body	Current Appointments	Nominees for 2023/24
Alderman Newton Education Foundation (1 seat)	Councillor J Clarke	Councillor R Morris/J Geary
Ashby de la Zouch Endowed Schools Foundation (1 seat appointed for District term (every 4 years))	Councillor R Bayliss (Appointment to roll forward until 2023)	Councillor K Horn/M Blair-Park
Breedon Quarry Liaison Committee (1 seat)	Councillor R Morris	Councillor R Morris
Charnwood Forest regional Park Steering Group (1 seat)	New Community body for 2023	Councillor J Simmons/A Wilson
Cliffe Hill Quarry Liaison Committee (1 seat)	Councillor V Richichi	Councillor R Boam
Coalville and District Town Twinning Association (2 seats)	Councillors J Clarke and G Houlst	Councillor J Simmons/N Smith/J Page
East Midlands Airport Independent Consultative Committee (1 seat & 1 substitute)	Councillor R Morris (as Chair of Planning Committee) (sub R Boam (as Deputy Chair of Planning Committee))	Chair of Planning Committee (sub Deputy Chair of Planning Committee)
Former Lount Landfill Site Liaison Committee (2 seats)	Councillors R Boam and R Morris	Councillors R Boam and R Morris/D Cooper and M Blair-Park
Grace Dieu Priory Trust (2 seats)	Councillors D Everitt and N Smith	Councillors D Everitt and J Simmons
Home Start - North West Leicestershire (1 seat)	Councillor R D Bayliss (as relevant Portfolio Holder)	Housing Portfolio Holder
Interlink South Country Park Board Meeting (1 seat)	Councillor K Merrie	Councillor K Merrie
Leicester, Leicestershire and Rutland Police and Crime Panel (1 seat)	Councillor A Woodman (as relevant Portfolio Holder)	Community Services Portfolio Holder
Local Government Association – General Assembly (1 seat)	Councillor R Blunt (as Leader of the Council)	Leader of the Council
Moirs Furnace Trust (1 seat)	Councillor D Bigby	Councillor D Cooper

Body	Current Appointments	Nominees for 2023/24
MSV Donington Park Consultative Forum (7 seats)	Councillors R Canny (as Castle Donington Central Ward Member), B Harrison-Rushton (as Kegworth Ward Member), M Hay (as Castle Donington Park Ward Member), N J Rushton (as Long Whatton and Diseworth Ward Member), A C Saffell (as Castle Donington Castle Ward Member), C Sewell (as Daleacre Hill Ward Member) and R Morris (as Worthington and Breedon Ward Member)	Councillors for as Castle Donington Central Ward, Kegworth Ward, Castle Donington Park Ward, Long Whatton and Diseworth Ward, Castle Donington Castle Ward, Daleacre Hill Ward and Worthington and Breedon Ward
North West Leicestershire Hackney Carriage and Private Hire Taxi Licensing Forum (3 seats)	Councillors J Bridges, J Clarke (as Chairman of Licensing Committee) and K Merrie (as Deputy Chairman of Licensing Committee)	Councillors, Chair of Licensing Committee and Deputy Chair of Licensing Committee
PATROL (Parking and Traffic Regulations Outside London) Adjudication Joint Committee	Councillor A Woodman (as relevant Portfolio Holder)	Community Services Portfolio Holder
Ravenstone Hospital Charity (2 seats)	Councillors E Allman and K Merrie	Councillors J Page/N Smith/M Ball
Redbank Manufacturing Liaison Committee (1 seat)	Councillor S Sheahan	Councillors S Sheahan/P Lees
Safer North West Leicestershire Partnership (1 seat)	Councillor A Woodman (as relevant Portfolio Holder)	Community Services Portfolio Holder
Whitwick Quarry Liaison Committee (3 seats)	Councillors L Gillard, S Gillard and T Gillard	Councillors A Barker, P Moulton and T Gillard

Council Procedure Rules – Motions and Amendments

What members can do

- When seconding a motion, a member may reserve their speech until later in the debate (rule 14.3).
- Members may only speak once on a motion or amendment whilst it is being debated (rule 14.5, 14.5(a)).
- Members may also move a further amendment if the motion has been amended since they last spoke (rule 14.5(b)).
- Members can exercise a right of reply, raise a point of order or make a personal explanation during debate (rule 14.5(d), (e) and (f)).
- Members can speak on the main issues if their first speech was on an amendment (rule 14.5(c)).
- The mover of a motion has a right of reply at the close of debate on the motion, before it is put to the vote (rule 14.9.1).
- The mover of a motion has a right of reply at the close of debate on any amendment (rule 14.9.2).

What members can't do

- Members cannot make a speech until a motion has been seconded (rule 14.1).
- Members cannot speak again whilst a motion is being debated, except to exercise a right of reply, raise a point of order or make a personal explanation (rule 14.5, 14.5(a) to (f)).
- Members cannot speak for more than 5 minutes without the consent of the Chairman (rule 14.4).
- The mover of a motion may not speak on an amendment, other than to exercise his right of reply (rule 14.9.2).
- The mover of an amendment has no right of reply at the close of debate (rule 14.9.3).

Motions and Amendments – Flowchart

