

MINUTES of a meeting of the COUNCIL held in the Council Chamber, Council Offices, Coalville on TUESDAY, 15 MAY 2018

Present: Councillor V Richichi (Chairman)

Councillors 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, F Fenning, J Geary, S Gillard, T Gillard, L Goacher, D Harrison, G Houlton, J Houlton, R Johnson, G Jones, 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 and M B Wyatt

Officers: Mr J Arnold, Mrs T Bingham, Mr G Jones, Mrs M Long, Mrs M Meredith, Mrs B Smith and Miss E Warhurst

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors R Adams, T Eynon, J Legrys and D J Stevenson.

2. DECLARATION OF INTERESTS

Councillor S Sheahan declared a non-pecuniary interest in item 16, Appointment of representatives on community bodies, having been appointed to the New Albion Revised Liaison Committee and Redbank Manufacturing Liaison Committee as a member of Leicestershire County Council.

Councillor J Bridges sought advice and subsequently declared a pecuniary interest in item 14 – Recommendations of the Independent Remuneration Panel, being nominated for the position of Chairman of the Local Plan Committee.

3. APPOINTMENT OF CHAIRMAN

Councillor V Richichi said a few words regarding his year as Chairman, expressing his pride to have served the Council over the past year. He hoped he had not let anyone down in his attempts to promote the Council. He thanked members for their gracious attitude towards him as Chairman and the officers who had guided him during the past year, in particular the Chairman's Support Officer. He stated that he believed the Council had moved forward over the past year and commented on the importance of working as a team.

Councillor V Richichi presented his Consort with a bouquet of flowers as a small token of his thanks for her support and assistance over the past year.

Councillor R Blunt stated that Councillor V Richichi had set an example and had been a credit to himself and the Council during his year as Chairman

Councillor S Sheahan commented that Councillor V Richichi had always had something of an independent outlook as a Councillor and had never been afraid to speak his mind. He thanked him for his service in the past year.

Councillor A C Saffell reiterated the comments made and added that he regarded Councillor V Richichi as a personal friend.

Nominations were then sought for the Chairman for the ensuing municipal year.

It was moved by Councillor R Blunt that Councillor J Clarke be appointed as Chairman of the Council for 2018/19.

Chairman's initials

The motion was seconded by Councillor A V Smith.

Upon being put to the vote it was

RESOLVED THAT:

Councillor J Clarke be appointed Chairman of the Council for 2018/19.

Councillor J Clarke then took the Chair and the retiring Chairman invested him with the Chain of Office. The Chairman signed the Declaration of Acceptance of Office.

The Chairman invested his Consort with her Chain of Office.

The Chairman presented Councillor V Richichi with his past Chairman's badge and proposed a vote of thanks to the retiring Chairman.

4. APPOINTMENT OF DEPUTY CHAIRMAN

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

RESOLVED THAT:

Councillor M Specht be appointed as Deputy Chairman of the Council for 2018/19.

Councillor M Specht stated that he was very pleased and honoured to be appointed as Deputy Chairman of the Council for a second time and he hoped to serve to the best of his capabilities.

5. APPOINTMENT OF LEADER

It was moved by Councillor T Gillard, seconded by Councillor K Merrie and

RESOLVED THAT:

Councillor R Blunt be appointed as the Leader of the Council for 2018/19.

Councillor R Blunt thanked members for electing him as Leader of the Council and added that he considered this to be an incredible honour. He highlighted that there was a huge amount of growth in the area and a huge amount of challenges.

6. CHAIRMAN'S ANNOUNCEMENTS

The Chairman recounted an event from his childhood involving the Chairman of the Council. He made reference to the three centenary celebrations this year, namely the end of the First World War, women being given the right to vote and the creation of the Royal Air Force. He hoped that there would be an end to war and inequality before the passing of another 100 years. He stated that it was important as Chairman of the Council to be seen as apolitical and to act apolitically and he would endeavour to do so.

The Chairman announced that his chosen charities for the coming year were the Alzheimer's Society and Hospice Hope.

7. LEADER'S AND PORTFOLIO HOLDERS' ANNOUNCEMENTS

The Leader of the Council, Councillor R Blunt announced the appointments and delegations of executive functions for the forthcoming municipal year as follows:

Deputy Leader and Community Services Portfolio Holder - Councillor Alison Smith

Housing Portfolio Holder - Councillor Roger Bayliss

Regeneration and Planning Portfolio Holder - Councillor Trevor Pendleton

Corporate Portfolio Holder - Councillor Nick Rushton

Business Portfolio Holder - Councillor Tony Gillard

As in previous years the Executive responsibilities were to be delegated to the Cabinet to take decisions collectively.

Councillor R Blunt wished to put on record his thanks to the Cabinet for their work.

Councillor R Blunt announced that work was progressing well on the Ashby Cultural Quarter and initial interviews were about to be held for the public art installation. The Council was also working closely with prospective operators for the new leisure facilities.

Councillor R Blunt provided an update on the former bus depot and reported that following a meeting last week a licence had been granted to enable building contractors to access the site and all parties were now in agreement regarding the access and repair works. The contractor was now aiming to commence on site in late June with an estimated completion date of late 2018. Councillor R Blunt stated that the Council would watch progress closely as the site could not be allowed to remain in its current state.

Councillor R Blunt was pleased to announce that the planning application at the Snibston site was approved last week. The proposals would improve the whole area and provide 144 new homes which would bring more people to live in the town centre. He highlighted the importance of the relationship with Leicestershire County Council on this project.

Councillor S Sheahan congratulated the Leader on his appointment and announced the Shadow Cabinet as follows:

Leader and Business Portfolio – Councillor S Sheahan

Deputy Leader – Councillor N Clarke

Housing – Councillor R Adams

Regeneration and Planning – Councillor J Legrys

Corporate – Councillor F Fenning

Coalville Project lead – Councillor J Geary

Councillor S Sheahan stated that the situation regarding the bus depot was disappointing and he would be keenly watching progress.

Councillor A V Smith announced that the outdoor pool in Ashby de la Zouch would be opening on 26 May. She explained that unfortunately this date could not be brought forward any earlier due to the works needed as a result of the winter weather and due to

the need to recruit additional staff. She advised that the pool would open at 9am for a public swim and admission on the opening day cost £1. A new speaker had also been installed to enhance the music around the pool area.

Councillor A V Smith provided an update on the North Street car park. She reported that contractors were still on site and as such, the opening date could not be confirmed, but was imminent.

8. QUESTION AND ANSWER SESSION

There were no questions received.

9. QUESTIONS FROM COUNCILLORS

Councillor R Johnson put the following question to Councillor T J Pendleton on behalf of Councillor T Eynon:

“How does this Council manage its relationship with community heritage societies to inform effective, appropriate, acceptable conservation and urban design?

How could this relationship be improved?”

Councillor T J Pendleton gave the following response:

“The Council manages its relationship with community heritage societies in a number of ways to ensure effective and appropriate conservation and urban design. I have set out the current arrangements for our engagement below which illustrates the breadth of the Council’s joint working with community heritage societies.

Statement of Community Involvement

North West Leicestershire District Council has a Statement of Community Involvement (SCI) which sets out how we involve and engage with the local community, businesses and key organisations in preparing Local Plan documents, other planning policy document and processing planning applications.

The SCI is a requirement on Local Planning Authorities to ensure that in making decisions as part of plan making and the planning application process the outcome of engagement will be taken into account alongside all other material considerations. Examples of engagement with our community heritage societies:

- **Planning applications – Snibston Colliery Site**

The permission for the former colliery site and Scheduled Ancient Monument was approved last week at our Planning Committee. The process for engaging with community heritage societies including Coalville Heritage Society followed our Statement of Community involvement and the Heritage Society had been consulted and supported the application.

- **List of Local Heritage Assets**

We have invited nine local history societies and museums to submit nominations for our ‘list of local heritage assets’:

- Charley Heritage Group;
- Coalville Heritage Society;
- Coleorton Heritage Group;
- Diseworth LHS;
- Friends of Thringstone;
- Ibstock Historical Society;
- Long Whatton LHS;

- Newbold Heritage Group;
- Whitwick Historical Group.

The proposed list will be considered by the Council's Local Plan Committee before further consultation and engagement with our heritage societies.

- **Review of Conservation Areas**

The Council has consulted and engaged with three local history societies and museums through our recent review of conservation areas and positive contributions have been received from Ibstock Historical Society; Kegworth Museum and Measham Museum.

- **Local Plan**

Consultation is undertaken at various stages throughout the preparation of the Local Plan in accordance with the SCI. A database of contacts is maintained, including community groups.

Engagement in Council Projects

The Council has set out within its Delivery Plan the priority to build confidence in Coalville and a number of projects are underway. Two projects illustrate the active engagement with community heritage societies:

- Heritage Strategy - the production of a heritage strategy for the Coalville area is in progress working with consultants Stuart Warburton and Professor Graham Black. Council funding has been allocated to support this and engagement with the Heritage Lottery Fund which is currently refreshing its funding framework and the Council will be working to support community bids as it moves forward.
- Memorial Clock Tower – work will commence in May on the repair to the tower. Coalville Heritage Society have been working with the Council on the delivery and recognition of external heritage funding and developing a programme of community engagement and learning activities.

Cultural Services – “Heritage Network”

Our Cultural Services team organises regular “heritage network” meetings at Ashby Museum and Diseworth Heritage Centre. The Network is supported by over 20 districtwide heritage and museum groups.

Hello Heritage – 1 to 16 September 2018

Hello Heritage is a celebration of heritage venues and activities across North West Leicestershire for a fortnight from Saturday 1 September to 16 September. The event will engage with heritage and historical organisations who will offer free heritage experiences to local people and visitors. The 2018 event is building on the successful pilot scheme in 2017 seeing partnership working with South Derbyshire District Council.

“How could this relationship be improved?”

I consider the relationships with our community heritage societies are strong as illustrated above and the Council has continued to put resources into engagement and building relationships, for example the work of our Cultural Services goes much further than many Councils are able to support. However, there will always be opportunities to improve. In this respect our SCI is to be the subject of a review, which will include not only looking at how it can be amended to improve engagement, but also who needs to be included as consultees in the future. I would welcome comments from any of our community groups on how this could be achieved”.

As a supplementary question, Councillor R Johnson commented that Hugglescote Heritage Society had been omitted from the list as well as the heritage assets within Hugglescote. He requested that they be included in the list.

Councillor T J Pendleton responded that he believed all the heritage assets referred to had been included, however he apologised for the omission of the heritage society from the list.

10. MOTIONS

Councillor S Sheahan moved the following motion:

“That this Council adopts the following Construction Charter:

As a Local Authority we are responsible for the procurement of a multitude of construction projects. It is therefore appropriate that we as a responsible client enter into this agreement and commit to working with the appropriate trade unions, in order to achieve the highest standards in respect of; direct employment status, health & Safety, standard of work, apprenticeship training and the implementation of appropriate nationally agreed terms and conditions of employment. The following shall be a requirement for all contractors and their supply chain engaged by this Authority: -

1. All parties recognise that the highest level of compliance with current HMRC regulations must be achieved where public funds are utilised. It is therefore a contractual requirement that all operatives are directly employed on a PA YE basis under a contract of employment. Furthermore the use of intermediary pay roll company will be prohibited on all contracts.
2. Health and Safety of workers on all of our construction projects is paramount. It is therefore a requirement that all contractors rigorously implement and adhere to our minimum standards for health and safety, as set out in our procurement documents. In addition we require all contractors to provide quality welfare facilities fit for purpose in accordance with the Construction Design and Management Regulation of 2015.
3. It is a recognised fact that the presence of trade union safety representatives significantly improves safety in the workplace. Contractors and their supply chain are required to work collaboratively with the appropriate trade unions to identify and implement reasonable real-world initiatives.
4. The Authority requires all projects to be completed to the highest standard, so as to meet the aspirations of the residents of this Authority. In order to achieve this it is recognised that it is necessary that all workers are competent and have the appropriate level of skill to carry out the work they are employed to do. To assist in the achievement of this goal the Authority's contractors and their supply chain will ensure they retain documented evidence that all workers are competent to carry out the work they have been employed to do. They will ensure that such evidence is retained in a way as to allow the Authority or its nominee's to audit the documentation. Possession of the recognised industry skills / grade card such as JIB or CSCS will be considered acceptable evidence
5. The Authority is mindful of the industry skills shortage and the need to address this through appropriate apprenticeships, including adult training in up skilling. The Authority's contractors and supply chain will in consultation with the Authority and other interested parties develop and implement a programme that addresses the skills shortage and provides training opportunities to local residents.
6. The Authority recognises the right of all construction workers to be employed under and to be protected by the appropriate national industry collective agreement. The Authority requires full compliance with all appropriate national agreements applicable to the construction industry.

Chairman's initials

7. All contractors and their supply chain will accept the right of any trade union that is a signatory to an appropriate national agreement, to appoint shop stewards, workplace health & safety representatives and Union Learning Reps. All trade union accredited representatives will be granted appropriate time and facilities to carry out their responsibilities.
8. The Authority, its contractors and their supply chain are committed to a fair and transparent recruitment policy. All contractors and their supply chain will actively ensure that the engagement of labour is based on the individual's ability to meet the needs of the project and the specific tasks for which they are recruited to undertake.
9. The Authority its contractors and their supply chain agree it's not acceptable for anyone to use or make reference to any form of blacklist.
10. The Authority recognises the benefit trade unions bring to the workplace and the rights of workers to hear from trade union representative. The Authority's contractors and their supply chain are required to allow access to nominated trade union officer from trade unions that are signatories to the appropriate national agreements. Access shall mean access to welfare facilities during working times so as to allow them to consult with their members and potential members.
11. The Authority supports the Get Britain Building campaign, which is aimed at supporting and sustaining the British construction industry. Consequently, all relevant construction contracts will be required to comply with our Authority's Sustainable Buying Standard for Highways and Construction Materials, which requires structural steel and other relevant materials to be covered by BES 6001 Responsible Sourcing of Construction Product certification, or equivalent".

Councillor S Sheahan spoke to the motion and referred to the proposed amendment which had now been withdrawn. He requested an explanation for this and commented that it was regrettable that the administration would not support the motion.

Councillor N Clarke seconded the motion and reserved his comments.

Councillor K Merrie thanked Councillor S Sheahan for raising this issue. He spoke about his passion for health and safety and his own working experience. He commented that although the charter had good intentions, it placed an absolute duty on the Council and took a scattergun approach to trade union political issues. He added that the proposals would place a heavy financial burden upon the Council, there was no cost benefit analysis and no self-regulation.

Councillor R D Bayliss acknowledged that an amendment to the motion had been under discussion, however the spirit of the motion seemed to be implying some shortcoming in the council's attitude and approach to the workforce. He stated that the council already abided by the regulations and a resolution was not needed to continue doing so. He advised that operatives were being cross-trained and the council currently employed four trade apprentices, fulfilling its obligations. He added that the administration depended upon co-operation from the Trade Unions and the removal of the 9-day fortnight had been negotiated and replaced with flexible working for the benefit of operatives and tenants. He invited members to turn down the motion for the reasons described.

Councillor N Clarke expressed disappointment that the administration would not be supporting the motion. He added that the role of Trade Unionists was to improve conditions for staff.

Councillor S Sheahan exercised his right of reply and commented that the administration was too much on the side of the businessman rather than the worker. He expressed disappointment that the motion was not supported.

The Chairman then put the motion to the vote and it was declared LOST.

11. PETITIONS

No petitions were received.

12. MINUTES

Consideration was given to the minutes of the meeting held on 20 March 2018.

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

RESOLVED THAT:

The minutes of the meeting held on 20 March 2018 be approved and signed by the Chairman as a correct record.

13. OUTCOME OF PLANNING PEER CHALLENGE - UPDATE AND CONSTITUTIONAL CHANGES

Councillor T J Pendleton presented the report to members, providing an update on the progress made to implement the recommendations of the peer review. He referred to the constitutional changes, the establishment of the Local Plan Committee, the changes to the call-in arrangements and planning committee procedures, all of which had been discussed and agreed through the cross-party working group which was chaired and supported by the Planning Advisory Service. He added that discussions at the working group had been positive and fruitful and the recommendations in the report represented cross-party consensus. He commended the working party for the progress made so far. He highlighted the proposed constitutional and other changes set out in the report and referred members to the amendments in the update sheet which reflected the views of the Independent Remuneration Panel that the Chairman of the Local Plan Committee and the Planning Committee should not be the same person to avoid a conflict of interest. He stated that the Local Plan Committee was likely to evolve and Council would receive a progress report in 12 months. He moved the recommendations set out in the report.

The motion was seconded by Councillor J Bridges who reserved his comments.

Councillor N Smith emphasised the importance of providing the best possible planning service to the district and of being seen to be completely transparent. He thanked the members of the working group and the Chief Executive and Leader for instigating the review.

Councillor J Geary felt it was fair to say that over the last few months, planning had failed to deliver the excellent service members hoped for. He added that behaviour and relationships required urgent attention and the general consensus of members of the public was that the Planning Committee was not fit for purpose. He felt however that the peer challenge would go a long way towards addressing these problems. He added that he was fortunate enough to have been offered a seat on the working group and with the positive input and from the Planning Advisory Service and the good will of officers, rapid progress was being made. He expressed concerns regarding the proposals to prevent affected ward members from sitting on the committee and questioned how he could champion a case on behalf of residents being unable to enter into the debate and vote on

the matter. However he thanked members and officers for their joint working on these issues.

Councillor S Sheahan stated that he was pleased the planning system was being reformed. He welcomed the proposals to extend the call-in process and the progress made so far.

Councillor D Everitt expressed his opposition to the proposals, in particular the prevention of ward members from participating in the debate. He stated that he had noticed the law becoming more controlling and the will of the people becoming more diminished. He felt that the planning system worked for the establishment and not for the people, and the peer review would not make much difference to this.

Councillor A C Saffell commented on the excellent co-operation at the working group meetings. He reminded members that the intention was that ward members would have a much bigger involvement throughout the planning process and at a very early stage.

Councillor R Ashman echoed the comments made as a member of the working group and thanked Jack Hopkins for his time and good guidance. He advised that the working group had agreed that the changes made would be under constant review.

Councillor J Bridges stated that he agreed with most of the comments made and emphasised the importance of working together and taking action early on in the process.

Councillor T J Pendleton referred to the issue of public perception relating to the involvement of ward members in the planning process. He advised members that they would be notified at an early stage that there was an application in their ward and would be given an opportunity to discuss the proposals. He added that the time period for calling in applications was being extended to 28 days and ward members would be able to address the meeting for up to 5 minutes. He explained that advice had been sought from the Planning Advisory Service on best practice drawing on their experience across the country.

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

RESOLVED THAT:

- a) The Local Plan Committee be established on the terms set out in paragraph 3 and Appendix 3.
- b) The working group's proposals in respect of call-in to Planning Committee as set out in paragraph 4 be approved.
- c) The working group's proposals in respect of Planning Committee procedures as set out in paragraph 5 be approved.
- d) The proposals to reform the Planning Committee procedures as set out in paragraph 2 be noted.
- e) The progress made against the action plan be noted.
- f) The Monitoring Officer be authorised to make any consequential changes to the Constitution arising from this report.

14. RECOMMENDATIONS OF THE INDEPENDENT REMUNERATION PANEL - LOCAL PLAN COMMITTEE CHAIR ALLOWANCE

Having declared a pecuniary interest, Councillor J Bridges left the meeting during consideration of this item and took no part in the discussion or voting thereon.

Councillor N J Rushton presented the report to members, acknowledging the ongoing work of the Independent Remuneration Panel.

It was moved by Councillor N J Rushton, seconded by Councillor T Gillard and

RESOLVED THAT:

- a) The ongoing work of the Independent Remuneration Panel be acknowledged;
- b) An allowance be paid to the Chair of the Local Plan Committee at the same rate as the Chair's allowance for other committees;
- c) The Chair of the Local Plan Committee and the Chair of the Planning Committee should not be the same person;
- d) The allowance be payable from the commencement of the 2018/19 civic year.

Councillor J Bridges returned to the meeting.

15. APPOINTMENT OF COMMITTEES AND GROUPS, ELECTION OF CHAIRMEN AND DEPUTY CHAIRMEN

The Chairman referred members to the nominations as set out in the additional papers.

It was moved by Councillor T Gillard, seconded by Councillor N J Rushton and

RESOLVED THAT:

- a) The appointments to the Committees and Groups as set out in the additional papers be agreed.
- b) The Chairmen and Deputy Chairmen of the Committees and Groups as set out in the additional papers be agreed.

16. APPOINTMENT OF REPRESENTATIVES ON COMMUNITY BODIES

The Chairman referred members to the nominations as set out in the additional papers.

It was moved by Councillor T Gillard, seconded by Councillor N J Rushton and

RESOLVED THAT:

Representatives be appointed to serve on the community bodies as set out in the additional papers.

17. SCHEDULE OF MEETINGS 2018/19

It was moved by Councillor J Clarke, seconded by Councillor N J Rushton and

RESOLVED THAT:

The schedule of meetings for 2018/19 as set out in the additional papers be approved.

18. MEMBER CONDUCT ANNUAL REPORT 2017-18

Councillor N J Rushton presented the report to members, thanking the Committee for their good work.

Councillor J Cotterill spoke to the report as Chairman of the Audit and Governance Committee, highlighting the low number of complaints in the previous year and the number which had been informally resolved by the Monitoring Officer.

It was moved by Councillor N J Rushton, seconded by Councillor J Cotterill and

RESOLVED THAT:

The member conduct annual report 2017-18 be received and endorsed.

The meeting commenced at 6.30 pm

The Chairman closed the meeting at 7.54 pm