

MEETING OF THE COUNCIL

TUESDAY, 20 JUNE 2023

ADDITIONAL PAPERS

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COUNCIL – 20 JUNE 2023

QUESTIONS FROM COUNCILLORS

QUESTION FROM COUNCILLOR T EYNON TO COUNCILLOR A WOODMAN

“Has the Coalville mobile NHS Breast Screening service, which formerly used the London Road NWLDC car park, been reinstated?”

RESPONSE FROM COUNCILLOR A WOODMAN TO COUNCILLOR T EYNON

The council has offered the NHS free usage of the London Road car park, as a site for the NHS Mobile Breast Screening unit.

Officers are currently discussing with NHS colleagues when they may want to bring the mobile unit to Coalville and checking to ensure that the site remains suitable for their needs.

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QUESTIONS FROM COUNCILLORS

QUESTION FROM COUNCILLOR J LEGRYS TO COUNCILLOR A C SAFFELL

Public Right of Way London Road to Stephenson Way Coalville (adjacent to Coalville Park)

“Part of the Right of Way has been closed to the public for some considerable time. Following advice from the Council’s Building Control Team, a closure Order was agreed with LCC as several brick-built boundary walls were unstable and a danger to pedestrians.

The Right of Way forms a boundary between the Coalville West and Coalville East Wards.

As Ward Member I have been fully briefed and I have been working jointly with Cllr Smith CC on trying to get a resolution to reopen the Public Right of Way.

I understand that due to the cost, complex legal responsibilities & required resources, neither LCC nor NWLDC want to take the lead on the re-opening of this Right of Way.

Can the Portfolio Holder please inform me and the local community when and how this Council intends to require the owners of the unstable structures to take action so that the Right of Way can be re-opened?”

RESPONSE FROM COUNCILLOR A C SAFFELL TO COUNCILLOR J LEGRYS

As you know, the footpath was closed by Leicestershire County Council early last year. At that time, following discussions between officers from NWL and LCC, it was agreed that LCC would exercise their powers under the Highways Act 1980, which are similar to those in the Building Act 1984, to serve notice to remove a ‘danger’, in this case to the footpath which is an LCC asset. As such, LCC should be taking such measures to contact the owners of the properties on Bakewell Street that run along the section of the footpath that remains closed with a view to getting any dangerous wall made safe by those owners or they will take such measures to undertake the work in default.

You will be aware that the Council took immediate action last year to take down the dangerous section of wall at the rear of Bakewell Court, a property that NWL own and erected a temporary fence in lieu of a more permanent solution. I understand that LCC commissioned a full report into all other sections of the wall and the report last year concluded that there were three other areas of concern which prevented the footway being reopened. The report recommended that periodic monitoring of the tilting sections of wall be undertaken to help gain a clearer understanding of the rate of movement in the walls and, if required allow an evidence-based repair strategy.

I accept it is disappointing that the footpath has remained closed for so long and our officers have requested updates from LCC on the matter on a number of occasions. In addition, I can confirm that the Infrastructure Portfolio Holder, Cllr Merrie, has contacted his counterpart at LCC to see if some pressure can be exerted on LCC officers to progress this matter to a conclusion in a timely manner and this has already been passed onto the Director of Environment and Transport at LCC.

I can confirm that the matter is being dealt with by LCC and we have now been advised that all adjacent landowners of three worst sections of wall which require repair have been

notified and to date one section has been repaired by an adjacent land owner. LCC continue to monitor the leaning sections and press for repairs where necessary with the adjacent landowners. Unfortunately, LCC cannot give a date at this time when the footpath will reopen but I've asked Cllr Merrie if he could continue to liaise with his counterpart at LCC so they can provide us more certainty as to when the footpath will reopen.

I will of course keep Cllr Legrys update on this issue moving forward.

COUNCIL – 20 JUNE 2023

QUESTIONS FROM COUNCILLORS

QUESTION FROM COUNCILLOR C SEWELL TO COUNCILLOR M B WYATT

DOWNLOAD FESTIVAL AND TRAFFIC CHAOS

Background:

Every year the Download Festival at Donington Park, near East Midlands Airport, Castle Donington causes congestion on nearby roads and gridlocks adjacent villages during arrival and departures to and from the festival. Residents have got used to this now and expect to be marooned in their close-by villages on arrival days and when the venue closes on the Monday.

However, this year saw the 20th Anniversary of the event taking place and 1 extra day of performances was planned, with Headliners Metallica performing on the first day, Thursday 8th June. Normally festival traffic arrives over 2 days, Wednesdays, and Thursdays, but this year as the festival started on the Thursday all the campers who stay over the whole period only had a small window in which to arrive, on the Wednesday 7th June, and gates weren't open officially until 12 noon (although local knowledge states the gates might have been opened earlier due to large numbers queueing). The large numbers arriving in a short space of time caused prolonged and widespread road traffic congestion, centred on the venue and according to news and social media bulletins, this affected an 18-mile radius, with people marooned in cars and gridlocked traffic for many hours. HGVs trying to gain access the SEGRO site and the M1 were stationery. This had a huge impact on local residents, people endeavouring to transverse the area, airport users, workers, businesses, schoolchildren, and festival goers. It seems feasible that the venue should have opened on the Monday 5th or Tuesday 6th to allow festival goers adequate time to access the site – bearing in mind a record number of tickets were sold for this year's event. Normally 100,000 people are expected to descend on the already congested area and claims are that double this amount attended this year.

My question is:

"With safety issues at the forefront here, ie people trapped in stationery traffic for hours on end in sweltering temperatures, and the roadsides being used as public toilets, amongst other things, was it the conditions of the licence, provided by NWLDC, which prevented early opening of the venue, and did the organisers in fact ask for a sufficient extension of the license to allow this to happen, if so did NWLDC refuse the request or is there another explanation?"

RESPONSE FROM COUNCILLOR M B WYATT TO COUNCILLOR C SEWELL

The festival this year created an unprecedented level of travel disruption to residents, visitors, travellers and businesses across the district and beyond. The Download Festival operates under a permanent licence granted by this Council in 2005 under the Licensing Act 2003. The event organiser is responsible for complying with the licence conditions which relate to public safety, crime and disorder, public nuisance and the protection of children from harm.

Technical advice is provided to the event organiser through the NWL Safety Advisory Group (NWL SAG) which is chaired by North West Leicestershire District Council. Each agency provides advice relating to their area of expertise so for example Leicestershire County Highways, Leicestershire Police and National Highways advise on traffic management,

Leicestershire Police advise on crime and disorder and the fire service advise on fire safety. This Council advises on its area of expertise in the form of noise control, food hygiene, licensing, infection control, health and safety as well as water and sanitation.

The event organiser informed agencies at a meeting of the NWLSAG in January that the 2023 event would have four entertainment days starting on the Thursday and were considering opening the campsites on the Tuesday, a day earlier than in previous years. These proposed changes to the event were all permissible within the current licence, therefore a formal amendment to the licence was not required. The event organisers asked if any agency had an objection or concern relating to the proposal. No concerns or objections were raised.

At a meeting of the NWLSAG in February the event organiser informed agencies that their plans had changed. The arena would open on Thursday providing an additional day of entertainment within the arena, however the car parks and campsites would not open until midday on Wednesday. The event organiser held a multi-agency traffic management planning meeting in March to scrutinise and develop the plans. No concerns were raised by agencies relating to traffic management at the NWSAG meeting in April.

The event organiser will be setting up a multi-agency debrief focussed on traffic management in order to fully understand the causes of the disruption to the road network this year and to take the learning forward to minimise the impact on the local road network in 2024.

COUNCIL – 20 JUNE 2023

QUESTIONS FROM COUNCILLORS

QUESTION FROM COUNCILLOR D BIGBY TO COUNCILLOR A WOODMAN

“This question is seeking clarity on the administration’s current net zero target for its council homes in light of the Council’s latest bid for Eco4 funding for uprating the heating efficiency of our housing stock appearing to have been unsuccessful. Could the portfolio holder explain where that leaves the council in terms of the following points please.

- The number of council homes that have been uprated in the last 4 years (since the council declared a climate emergency) and the number that still require uprating over the next 7 years to 2030 to meet the Council’s net zero carbon targets and the likely availability of funding between now and 2030
- is it still the aim for our council stock to achieve an overall reduction in annual carbon emissions from some 15ktCO₂e in 2016 to less than 2ktCO₂e by 2030, as set out in the adopted 2019 roadmap, or is it that all council homes reach an EPC rating of C by 2030 which now seems to be the regularly quoted metric, and, if the latter, what difference will this make to the council’s total carbon emissions by 2030 (in ktCO₂e) when compared with the original target?”

RESPONSE FROM COUNCILLOR A WOODMAN TO COUNCILLOR D BIGBY

On first glance this seems a simple question; how many homes have we improved the SAP or EPC rating on in the past 4 years?

However it is not that simple as it requires tracking all works, pre and post with a full assessment and this is then set against a moving definition of the prime measure of EPC assessment.

I can tell you how many homes have had improvement work done, but this is not the answer to the question you have asked.

In order to answer the real question, we need to conduct a thorough Stock Condition and Quality Survey. This is currently being undertaken and as we begin to receive more robust data and enter it into our new intelligent energy performance management software (Sava) a full analysis will be done and the results shared. This data will be key in developing the new Housing Asset Management Strategy which will be developed over the next year.

We are in the midst of a 3 year asset plan, and we are on track with our ambitions set out in the Zero Carbon Roadmap and graphics and data appended to the Zero Carbon Annual Report are taken from our Sava system.

The detailed answer to the second question relies on the same data from the survey above. But in summary the Council is indeed signed up to the climate emergency and has a target of becoming carbon neutral by 2030. We have a regulatory target of reaching EPC C or above on all properties by 2028; so there are two targets we are working to.

Once we have the outcome of the stock survey we can calculate the required reduction that will be achieved via the Asset Management Plan. It will then be for the council through the Asset Management Plan, the HRA business plan and budget setting to make decisions regarding the best way to reach both targets. Scrutiny, Cabinet and Council have a role to play in all these decisions and I am sure members will look forward to those debates at the appropriate time.

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ANNUAL COUNCIL – 20 JUNE 2023

MOTIONS

ALTERATION TO MOTION SUBMITTED BY COUNCILLOR J LEGRYS

1.0 PROCESS

- 1.1 A motion was submitted by Councillor J Legrys as set out on page 2 of the Council agenda.
- 1.2 In accordance with Rule 15.11 (*A member may alter a motion of which he or she has given notice with the consent of the meeting. The meeting's consent will be signified without discussion*); Councillor Legrys has altered his motion.
- 1.3 Paragraph 2 sets out the altered motion on which a decision is now sought. Additions are shown in red, and deletions are struck through.

2.0 ALTERED MOTION

"We instruct the Chief Executive to:

- prepare to commence a Community Governance Review (CGR)
 - after the completion of the current **LGBCE review of electoral arrangements**
~~District ward Boundary Review~~
 - and no later than November 2025
- **the terms of reference of the review to include**
 - **a** review the boundaries of all existing Parishes as necessary
 - **consideration of the most suitable way of representing people living in the unparished areas of** ~~create one or more Town or Parish Councils to include all the unparished areas of the following wards:~~
 - Broom Leys
 - Bardon ward
 - Castle Rock
 - Coalville East
 - Coalville West
 - Greenhill
 - Snibston North
 - Snibston South
 - Thringstone
 - to complete no later than December 2026
 - so that elections to any proposed Town or Parish Councils can be held in May 2027
- and schedule the programme for the Electoral Review Working Party accordingly."

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Title of Report	APPOINTMENTS TO COMMITTEES	
Presented by	Councillor T Gillard	
Background Papers	Appointments to Committees and Groups Report – 23 May 2023 The Council's Constitution	Public Report: Yes
Financial Implications	None have been identified.	
	Signed off by the Section 151 Officer: Yes	
Legal Implications	<p>In determining the membership of committees, account has been taken of the requirements of the Local Government (Committees and Political Groups) Regulations 1990 and 1991 made under sections 15 and 16 of the Local Government and Housing Act 1989. These Regulations require that seats on committees and sub-committees are allocated to the political groups in a way which reflects the overall balance on the Council.</p>	
	Signed off by the Monitoring Officer: Yes	
Staffing and Corporate Implications	None have been identified.	
	Signed off by the Head of Paid Service: Yes	
Purpose of Report	To make an appointment to the Planning Committee and note the creation of The Alliance for the purposes of committee seats.	
Recommendations	<p>THAT:</p> <ol style="list-style-type: none"> 1. AN APPOINTMENT BE MADE TO REPLACE COUNCILLOR S LAMBETH ON THE PLANNING COMMITTEE FOR THE REMAINDER OF THE 2023/24 CIVIC YEAR. 2. COUNCILLOR R MORRIS BE APPOINTED TO THE VACANT SUBSTITUTE POSITION ON APPOINTMENTS COMMITTEE 	

1.0 BACKGROUND

- 1.1 In accordance with the Council's Constitution Members must, at the Annual Meeting, endorse committee Terms of Reference, receive nominations of Councillors to serve on each board or committee and appoint to those boards or committees.
- 1.2 The appointments to the committees and groups for the 2023/24 civic year, taking into account the political balance requirement, were agreed at the Annual Council meeting held on 23 May 2023.

2.0 APPOINTMENT TO THE PLANNING COMMITTEE

- 2.1 Following the appointments to committees and groups, a request has been received from the Labour Group to amend the appointment to one of their entitled seats on the Planning Committee.
- 2.2 Therefore, it is recommended that Councillor C Sewell replace Councillor S Lambeth on the Planning Committee for the remainder of the 2023/24 civic year.

3.0 CREATION OF "THE ALLIANCE"

- 3.1 Following the formation of the Alliance administration, it has been agreed to form The Alliance, as a group as a next step for the purposes of proportionality and committee seats.
- 3.2 The creation of the Alliance does not affect any of the existing proportionality, but a change has been requested to Appointments committee substitutes. It is recommended that Councillor R Morris be appointed to the vacant substitute position on the Appointments Committee.

Policies and other considerations, as appropriate	
Council Priorities:	Supporting Coalville to be a more vibrant, family friendly town Support for businesses and helping people into local jobs Developing a clean and green district Local people live in high quality, affordable homes Our communities are safe, healthy and connected
Policy Considerations:	The Local Government (Committees and Political Groups) Regulations 1990 and 1991 made under sections 15 and 16 of the Local Government and Housing Act 1989.
Safeguarding:	Not applicable
Equalities/Diversity:	The process ensures that all committees have a politically balanced make up.
Customer Impact:	Not applicable
Economic and Social Impact:	Not applicable

Environment and Climate Change:	Not applicable
Consultation/Community Engagement:	Labour Group Whip
Risks:	Failure to appoint to the relevant Committees would put the Council in breach of its duties and compromise the legality and integrity of any future decisions.
Officer Contact	Elizabeth Warhurst Head of Legal and Commercial Services elizabeth.warhurst@nwleicestershire.gov.uk

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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

