

MINUTES of a meeting of the COUNCIL held in the Council Chamber, Council Offices, Coalville on TUESDAY, 25 MARCH 2014

Present: Councillor G Jones (Chairman)

Councillors R Adams, R D Bayliss, R Blunt, A Bridges, J Bridges, N Clarke, P Clayfield, J Cotterill, J G Coxon, D De Lacy, D Everitt, T Gillard, R Holland, J Hout, D Howe, P Hyde, R Johnson, C Large, J Legrys, T Neilson, T J Pendleton, V Richichi, J Ruff, N J Rushton, A C Saffell, S Sheahan, N Smith, A V Smith MBE, M Specht, D J Stevenson, R Woodward and M B Wyatt

Officers: Mr S Bambrick, Ms C E Fisher, Mrs M Meredith, Mr P Padaniya, Mrs M Phillips and Miss E Warhurst

81. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors G A Allman, J Geary, L Massey, C Meynell and L Spence.

Councillor D J Stevenson requested that a letter be sent from the Council to Councillor G A Allman sending best wishes from all Members.

82. DECLARATION OF INTERESTS

There were no interests declared.

83. CHAIRMAN'S ANNOUNCEMENTS

The Chairman made the following announcements:

- The Civic Service had taken place at St. Helen's Church in Ashby de la Zouch on Sunday, 16 March and had been very well attended.

- The Civic dinner and Green Footprints awards would take place on Friday, 4 April.

- The Chairman thanked all Members who had attended the tree planting event at the Jubilee Woods on Friday, 14 March to mark the fortieth anniversary of the Council.

84. LEADER'S AND PORTFOLIO HOLDERS' ANNOUNCEMENTS

Councillor A V Smith announced that following development by a task and finish group and consideration at Policy Development Group, the measures to be contained in the Armed Forces Community Covenant had been agreed. She reported that the covenant would be signed on Friday, 2 May by the Leader of the Council, Andrew Bridgen MP, the Chief Executive of the Council, Lt Col. David Dawber representing the Armed Forces and David Atterbury as County Chairman of the Royal British Legion Groups. She added that by signing the covenant the Council were making a public statement and commitment to working with the armed forces community in North West Leicestershire, which was supported by all.

Councillor A V Smith advised that in her role as the Council's Armed Forces Champion,
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she had been made aware that this year's Normandy Veterans service was unfortunately to be the last one organized by the Normandy Veterans Association due to the age of the veterans. She urged all members to support this last service which would take place on Saturday, 31 May at Holy Rood Church in Packington. She asked all Members to let her know if they were able to attend.

Councillor R D Bayliss gave an update on the Green and Decent Homes project, which invited tenants to participate in a trial of alternative energy forms to identify the most suitable types of technology for the Council's housing stock. He reported that nearly 60 families had expressed an interest in participating, and after reviewing all applicants, this had been reduced to 12 properties. He added that the Energy Trust had recommended the following technologies:

Solar thermal heating (4 properties).
 Solar photovoltaic system (3 properties).
 Air source heat pumps (2 properties).
 Hybrid air source heat pump and gas system (1 property).
 Biomass system (1 property).
 Ground source heat pump (1 property).

Councillor R D Bayliss explained that all participating tenants had agreed to allow the Council to monitor the technologies for 12 months. Smart meters and similar monitoring equipment would be installed to keep track of monthly fuel usage. He stated that work would hopefully start in April / May 2014. He thanked everyone who had taken part in the project.

Councillor R D Bayliss reiterated that he had promised to keep Members informed on progress in respect of the loophole regarding the under-occupancy charge. He referred to information from the Revenues and Benefits partnership which had been received today and summarised the actions taken as follows:

- System reports were produced for North West Leicestershire which identified 288 people from the electronic records available. This list of 288 people included Council tenants and Housing Association tenants affected by the under-occupancy changes, who appeared to meet the main criteria for the exemption.
- A letter was drafted and approved and was loaded onto the Document Management System on 26 February 2014.
- The Partnership's Welfare Reform Officers went through the list of 288 people, filtering each case and checking against the Council Tax records to see if they had moved since 1 April 2006.
- The list of 288 people was cross-referenced against the lists also provided by the Housing department and East Midlands Housing to ensure that all those possibly affected were checked.
- Anyone who had moved was not written to as it was clear that they would not be eligible for the exemption.
- Once the list had been filtered, and those who had moved were removed from the list, the number of claimants potentially affected was reduced to 168. 168 letters were issued between 27 February 2014 and 5 March 2014.
- 33 applications have subsequently been received. 19 have been completed and 14 are currently new or in progress pending an investigation of the paper files.

- Of the 19 completed applications, 9 were successful and these claimants have been issued with a revised award letter. 8 of these were Council Tenants and for these cases the resulting credit has gone to their rent account. The Housing department will determine if a refund direct to the tenant is appropriate. 2 of these cases received a Discretionary Housing Payment, which, following DWP guidance, will not be recovered from the tenant.
- Of the 10 unsuccessful cases, the reasons for refusal varied. The reasons included:
 1. They moved in or out after 1996,
 2. There was an ineligible break in the claim,
 3. Housing benefit was first claimed or commenced after January 1996.
- Each unsuccessful claimant has been sent a refusal letter explaining the reason for the refusal and advising them of their appeal rights.
- In most cases, the reasons for refusal were obvious from the information written on the declaration form or from the summary notes contained within each paper file.

Councillor R D Bayliss agreed to provide Councillor D De Lacy with a copy of the information he had received.

Councillor S Sheahan stated that when considering green energy it was important to look at fuel poverty and combating rising fuel prices. In respect of the under-occupation charge he added that it was important to bear in mind that this reinforced that it was unfair and had not been thought through, as the Labour Group had said all along. He added that he would be keeping a close eye on this issue as it was important to ensure that people were not being overcharged.

Councillor D De Lacy thanked Councillor R D Bayliss for the report and added that he looked forward to reading it in detail. He expressed concern regarding the content and complexity of the letter which had been sent to tenants. He referred to a demonstration which had recently taken place at Stephenson College which he had found fascinating. He urged any Members who were interested in finding out more about green energy to visit the college.

Councillor T J Pendleton reported that he had presented the Respect Awards last week at the Radisson Blu hotel. He announced with great pleasure that the Council's Community Safety Team Leader, Sarah Favell, had become the first civilian to receive a Superintendent commendation from Leicestershire Police for her partnership work in tackling anti-social behaviour in the District. He explained that the commendation was awarded for the innovative approach which had brought together partners and council departments to work together and share information to improve customer satisfaction with the way anti-social behaviour was tackled.

Councillor T Neilson congratulated Sarah Favell on her award. He stated that he had seen the effect of her work on the levels of crime and anti-social behaviour in Measham. He thanked her for her work in contributing to the safety of all.

85. QUESTION AND ANSWER SESSION

No questions were received.

86. QUESTIONS FROM COUNCILLORS

No questions were received.

87. PETITIONS

No petitions were received.

88. MINUTES

Consideration was given to the minutes of the meeting held on 25 February 2014.

Councillor T Gillard stated that at the last meeting he had indicated that he would give an update on Formula E. However as 3 announcements had already been made, he intended to provide a written update to all Members.

It was moved by Councillor G Jones, seconded by Councillor D J Stevenson and

RESOLVED THAT:

The minutes of the meeting held on 25 February 2014 be approved and signed by the Chairman as a correct record.

89. ADDITIONAL COSTS OF THE DECENT HOMES IMPROVEMENT PROGRAMME 2014/15

Councillor R D Bayliss presented the report to Members, drawing their attention to the report to Cabinet attached as Appendix 1 which highlighted the results of the 100% condition survey of the housing stock and the costs associated with the additional work required. He referred to the call-in of the item following the Cabinet meeting and advised that Policy Development Group had resolved that no further action be taken.

Councillor S Sheahan stated that he would be supporting the recommendations, however he felt there were some important lessons to be learned. He added that this was not a case of tax and spend, but rather spend and bend the rules as was demonstrated by the fact that the prudential indicators and the Housing Revenue Account budget were being revised so soon after being agreed. He stated that tighter control on spending was necessary, as well as more accurate surveys and better budgetary planning.

Councillor P Hyde referred to the use of windfall income and sought clarification on how a windfall could be predicted for 2014/15.

Councillor N J Rushton stated that he was proud of what had been achieved and felt that residents would agree at the next election. He referred to the funding provided by the Coalition Government to deliver improvements to the worst housing stock in the country and added that in four years all of the Council's housing stock would have been renovated with no exception. He stated that he was proud of what the officers had delivered.

In response to Councillor S Sheahan, Councillor R D Bayliss stated that the impact on the business strategy was unknown. He explained however that the accumulation of current balances in the Housing Revenue Account budget would be offset against the maturation of loans in 9 years, which was why the additional funding could be safely drawn down to support the programme. He added that if additional borrowing was subsequently required, this could be accommodated as there was considerable financial headroom due to careful estimating. He stated that the housing condition surveys were accurate and explained that data had been extrapolated from a survey of a percentage of the Council's housing stock. In the final year of the programme, all remaining properties were surveyed and this had identified the additional work required. He stated that he felt confident in the standard of the surveys. He thanked Councillor S Sheahan for expediting the call-in process, and the Chief Executive for facilitating the urgent item to Policy Development Group, which enabled the report to be considered at this meeting of the Council. He also thanked Policy Development Group for their effective review of the issue. He urged

Members to keep their promises to tenants and ensure that all properties could be made decent.

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

RESOLVED THAT:

- a) The projected increase in costs associated with completing the 2014/15 Decent Homes Programme of Improvements as detailed in the report to Cabinet attached as Appendix 1 be noted.
- b) Council considers the report to Cabinet and the associated recommendation from Cabinet in relation to funding the required works and approves the revised 2014/15 Housing Capital Programme and HRA Budget as detailed in Appendix 2 and 3 of this report to fund this increase in costs, and the amended Prudential Indicators detailed in Appendix 4.
- c) Council agrees to receive a further report at its meeting on 1 July 2014 regarding the funding options to complete decent homes improvements to the additional non decent properties recently identified.

90. PROPOSED COUNCIL DELIVERY PLAN 2014/15

Councillor R Blunt presented the report to Members, outlining the Council's priorities for the forthcoming year.

Councillor S Sheahan referred to the long term future of housing schemes and expressed the importance of ensuring the remaining tenants were properly looked after and communities were consulted.

Councillor T Neilson stated that these were nice words but there was no bold vision. He added that there were lots of vague promises and felt that there was much more that could be done.

Councillor D J Stevenson stated that the document was far more exciting than the budget presented by the Opposition at the previous meeting. He felt that without a budget proposal, these statements were pie in the sky.

Councillor J Legrys sought clarification that the Council Delivery Plan was under discussion rather than the budget.

Councillor J Legrys commented that any forward plan would fail when it was considered in retrospect. He felt that the document was anodyne. He expressed annoyance that the document contained a bold statement about investing in local Councillors when three of his Members were having their IT equipment taken away because the software was extinct and there was no money to replace them. He asked how such a statement could be made and stated that he would be scrutinising the document in some detail next year.

Councillor R Blunt stated that the issue of sheltered housing schemes was taken very seriously indeed and agreed this was a very sensitive issue. He felt that the document was not anodyne. He added that there was nothing clever or brave, but it was about what was possible and would ensure the promises made would be kept. He concluded that the Council as an organisation was professional, well-run and highly motivated to deliver. He challenged the Opposition to prove they could do a better job. In respect of computers, he stated that the world had moved on and it was generally considered that most people would have their own computers.

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

RESOLVED THAT:

- a) The proposed Council Delivery Plan 2014/15 be approved.
- b) The Chief Executive, in consultation with the Leader of the Council, be authorised to make any final technical amendments to the targets for 2014/15.

91. REVIEW OF STATEMENT OF LICENSING POLICY

Councillor A V Smith presented the report to Members, drawing their attention to the process which had been undertaken and the proposed changes to the cumulative impact policy in Ashby de la Zouch town centre.

Councillor P Hyde stated that there had been a lot of debate on this item. He expressed frustration that the Police were still not producing an evidence base but were relying on the special policy. He asked if a meeting could be arranged to ensure that time was not wasted.

Councillor N Smith concurred with Councillor P Hyde and added that this had been raised repeatedly. He stated that a meeting would be arranged and Councillor P Hyde would be invited to attend.

Councillor T Neilson stated that contrary to what Members had heard earlier, the Council was not working well with the Police in this case, and despite several pleas for them to provide an evidence base, this was not forthcoming. He felt the changes to the policy made it better and more robust. He pleaded for consistency across the Council in partnership working with the Police.

Councillor M Specht stated that it was good to see common sense prevail in that the Shoulder of Mutton had not been added to the special policy area.

Councillor A C Saffell referred to the outdoor music events which had caused disturbance in his Ward and felt that nothing had been done about this issue. He stated that if these licences were granted this year, there would be a huge number of complaints. He stated that the issues needed to be resolved in advance to keep the noise levels down. He explained that a change in the wind direction could mean that the noise was much louder, and felt that restrictions should be in place in advance to prevent this. He added that there was never a problem with the Download festival as it was controlled properly. He stated that officers had not demonstrated that they could control events and the policy had not been changed to take account of that.

Councillor J Legrys expressed support for the policy. He took issue with Councillor A C Saffell's statement and highlighted the social and economic benefits of festivals. He added that staff worked hard to ensure the District was a pleasant place to live, and he did not want to hear officers being denigrated.

Councillor A V Smith stated that officers would continue to work hard to ensure that noise was kept down as much as possible.

It was moved by Councillor A V Smith, seconded by Councillor N Smith and

RESOLVED THAT:

The draft Statement of Licensing Policy be approved.

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92. PAY POLICY STATEMENT 2014/15

Councillor R Blunt presented the report to Members, drawing their attention to the reduction in ratio, which was a step in the right direction.

Councillor S Sheahan referred to the motion at Leicestershire County Council in respect of the living wage and felt that there were inconsistencies as this was not carried.

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

RESOLVED THAT:

The Council's Pay Policy Statement 2014/15, as attached at Appendix 1 of this report, be approved.

The meeting commenced at 6.30 pm

The Chairman closed the meeting at 7.27 pm