

MINUTES of a meeting of the CABINET held in the Board Room, Council Offices, Coalville on TUESDAY, 23 SEPTEMBER 2014

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 J Geary, R Johnson and T Neilson

Officers: Mr S Bambrick, Mr R Bowmer, Ms C E Fisher, Mrs C Hammond and Miss E Warhurst

34. APOLOGIES FOR ABSENCE

There were no apologies received.

35. DECLARATION OF INTERESTS

Councillor R Blunt declared a Disclosable Non-Pecuniary Interest in item 10, Leicestershire Planning Obligations Policy – Response to Consultation, as the previous holder of the planning portfolio at Leicestershire County Council and Disclosable Non-Pecuniary interest in item 14, Waste Recycling Credits update, as a Member of the Cabinet at Leicestershire County Council and would leave the meeting for the consideration of these items.

Councillor N J Rushton declared a Disclosable Non-Pecuniary Interest in item 10, Leicestershire Planning Obligations Policy – Response to Consultation, and a Disclosable Non-Pecuniary interest in item 14, Waste Recycling Credits update, as the Leader of Leicestershire County Council.

During the meeting Councillor N J Rushton declared a Disclosable Non-Pecuniary Interest in item 5, North West Leicestershire Economic Growth Plan – Action Plan, as a member of the Leicester and Leicestershire Enterprise Partnership and a Disclosable Pecuniary Interest in item 12, Minutes of the Coalville Special Expenses Working Party, as the owner of the indoor market in Ashby de la Zouch and left the meeting during the update of Coalville Market, but returned to agree the minutes of the working party.

36. PUBLIC QUESTION AND ANSWER SESSION

There were no public questions received.

37. MINUTES

Consideration was given to the minutes of the meeting held on 29 July 2014.

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

RESOLVED THAT:

The minutes of the meeting held on 29 July 2014 be approved and signed by the Chairman as a correct record.

Reason for decision: To comply with the Constitution.

38. NORTH WEST LEICESTERSHIRE ECONOMIC GROWTH PLAN - ACTION PLAN

Chairman's initials

Before The Business Portfolio Holder presented the report to Members, the Chairman asked Members to take into consideration Councillor Legrys' comments and invited Councillor Neilson to speak.

Councillor Neilson addressed the Cabinet

"I welcome this movement towards what looks like a strategy for dealing with some of the more intractable challenges facing North West Leicestershire. A document setting out the districts growth priorities is long overdue, however despite the wait for it this document is, in my view, a missed opportunity.

I believe this will be reflected in the consultation responses of which one of those will be from the Labour Group.

Dealing with the process before I move on to my more general comments on the plan itself. This paper does not set out any time frame for the consultation, neither does it set out how the groups mentioned will be engaged. I believe you must ensure these issues are dealt with in your deliberation.

The second recommendation before you means that once you have consulted you as a cabinet will essentially be ignoring the results. There would be no public discussion on the consultation responses. This will not provide any confidence in the consultation process nor will it encourage buy in from the community into the plan. Therefore I believe it would be wrong for cabinet to make any decision on this until the consultation is over.

Moving on to some of my concerns relating to the subject matter in the report. Firstly I wish to say that this report highlights a lack of leadership from this executive. The North West Leicestershire Business & People group has absolutely no member involvement in it at present. This cabinet has an important place leadership role to play. A role that you seem to be avoiding completely.

As Ed said in his in his speech earlier today, we work better together, so this plan needs to be more than business and bureaucrats, it needs to include the wider community and workers right across the district.

In my never ending desire to help you make the right decisions, I have a number of questions that I am asking you to consider today.

Where is the democratic accountability in this process, where is the opportunity for local communities to play a guiding role?

When you say increase female participation what is it specifically you are trying to achieve? Why is the target for such a small increase in wage averages for Women? I believe this is an area we need to be far more ambitious.

Cllr Legrys has made a written submission that echoes my concerns about the paragraphs relating to housing growth and the Bardon Sustainable Extension. If this remains in this document the work of the local plan advisory committee could be compromised.

In addition to my earlier point on member representation I strongly believe that Trades Unions have an important role to play on the group that owns this plan. I was shocked to see that the regeneration of Coalville Town Centre is not one of the Key Priorities in the grey boxes throughout the plan document, surely this should be given greater focus?

I will reserve my remaining observations and suggestions to our response to your consultation, but I ask again that you take this opportunity to ensure that your consultation is not a waste of time and money and that you actually come back to cabinet and consider the consultation responses in public and give the sentiment behind this document the attention it deserves.”

Councillor R Blunt invited the Director of Services to respond to the issues relating to the implementation of the Plan highlighted by Councillor T Neilson.

The Director of Services stated that Councillor T Gillard would explain the public consultation in more detail and advised Members that it would be the decision of the Chief Executive and the Business Portfolio Holder as to whether or not they felt that Cabinet needed to agree any amendments to the action plan following the consultation.

Councillor T Gillard paid thanks to Councillor T Neilson and Councillor J Legrys for expressing their concerns which had been noted. He stated that the Growth Plan was a living document which would be reviewed regularly, and that it would need to reflect ongoing changes such as future targets. He highlighted that the Growth Plan brought together key employers and sectors in North West Leicestershire such as East Midlands Airport to provide opportunities for cross-sector workers and joint bidding.

At this stage Councillor N J Rushton declared a Disclosable Non-Pecuniary Interest in the item as a Board Member of the Leicester and Leicestershire Enterprise Partnership.

Councillor T Gillard went on to remind Members that Cabinet endorsed the Strategic Economic Plan and Growth Plan in March 2014, highlighting that the Plan set out growth priorities for the district and identified business targets including the potential to create 15,000 jobs, halve youth unemployment by 2019 and increase female participation. He added that the Growth Plan did not make planning decisions and that was a matter for the Planning Committee and the Council. He added that all planning judgements on applications would be made in their own right and upon their own merit. He went on to state that Cabinet should be setting their goals high, in order to improve the North West Leicestershire economy, and that the report was now in their hands to endorse. He advised that if Cabinet was to agree the plan today, a period of consultation would follow which would include a six week consultation process that would commence on 1 October 2014 and that steps would be made to publish the plan on the council’s website. Comments sought from businesses, Parish Councils and community groups would help with the implementation of the Growth Plan.

Councillor N J Rushton stated that it had been recognised at a national level that North West Leicestershire had one of the highest growth rates and that the Authority would continue to build on what had already been achieved.

Councillor T J Pendleton stated that he had heard some of the arguments before and that the Local Plan Advisory Committee would address the concerns raised by Councillor J Legrys and that he recognised all the work across the sector.

It was moved by Councillor T Gillard, seconded by Councillor R Blunt and

RESOLVED THAT:

Cabinet

1. Endorses the North West Leicestershire Growth Plan Action Plan;
2. Agrees to subject the action plan to a period of consultation;

Chairman’s initials

3. Delegates authority to the Chief Executive in consultation with the Business Portfolio Holder to make amendments to the action plan as appropriate in response to the consultation; and
4. Delegates authority to the Chief Executive in consultation with the Business Portfolio Holder to spend the local growth fund (£500k) on delivering the final Growth Plan action plan.

Reason for decision: To authorise consultation on the Growth Plan action plan

39. MEDIUM TERM FINANCIAL STRATEGY (MTFS) 2015/16 TO 2018/19

The Corporate Portfolio Holder presented the report to Members.

He advised that a four year view had been taken and it was projected that by 2018/19 the Council would need to be spending £1.4 million a year less than it was now. He stated that the Council could only spend the money it had and not spend any more. He explained that as part of continuing sound financial management over a number of years the savings target would be met through a variety of strategies including income generation, continuing efficiencies and better use of the Authority's asset portfolio.

In response to a question from the Chairman, Councillor N J Rushton advised Members that it had been assumed there would be no increase in Council Tax over the next four years.

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

RESOLVED THAT:

Cabinet approves the Medium Term Financial Strategy as outlined in this report and notes the outline timetable for the 2015/16 budget process.

Reason for decision: Requirement of the budget setting process.

40. GENERAL ENFORCEMENT POLICY

The Community Services Portfolio Holder presented the report to Members.

She stated that the Council had a statutory duty to enforce a wide range of legislation, with regulatory functions being delivered by a number of service areas across the Council. She advised Members that the adoption of an enforcement policy was essential to ensure consistency in enforcement was achieved. She highlighted, that the purpose of the Policy was to simplify the enforcement framework by revoking the Environment Directorate Enforcement Policy and that, if approved, the policy would replace the current General Enforcement Policy adopted by Executive Board in May 2006. She went on to add that the General Enforcement Policy was a generic policy covering a range of regulatory functions, but it did not deal with service specific enforcement options as these were contained within service specific enforcement policies and operational procedures. She informed Members that these specific policies were likely to need frequent amendments as legislation changed and therefore it was appropriate that their approval be delegated to the relevant Head of Service, in consultation with the Portfolio Holder, to remove the need to keep referring back to Cabinet.

Chairman's initials

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

RESOLVED THAT:

1. The content of the General Enforcement Policy be approved and adopted by the Authority
2. The Head of Service, in consultation with the Portfolio Holder be delegated authority to approve service specific enforcement policies, in line with the Councils general policy
3. The relevant Director be authorised to make minor changes to the General Enforcement Policy
4. The Environment Directorate Enforcement Policy adopted in 2006 be revoked

Reason for decision: The Council has a statutory duty to enforce a wide range of legislation, with regulatory functions being delivered by a number of service areas across the Council. The adoption of an enforcement policy is essential to ensure consistency in enforcement is achieved.

41. UPDATED AFFORDABLE WARMTH STRATEGY 2014 - 2017

The Housing Portfolio Holder presented the report to Members.

He stated that the report spoke for itself and that the Council, as landlord, had an obligation to ensure that homes were secure against all weather conditions and heated sufficiently. He reminded Cabinet that at Council he had provided Members with an update on the Green and Decent Homes Pilot Scheme. He advised that the strategy would be monitored to prevent people from falling into fuel poverty.

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

RESOLVED THAT:

Cabinet agrees the implementation of the revised Affordable Warmth Strategy

Reason for decision: This report is provided for Members to inform them of Affordable Warmth and Fuel Poverty nationally and how this affects North West Leicestershire.

42. REFUSE WASTE TRANSFER FACILITY (COALVILLE)

The Community Services Portfolio Holder presented the report to Members.

She stated that in November 2013, Cabinet approved the principle of working with Leicestershire County Council to build a refuse waste transfer facility at the Authority's Linden Way Depot site. She highlighted several benefits for both Authorities that included the opportunity for cost savings for the District Council in terms of travel time, fuel, vehicle wear and tear, and a reduction in carbon footprint for the waste collection and disposal services within Leicestershire helping to reduce both Authorities' greenhouse gas emissions and supporting the corporate priority, Green Footprints Challenge. She informed Cabinet that the District had not been asked to contribute to the capital costs of the building as they would be met by LCC and that revenues would be shared between the two Authorities. She also informed Cabinet that she had recently visited the new

Chairman's initials

Loughborough Waste Transfer Station alongside Ward Members, where they were able to raise a number of concerns and questions relating to odour management, vehicle movements and noise from operating loading vehicles, and that they were all satisfied with the responses they received.

She informed Members that the site would be considered by the County Council Planning Committee in October/ November this year and that, if approved, it was hoped that construction would begin early next year with a completion date of May 2015. She highlighted that the scheme was a good example of how different public sectors could work together in order to make savings.

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

RESOLVED THAT:

Cabinet:

1. Approves the development of a Refuse Waste Transfer Facility for Coalville at the Linden Way Depot; and
2. Delegates authority to the Director of Services in consultation with the Portfolio Holder for agreeing terms and entering into a Memorandum of Understanding, lease and service level agreement with Leicestershire County Council based on the key principles document at appendix 3.

Reason for decision: To ensure efficient use of public sector resources through seeking approval to proceed with a joint project to construct a Refuse Waste Transfer Station at Coalville.

43. LEICESTERSHIRE PLANNING OBLIGATIONS POLICY - RESPONSE TO CONSULTATION

Having declared a Disclosable Non-Pecuniary Interest in item 10, Councillor R Blunt left the meeting and Councillor A V Smith took the chair for the item.

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

He advised Members that the County Council had published its draft policy, however as the consultation period had finished before Cabinet was able to consider the document, the Authority had submitted its comments. He informed Members that the County Council had been informed that the comments were subject to confirmation by Cabinet.

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

RESOLVED THAT:

Cabinet agrees the Council's response to the Leicestershire County Council's Planning Obligations Policy as set out at appendix A of this report.

Reason for decision: To agree the Council's position

Councillor R Blunt returned to the meeting and the chair.

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

Chairman's initials

The Corporate Portfolio Holder presented the report to Members.

He informed Cabinet that there were no debts over £10,000 to be written off on this occasion for former or current tenant rent arrears. He stated that the report also sets out the Council's recovery procedures and policies and emphasised that debts were only written off as a very last resort. He explained to Members that bench marking information for the collection of Council Tax and NNDR was provided in paragraph 7. He added that one of the recommendations of the recent independent review of the partnership was that its performance should be benchmarked with other service providers, and that once this information was available it would be included in future write-off reports.

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

RESOLVED THAT:

1. Cabinet approves the write offs over £10,000 detailed in this report.
2. Cabinet notes the amounts written off under delegated powers.

Reason for decision: To comply with proper accounting practices

45. MINUTES OF THE COALVILLE SPECIAL EXPENSES WORKING PARTY

The Community Services Portfolio Holder presented the report to Members.

She paid thanks to the Coalville Special Expenses Working Party for all of their hard work and she updated Members on some of the projects that had benefited from the Coalville Special Expenses Fund. She advised Members that the improvements to the BMX track at Cropston Drive had now been completed and that the next stage was the wheeled sports facility, and that many positive comments had been received about the Picnic in the Park event. She informed Members that attention had now moved onto the Christmas events and that the Members of the Working Party had felt that the reserves would be better spent on increasing the footfall around the market, than Christmas lighting and stated that she was happy to support this, along with the possibility of taking over the grounds maintenance functions of grass verges.

At this stage Councillor N J Rushton declared a Disclosable Pecuniary Interest in the item, as the owner of the indoor market in Ashby de la Zouch and left the meeting.

Councillor T Gillard expressed his support for continued investment in the Coalville Indoor Market and noted that the entrance to the Market had recently been significantly improved and that he was happy to report to Cabinet that since the last meeting four new traders had taken stalls within the Market and that along with the ongoing investment, hoped that footfall would continue to increase.

Councillor N J Rushton returned to the meeting.

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

RESOLVED THAT:

Cabinet notes the recommendations made by the Coalville Special Expenses Working Party as detailed within the minutes and approves the recommendations as summarised at 3.0

Chairman's initials

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

Having declared a Disclosable Non-Pecuniary Interest in item 14, Councillor R Blunt left the meeting and Councillor A V Smith took the chair for the remainder of the meeting.

46. EXCLUSION OF PRESS AND PUBLIC

By affirmation of the meeting it was

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.

47. WASTE RECYCLING CREDITS UPDATE

The Community Services Portfolio Holder presented the report to Members.

She advised Members that after the last meeting the Authority wrote to Leicestershire County Council seeking clarity on the proposals and the timeline for the process, and how they intended to consult on the proposed arrangements with the District and Borough Council Partners. She informed Members that the response that had been received was a generic one and did not answer the questions asked, and that since the publication of the agenda a further letter had been received requesting information by 19 September, which had not been possible to do. She asked Members to agree that a further letter be sent to request the clarification that had been requested previously.

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

RESOLVED THAT:

Cabinet

1. Notes the report and actions taken since the last Cabinet meeting.
2. Agrees to send a further letter to LCC seeking clarification on the timeline and process to be followed for 2014/15 and 2015/16 onwards
3. Notes the implications for the District Council's Medium Term Financial Strategy (MTFS) also on the Cabinet Agenda.

Reason for decision: For Cabinet to note the financial impact of the potential withdrawal of recycling credits from 15/16 onwards.

The meeting commenced at 5.00 pm

The Chairman closed the meeting at 5.45 pm

Chairman's signature