

SUMMONS TO ATTEND THE ANNUAL MEETING OF THE
NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

Time/Date 6.30 pm on TUESDAY, 16 MAY 2017

Location Council Chamber, Council Offices, Coalville

Officer to contact Democratic Services (01530 454512)



Chief Executive

All persons present are reminded that the meeting may be recorded and by attending this meeting you are giving your consent to being filmed and your image being used. You are kindly requested to make it known to the Chairman if you intend to film or record this meeting.

The Monitoring Officer would like to remind members that when they are considering whether the following items are exempt information under the relevant paragraph under part 1 of Schedule 12A of the Local Government Act 1972 they must have regard to the public interest test. This means that members must consider, for each item, whether the public interest in maintaining the exemption from disclosure outweighs the public interest in making the item available to the public.

AGENDA

Item	Pages
PRAYERS	
1. APOLOGIES FOR ABSENCE	
2. DECLARATION OF INTERESTS	
Members are reminded that any declaration of interest should be made having regard to the code of conduct. In particular, members must make clear the nature of the interest and whether it is 'pecuniary' or 'non pecuniary'.	
3. APPOINTMENT OF CHAIRMAN	
To appoint the Chairman of the Council for the ensuing municipal year.	
4. APPOINTMENT OF DEPUTY CHAIRMAN	
To appoint the Deputy Chairman of the Council for the ensuing municipal year.	



Item		Pages
5.	APPOINTMENT OF LEADER	
	To appoint the Leader of the Council for the ensuing municipal year.	
6.	CHAIRMAN'S ANNOUNCEMENTS	
7.	LEADER'S AND PORTFOLIO HOLDERS' ANNOUNCEMENTS	
	Members are reminded that under paragraph 11.1 of part 4 of the Constitution, questions can be asked of the Leader and Cabinet Members without notice about any matter contained in any address. Questions shall be limited to five minutes in total for each announcement.	
8.	QUESTION AND ANSWER SESSION	
	To receive questions from members of the public under procedure rule no.10. The procedure rule provides that members of the public may ask members of the Cabinet any question on any matter in relation to which the Council has powers or duties which affect the District, provided that three clear days' notice in writing has been given to the Head of Legal and Support Services.	
9.	QUESTIONS FROM COUNCILLORS	
	To receive members' questions under procedure rule no.11. The procedure rule provides that any member may ask the chairman of a board or group any question on any matter in relation to which the Council has powers or duties which affect the District, provided that three clear days' notice in writing has been given to the Head of Legal and Support Services.	
10.	MOTIONS	
	To consider any motions on notice under procedure rule no. 12.	
11.	PETITIONS	
	To receive petitions in accordance with the Council's Petition Scheme.	
12.	MINUTES	
	To confirm the minutes of the meeting of the Council held on 21 March 2017.	5 - 14
13.	APPOINTMENT OF COMMITTEES AND GROUPS, ELECTION OF CHAIRMEN AND DEPUTY CHAIRMEN	
	Report of the Head of Legal and Support Services Presented by the Corporate Portfolio Holder	15 - 22
14.	APPOINTMENT OF REPRESENTATIVES ON COMMUNITY BODIES	
	Report of the Head of Legal and Support Services Presented by the Corporate Portfolio Holder	23 - 28
15.	SCHEDULE OF MEETINGS	
	Report of the Head of Legal and Support Services Presented by the Corporate Portfolio Holder	29 - 32

Item	Pages
16. MEMBER CONDUCT ANNUAL REPORT 2016-17	
Report of the Head of Legal and Support Services Presented by the Corporate Portfolio Holder	33 - 40
17. URGENT DECISIONS TAKEN BY CABINET IN QUARTER 4 2016/17	
Report of the Director of Services and Deputy Chief Executive Presented by the Leader	41 - 44

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MINUTES of a meeting of the COUNCIL held in the Council Chamber, Council Offices, Coalville on TUESDAY, 21 MARCH 2017

Present: Councillor J Cotterill (Chairman)

Councillors R Adams, G A Allman, R Ashman, R D Bayliss, R Blunt, R Boam, J Bridges, R Canny, J Clarke, N Clarke, J G Coxon, D Everitt, T Eynon, F Fenning, J Geary, T Gillard, L Goacher, D Harrison, G Hault, J Hault, R Johnson, G Jones, J Legrys, S McKendrick, K Merrie MBE, T J Pendleton, P Purver, V Richichi, N J Rushton, A C Saffell, S Sheahan, N Smith, A V Smith MBE, M Specht, D J Stevenson and M B Wyatt

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

54. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor S Gillard.

55. DECLARATION OF INTERESTS

Councillors A V Smith and N Smith declared a conflict of interest relating to item 6, Questions from Councillors, as residents of the village and being acquainted with the owners.

Councillor M B Wyatt declared a non pecuniary interest in item 10, Council Delivery Plan 2017/20, as an owner of two local businesses in Coalville.

Councillor J Legrys declared a non pecuniary interest in item 10, Council Delivery Plan 2017/20, as a volunteer at Hermitage FM.

Councillor S Sheahan declared a non pecuniary interest in item 10, Council Delivery Plan 2017/20, as a member of Leicestershire County Council.

Councillor T Eynon declared a non pecuniary interest in item 10, Council Delivery Plan 2017/20, as a member of two heritage groups in Coalville, a volunteer at Hermitage FM and a member of Leicestershire County Council.

56. CHAIRMAN'S ANNOUNCEMENTS

The Chairman highlighted the numerous events he had attended since the last meeting of the Council, in particular the Celebration of Volunteers event on Sunday, 19 March at the Radisson Blu hotel.

57. LEADER'S AND PORTFOLIO HOLDERS' ANNOUNCEMENTS

Councillor R Blunt announced that the redevelopment of the former Pick and Shovel site in Coalville, known as Royal Oak Court, had been shortlisted for a major award. The site had been recognised in the residential and regeneration categories of the Royal Institute of Chartered Surveyors East Midlands awards. He reminded members that the council had worked closely with East Midlands Homes and the scheme would not have gone ahead without this support. He highlighted the major positive impact on Memorial Square and on the town centre, adding that the scheme had transformed a derelict site, created needed affordable housing in the town and set the highest possible benchmark for a quality new building on a very difficult site. He advised members that the awards ceremony would take place on 28 April and regardless of whether the site won an award, simply being shortlisted was a very useful reminder of the difference that was beginning to be made in Coalville.

Councillor R Blunt referred to the announcement he had made at the last full Council meeting that Christine Fisher had decided to stand down from the post she had held since 2004. He advised members that tonight would be Christine's last full Council meeting before she left the council on 12 May. He felt it was fair to say that Christine would be a hard act to follow and that her leadership had turned the district council from what he considered to be one of the poorest performing district councils into the very best. He added that whenever there was a difficult issue, Christine was the 'go to' person, no more so than with the government planning agenda; she went from knowing nothing about planning to leading the agenda on behalf of all seven district councils in Leicestershire in a very short time. He said that during his ten years as Leader it had been a real pleasure to work with her, not least because of her enthusiasm and strong work ethic. He referred to the trust they had in each other, which had made the impossible achievable; nowhere was this more evident than with the Coalville project. He added that without her 100% commitment, the progress made so far would not have been possible.

Councillor R Blunt acknowledged that Christine would not have wanted a big fuss at tonight's Council meeting; however he could not allow the occasion to pass without marking it in some way. He stated that one of Christine's greatest legacies at the council was the work she had done to develop our staff. She had introduced the Best Employee Experience programme to help all employees reach their full potential. He added that she had encouraged all staff and many employees would remember her simply as the person who gave them a chance. He added that he knew Christine had always been proud to embrace the green agenda and was especially proud to support the Green Footprints awards and the National Forest. He announced that with that in mind, something special had been arranged which reflected her style and ethos; Christine would be planting an oak tree in the National Forest. He hoped that this would be a meaningful legacy for her time at the council. In addition, a local craftsman had created a beautiful handmade bench as a reminder of her time at North West Leicestershire District Council. The bench had been made from sustainable fallen oak from the National Forest and bore the inscription "from little acorns mighty oaks grow" as a tribute to her legacy. He hoped it would remind her of the contribution she had made to this council.

Councillor J Legrys stated that he never thought the day would come when members would be saying goodbye to Christine Fisher. He wished her well in her new careers beyond North West Leicestershire. He commented that Christine was a Labour appointment and he believed she was the first female Chief Executive of this council and perhaps in Leicestershire. He stated that as an individual within the Labour party he had been very strong on the message of providing all-women shortlists. He added that one of the things which always stuck in his mind about Christine was her mentoring of other women for promotion and encouraging women to achieve senior officer commitments. He congratulated her on this and commented that he also wanted to see her mentoring other women playing golf as he believed women in sport needed to be an example to other women. He commended her and thanked her for what she had done for this council.

Councillor N Smith commented that when he had first joined the council about 30 years ago, people had asked him what it was like at North West Leicestershire District Council. His reply had been that it was like trying to steer a vast ocean-going boat; when you turned the wheel, about 10 miles later it started to move. He commented that since Christine came, the council had become a bit more like the American yachts; it turned very quickly and responded almost immediately, and Christine coming to North West Leicestershire District Council was like the man in the street winning the lottery rollover. He thanked her.

Councillor M Specht referred to a fantastic experience he had had with Christine as a comparatively new Councillor. They greeted the Princess Royal at the Jubilee Wood and he had very soon found out what a brilliant sense of humour Christine had. He stated that

it was an experience that no-one in the vehicle would ever forget. He commented that despite being somewhat out of sync with the timetable, Christine wasn't flustered and had retained her composure and sense of humour, which had made the day. He thanked Christine for the great support she had given him, which he would never forget.

Councillor J Geary stated that he had been a member of this council for a number of years when Christine was appointed, and he had to say the appointment was like a breath of fresh air, and had certainly given the council new enthusiasm and direction. He personally thanked Christine for all the help, support and guidance she had given him as a Councillor. He referred to the two or three occasions when they may have had a difference of opinion; he would be invited into her office, and 20 minutes later he would leave convinced he was wrong and that once again she was right.

Councillor A C Saffell reminded members that Christine had been our Chief Executive since October 2004 and had come from Dacorum Borough Council in Hertfordshire where she was the Strategic Director of Community Services and Assistant Chief Executive. He first remembered meeting Christine in September that year in a hotel along with the other shortlisted candidates. He added that the thing he remembered about Christine was that she was very direct and her answers were relevant to the job; which was very much as she is now. He relayed an early rumour he had heard that Christine was holding a meeting that was running over well into the lunch break, and people were fidgeting and looking at the clock. Christine stopped what she was saying and remarked that tea breaks and lunch breaks were for wimps, and glared at everyone. The meeting carried on until Christine declared it was over. He stated that he had also had the pleasure of taking Christine on a ward walk around Castle Donington, taking in some of the more notable attractions. He was pleased to say that she had always tried to be helpful ever since and he appreciated the work she had undertaken to help not just Castle Donington but the district as a whole. He hoped members would all join him in wishing her well in whatever she decided to do in the future.

The Chairman invited the Chief Executive to speak.

The Chief Executive commented that 12 years had passed quickly and it was a well-known fact that she had actually only intended to stay at North West Leicestershire District Council for three years before moving on to something different. What happened was that North West Leicestershire had caught her heart. She felt her tenure at the council could be considered as having three parts, the first of which was recovery, as in 2004, this council was on the verge of intervention by the government. She had worked with a recovery team to restore confidence that the council could become efficient and effective, and deliver what was promised. The next phase was the tough phase of austerity, making lots of savings. She reminded members that over a period of 4 to 5 years, the only tough decision they had to make was to close the Coalville toilets; which members had then reopened last month. All the savings were made in-house by staff reviews, service transformation, redundancies, removing and implementing systems, and becoming more and more efficient. The third phase was growth and the council had not grown in size, hence why members had the opportunity of giving money back to the community through community grants, twenty for 7, business grants, shop front improvement schemes amongst others. She highlighted the strengthening of the Community Focus Team, whose achievements she was so proud of, and the Business Focus Team. She stated that this was possible because of the tough decisions made in the second phase of her tenure.

The Chief Executive stated that clearly her main target had been that whenever she left, people would be able to be proud of having been part of North West Leicestershire. She remembered that when she arrived, members of staff would take off their name badges because they were so embarrassed to be associated with the council. She added that this did not happen now. She acknowledged that the council was not perfect and there

were things that could be done better, however she felt that members should be very proud of what they and the staff had achieved over the past 12 years and she said that it had been an honour to have been part of that journey. She reminded members that the council was now recognised as a respected partner of choice amongst external partners and other local authorities, of which she was very proud. She stated that her learning and belief was to surf the setbacks, of which there had been plenty. She acknowledged that at times she had taken things too personally, because she was a value driven person and reflected that the one thing she truly regretted was not celebrating achievements enough. The council had not won as many national awards as it could have because of the focus on delivering results. She felt that she had tried to encourage officers to listen carefully and to understand differing points of view.

The Chief Executive said that she had never promised anything she couldn't deliver; she had forgotten a few things along the way and had made mistakes, but she had always tried to deliver what she had promised and had spent public money very wisely. She stated that she was so proud of the Best Employee Experience and her officers and it had been an honour to work with them. She concluded that she had always tried to be true to herself, although it hadn't always stood her in good stead, it had always been done with positive intent. She thanked members and wished them all the best and she knew she was leaving an organisation with a very bright future.

Councillor V Richichi proposed three cheers to the Chief Executive.

Councillor R D Bayliss referred to the Tenant Scrutiny Panel which had been established in 2012 as a result of the duty in the Localism Act to evolve a system of scrutiny of the housing service. The panel comprised of 8 self-selected tenants who did not operate under the influence of the council, its officers or members. The Panel had scrutinised the implementation of the decent homes improvement programme and had developed themselves, undertaking training and acquiring a range of skills in the process. He expressed his high regard for the members of the Panel who worked hard without remuneration. He announced that the work of the panel had just been recognised by winning a Tenant Participation Advisory Service Excellence in Scrutiny award at the Central region awards ceremony on 3 March. The Panel would now go forward to the national finals in July. He congratulated the Chair of the panel, Janet Higgins, and all the members.

58. QUESTION AND ANSWER SESSION

There were no questions received.

59. QUESTIONS FROM COUNCILLORS

Councillor J Geary put the following question to Councillor A V Smith:

"At the meeting of this Council held on 24 February 2015 I asked you a question regarding the strong smells and odours coming from these lagoons on land at Piper Lane, Ravenstone and pointed out the complaints received from residents in the Snibston, Hugglescote, Ravenstone/Packington and Valley wards. As an affected resident, I asked you what this council was doing to insist the land owner took steps to mitigate and eradicate the smell from these lagoons.

In your reply you said the council was aware of the problem and had received complaints of odour nuisance and had been in regular liaison with the Environment Agency. You went on to say "The district council cannot exercise its power in relation to statutory nuisance without the approval of the Secretary of State".

Two years and one month on, with the problem not going away, but getting worse as already this year there have been 12 days when we have needed to keep both doors and windows closed, can you please inform the council just what has been done in the past two years to try and control this nuisance and why, to date the problem has not been addressed”.

Councillor T J Pendleton gave the following response on behalf of Councillor A V Smith:

“Further to the question raised on this matter on 24 February 2015 I can update members as follows.

During 2015 the spreading of the anaerobic digestate material was authorised under permission obtained from the Environment Agency and as such they were the primary authority for taking any formal action to prevent odour.

However, since 2016 the anaerobic digestate being brought to site for storage and then spreading was PAS110 certified which falls outside of the scope of permitting from the Environment Agency. As a consequence the responsibility for the investigation of odour complaints now lies with the district council to investigate under its powers of Statutory Nuisance. This also relates to farm slurry which on occasion has also been spread on the same land.

The Environmental Protection Team have received evidence to confirm the anaerobic digestate being used is PAS110 certified. Attainment of this standard requires the product to be independently tested and certified by accredited laboratories, officers have received the contractor's certification of the product and also samples of transfer station weighbridge tickets.

The Environmental Protection Team held a meeting in January 2016 with the farmer and contractor which resulted in the following points being noted/agreed for the spreading of digestate from the lagoons.

- The farmer plans for three phases of spreading per annum, phase one in March, phase two in April/May and phase three in late August (all subject to weather conditions).
- The farmer will create a 400m no spreading zone along the A447 from Hoo Ash Island to the junction of Church Lane, Ravenstone to reduce the odour impact for residents in this area and around Claremont Drive.
- To reduce tractor and tanker movements within the village when spreading near the A511 (northern end of site) by pumping the material through a network of pipes.
- That there will be no working/spreading on weekends or bank holidays.
- That only PAS110 material will be tankered into the lagoons and then only the amount required for each phase/spreading application will be stored until use.
- The lagoons will never be filled to the top and there will be at least 1m of free wall at the top so as to reduce odour through wind whip.
- If necessary, the lagoons will be covered with chopped straw to reduce any odour escape.
- To use a simple weather sock or flag to indicate the wind direction when deciding when to spread. This allows the operatives the opportunity to not spread if they feel that offensive odour is likely to be detected at the nearest residential property.
- The contractor would meet the parish council and deliver a presentation covering all aspects of the operation.
- Finally, to notify the district council before any operations take place and at what location any spreading will be undertaken.

In early 2016, the Environmental Protection Team undertook a total of 37 visits to either the site or the vicinity in response to complaints received to determine the levels of odour being experienced. These visits were conducted between 10 February 2016 and 6 May 2016 and covered the first two phases of the annual spreading regime. No statutory nuisance was determined by officers through these visits.

The visits also confirmed that the operations were being carried out in accordance with best practice as defined in the DEFRA document "Protecting our Water, Soil and Air – A Code of Good Agricultural Practice for farmers, growers and land managers". It was confirmed by the Environmental Protection Team on 6 May 2016 that the lagoons were empty and that no further storage of digestate material would take place until late summer when the third and final phase of the annual spreading programme would take place.

Between May and August 2016 only one complaint of odour was received, during the third and final phase of spreading in August only three complaints were received. The number of complaints was reduced significantly due to information being shared in advance with the parish council, ward members and complainants regarding when and where the spreading was being undertaken and that the odour would be relatively short i.e. just throughout the duration of the activity.

Since late November 2016 the contractor has been filling the lagoons in preparation for the 2017 spreading operation (Phases 1 and 2 of the annual programme) which started on 13 March 2017. During this time observational visits have been undertaken by the Environmental Protection Team to ensure that the filling operation is carried out in an appropriate manner and that where necessary a straw covering is applied to reduce issues with any odour that may come from wind whip. The visits concluded that filling operations were carried out in an appropriate manner, however, a small number of complaints of odour were received. In investigating these complaints officers did detect odour but at low levels, carried on the prevailing wind. It was the officers' assessment that when taking into account weather conditions for the days in question the odour was deemed to be acceptable and at levels that could not be assessed as a statutory nuisance.

In assessing odour for statutory nuisance the councils Environmental Protection Team have to take into account factors such as frequency, nature and severity of the odour. The law of statutory nuisance has a defence built into it called "Best Practical Means". In this instance if the council considered a statutory nuisance to be in existence, the evidence gathered thus far would suggest that the contractor for the spreading operation would have a legitimate defence of best practical means as they are strictly following the DEFRA code of best practice.

On the 13 March 2017 the council received two complaints of offensive odour and an officer visited the vicinity of the complaints immediately which confirmed that the first phase of spreading operation had begun and odour from that was being dispersed in the area where the wind was blowing. It was also confirmed during this time that the operations were being carried out in accordance with the guidance referred to above, noting wind directions are changeable.

The Environmental Protection Team are continuing to liaise with the contractor so that information can be obtained and relayed to the parish council, ward members and residents as early as possible for the two future phases in 2017 (April/May and late August). The team will also continue to monitor the area proactively for odours especially when spreading activity is being undertaken and to ensure good practice is being followed".

Councillor J Geary thanked Councillor A V Smith for the comprehensive reply. He stated that he was not seeking to stop the operation, but to ensure proper control. He made

reference to the farm slurry and stated that it now arose this was imported material. He also made reference to the covering of the lagoons with chopped straw to contain the escape of odour and commented that there should be a proper building to contain the smell. He added that the lagoons were emptied for the summer, however once it rained the lagoons would start to hold fluid and emit a smell. He advised that from 25 January to 13 March, the odour had been present on 11 days and to date, it had been present on 15 days in total. He questioned whether this was under control. He sought clarification in respect of the mechanism for assessing what constituted a statutory nuisance and he queried the number of complaints which had been reported as he was aware of more.

As a supplementary question, Councillor J Geary asked if the substance in the lagoons had ever been analysed by this authority and was the Portfolio Holder convinced that that the council was doing everything it could to control this nuisance.

Councillor T J Pendleton made reference to the controls exercised by the Environment Agency in respect of statutory nuisance from smells and responded that officers could advise him on the mechanism for assessment. He added that the question in respect of the adequacy of the measures to reduce the smell was a commercial matter. He summarised that he was satisfied that the council was doing everything it could to control the nuisance.

60. MOTIONS

No motions were received.

61. PETITIONS

No petitions were received.

62. MINUTES

Consideration was given to the minutes of the meeting held on 23 February 2017.

Councillor R Johnson requested that his statement on page 91 of the minutes be amended to read as follows:

“He referred to a white paper which revealed that local authorities will be able to increase fees from July this year if they commit to investing the additional fee income into their planning department”.

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

RESOLVED THAT:

Subject to the above amendment, the minutes of the meeting held on 23 February 2017 be approved and signed by the Chairman as a correct record.

63. COUNCIL DELIVERY PLAN 2017/20

Councillor R Blunt presented the report to members, highlighting the change in format to a three year plan to align with the Medium Term Financial Strategy. He explained that the plan would be refreshed annually to recognise achievements and to incorporate any new actions which needed to be accommodated as a result of external influences or policy changes. He added that the design had also been updated to make the plan more engaging for readers.

It was clarified that since the agenda had been prepared, some minor typographical errors had been identified and the updated version had been circulated.

Councillor M B Wyatt stated that he would be voting against the Council Delivery Plan as it failed to address the real issues for local residents and businesses.

Councillor J Legrys expressed his dissatisfaction in the manner in which the updates to the Council Delivery Plan had been dealt with as no explanation had been provided. He welcomed the proposal to increase repairs and maintenance work being undertaken in-house and he approved of the expenditure of £225,000 on brightening the town centre. He expressed incredulity at the reference to harnessing the district's excellent transport links and driving housing and infrastructure. He felt that the Policy Development Group should have the opportunity to scrutinise this document in 6 months' time and sought assurances that the administration would allow this.

Councillor M Specht highlighted an error in the recommendation. He commented that North West Leicestershire was very well placed in terms of major trunk roads and businesses in particular did not utilise bus services.

Councillor N Smith commended the report and stated that a capitalist approach was the only way to improve living standards.

Councillor T Eynon stated that in many ways this was an excellent document showing the excellent work being done in North West Leicestershire. She expressed concerns in respect of scrutiny of the document, in particular the drive to move all services online which had not been considered by the Disability Action Group. She questioned whether there was a problem with the lack of scrutiny of the document and the lack of cross party working.

Councillor D Everitt stated that recycling was very close to his heart and he felt that an opportunity had been missed to send a message that recycling saved money for residents.

Councillor T Gillard commended the report and good news in respect of investment in businesses and the enterprise scheme.

Councillor M Specht reassured members that as Chairman of the Policy Development Group he would be happy to scrutinise any major issues arising from the Council Delivery Plan.

Councillor A V Smith agreed that the report was excellent and commended the work in her portfolio in respect of recycling, the dogwatch campaign and the free trees scheme.

Councillor R Blunt accepted that members should have been notified of the changes to the document. He clarified the recommendation in the report.

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

RESOLVED THAT:

- a) The proposed Council Delivery Plan 2017/20 be approved.
- b) The Chief Executive, in consultation with the Leader of the Council, be authorised to make any final technical amendments to the plan prior to publication.

64. PAY POLICY STATEMENT 2017/18

Councillor N J Rushton presented the report to members.

Councillor N Clarke commented that the pay multiples had increased slightly from the previous year despite the introduction of the living wage.

In response to a question from Councillor N Clarke, Councillor N J Rushton confirmed that it was usual practice to include overtime payments in the calculation of the pay multiples.

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

RESOLVED THAT:

The Council's Pay Policy Statement 2017/18 be approved.

65. EXCLUSION OF PRESS AND PUBLIC

It was moved by Councillor J Cotterill, seconded by Councillor A V Smith and

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 2.1 and 2 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.

66. APPOINTMENT OF CHIEF EXECUTIVE

Councillor R Blunt presented the report to members. He highlighted that it was the responsibility of the full Council to appoint a new Chief Executive and the report put forward the recommendation of the Appointments Committee to appoint Beverley Smith to be the next Chief Executive of the Council from 1 June 2017. He added that the recommendation was made following a rigorous assessment process involving professional support to the Appointments Committee from an external independent company and the internal Human Resources team. He stated that all candidates had been tested and assessed using a variety of discussions, presentations, psychological profiling, referencing and interviews, and the Appointments Committee sought and considered the views of a wider canvass of members, stakeholders and partners to arrive at their unanimous conclusion that Beverley Smith would be the best person for the role. He added that the Appointments Committee completely understood the critical importance of making the right appointment and were delighted to recommend the appointment to the full Council without reservation.

Councillor M B Wyatt stated that he would be voting against the recommendation to install a new Chief Executive as he believed the leadership had failed to show that this was the right candidate. He expressed disgust that members were expected to vote for a candidate whom they had not had the opportunity to meet. He urged members to vote against the recommendation.

Councillor J Legrys stated that he was privileged to have been part of the Appointments Committee. He thanked the Human Resources Manager and David Slatter from Penna for the help and assistance they had provided to the Committee. He was thoroughly assured that the right decision had been made.

Councillor K Merrie stated that he had not been personally involved in the selection but had to give his confidence to the Appointments Committee as the process would be too onerous if all members were involved.

Councillor D J Stevenson stated that he would like to disassociate himself with the comments made by Councillor M B Wyatt. He added that since he had been a member of the Council he had been involved in the appointment of every Chief Executive and he commented that more people had been involved in this appointment than ever before.

Councillor M B Wyatt sought to raise a point of order and Councillor D J Stevenson withdrew his comment.

Councillor R Blunt referred to the comments made which seemed to imply that this decision had been made by the leadership or the administration. He clarified that the process was written in the Constitution. He added that the same process which had been undertaken for the previous appointment had been followed as closely as possible.

It was moved by Councillor R Blunt, seconded by Councillor J Legrys and

RESOLVED THAT:

- a) Council approves the recommendation of the Appointments Committee to appoint to the post of chief executive.
- b) Council confirms the designation of the post of Chief Executive as the Head of Paid Service, Returning Officer and Electoral Registration Officer.

The meeting commenced at 6.30 pm

The Chairman closed the meeting at 7.48 pm

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL**COUNCIL – TUESDAY, 16 MAY 2017**

Title of report	APPOINTMENT OF COMMITTEES AND GROUPS, ELECTION OF CHAIRMEN AND DEPUTY CHAIRMEN
Contacts	<p>Councillor Nick Rushton 01530 412059 nicholas.rushton@nwleicestershire.gov.uk</p> <p>Interim Director of Resources 01530 454833 andrew.hunkin@nwleicestershire.gov.uk</p> <p>Head of Legal and Support Services 01530 454762 elizabeth.warhurst@nwleicestershire.gov.uk</p>
Purpose of report	To appoint the committees and groups of the Council and members to serve thereon and also to elect the Chairmen and Deputy Chairmen.
Council priorities	Value for Money.
Implications:	
Financial/Staff	None.
Link to relevant CAT	None.
Risk Management	None.
Equalities Impact Screening	Not applicable.
Human Rights	None.
Transformational Government	Not applicable.
Comments of Head of Paid Service	The report is satisfactory.
Comments of Deputy Section 151 Officer	The report is satisfactory.
Comments of Monitoring Officer	The report is satisfactory.

Consultees	Political Group Leaders.
Background papers	The Council's Constitution.
Recommendations	<p>(A) TO MAKE THE APPOINTMENTS TO THE COMMITTEES AND GROUPS LISTED IN PARAGRAPH 1.2 OF THE REPORT.</p> <p>(B) THAT CHAIRMEN AND DEPUTY CHAIRMEN BE APPOINTED FOR THE COMMITTEES AND GROUPS LISTED IN PARAGRAPH 3.1 OF THE REPORT.</p>

1.0 APPOINTMENT TO COMMITTEES AND GROUPS

1.1 In accordance with the Constitution Members must, at the Council's Annual Meeting, receive nominations of Councillors to serve on each board or committee and appoint to those boards or committees.

1.2 The committees and groups include:

- Appointments Committee *(4 Members plus appropriate Portfolio Holder)*
- Audit and Governance Committee *(10 Members)*
- Electoral Review Working Party *(5 Members)*
- Employee Joint Consultative Committee *(6 Members)*
- Investigatory Committee *(5 Members)*
- Licensing Committee *(17 Members)*
- Local Plan Advisory Committee *(7 Members)*
- Planning Committee *(17 Members)*
- Policy Development Group *(10 Members)*

2.0 POLITICAL BALANCE REQUIREMENTS

2.1 In determining the membership of committees, account must be 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; with some exceptions to any committees/working groups established under the Constitution. The allocation of seats on ordinary committees must be the same proportion as the number of members of the Authority as a whole. The Council has a duty when allocating or reviewing the allocation of seats on committees to give effect so far as is reasonably practicable to the following four principles:-

- (i) all the seats are not allocated to the same political group;
- (ii) the majority of the seats go to the political group in the majority on the full Council;
- (iii) subject to the above two principles, the total number of seats on the ordinary committees of the Authority are allocated to each political group in the same proportion as the group's representation on the full Council; and

- (iv) subject to the above three principles, the number of seats on each committee are allocated to each political group in the same proportion as the group's representation on the Council.

3.0 APPOINTMENT OF CHAIRMEN AND DEPUTY CHAIRMEN

3.1 Members are asked to appoint the Chairmen and Deputy Chairmen to the following:

- Appointments Committee
- Audit and Governance Committee
- Investigatory Committee
- Licensing Committee
- Planning Committee
- Policy Development Group

4.0 NOMINATIONS

4.1 Nominations for the seats on the above committees and groups will be circulated at the meeting.

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NOMINATIONS FOR COMMITTEES AND GROUPS

APPOINTMENTS COMMITTEE (4 members plus appropriate Portfolio Holder)

Current membership	Nominees for 2017/18
Chairman: Councillor R Blunt Deputy Chairman: Councillor A V Smith Councillor R Adams Councillor T J Pendleton Appropriate Portfolio Holder	
Substitutes: R D Bayliss, J Legrys, N J Rushton	

AUDIT AND GOVERNANCE COMMITTEE (10 members)

Current membership	Nominees for 2017/18
Chairman: Councillor J Clarke Deputy Chairman: Councillor D Harrison Councillor R Ashman Councillor F Fenning Councillor G Hoults Councillor G Jones Councillor S McKendrick Councillor P Purver Councillor A C Saffell Councillor S Sheahan	

COALVILLE SPECIAL EXPENSES WORKING PARTY

Current membership	Nominees for 2017/18
Ward members for Bardon, Broom Leys, Castle Rock, Coalville East, Coalville West, Greenhill, Snibston North, Snibston South and Thringstone: Councillor R Adams Councillor N Clarke Councillor J Cotterill Councillor D Everitt Councillor J Geary Councillor J Legrys Councillor P Purver Councillor M Specht Councillor M B Wyatt	Ward members for Bardon, Broom Leys, Castle Rock, Coalville East, Coalville West, Greenhill, Snibston North, Snibston South and Thringstone: Councillor R Adams Councillor N Clarke Councillor J Cotterill Councillor D Everitt Councillor J Geary Councillor J Legrys Councillor P Purver Councillor M Specht Councillor M B Wyatt

ELECTORAL REVIEW WORKING PARTY (5 members)

Current membership	Nominees for 2017/18
Councillor R Blunt Councillor J Legrys Councillor S McKendrick Councillor N J Rushton Councillor A V Smith	
Substitutes: R D Bayliss, T J Pendleton, S Sheahan	

EMPLOYEE JOINT CONSULTATIVE COMMITTEE (6 members)

Current membership	Nominees for 2017/18
Councillor R Adams Councillor J Clarke Councillor N Clarke Councillor J Cotterill Councillor G Hoults Councillor J Hoults	
Substitutes: Councillors T Eynon, S Gillard, L Goacher and R Johnson	

INVESTIGATORY COMMITTEE (5 members)

Current membership	Nominees for 2017/18
Chairman: Councillor R Blunt Deputy Chairman: Councillor A V Smith Councillor J Clarke Councillor J G Coxon Councillor J Legrys	
Substitutes: Councillors R D Bayliss, D Everitt and T J Pendleton	

LICENSING COMMITTEE (17 members)

Current membership	Nominees for 2017/18
Chairman: Councillor N Smith Deputy Chairman: Councillor V Richichi Councillor G A Allman Councillor R Ashman Councillor J Clarke Councillor N Clarke Councillor J Cotterill Councillor D Everitt Councillor T Eynon Councillor G Houl Councillor J Houl Councillor G Jones Councillor P Purver Councillor A C Saffell Councillor S Sheahan Councillor M Specht Councillor M B Wyatt	
Substitutes: Councillors R Boam, R Canny, F Fenning, J Geary, L Goacher and D J Stevenson.	

LOCAL PLAN ADVISORY COMMITTEE (7 members)

Current membership	Nominees for 2017/18
Councillor R D Bayliss Councillor J Bridges Councillor J Cotterill Councillor R Johnson Councillor J Legrys Councillor V Richichi Councillor M Specht	
Substitutes: Councillors R Adams, D Everitt, G Jones and J Houl	

PLANNING COMMITTEE (17 members)

Current membership	Nominees for 2017/18
<p>Chairman: Councillor D J Stevenson Deputy Chairman: Councillor J Bridges</p> <p>Councillor R Adams Councillor R Boam Councillor R Canny Councillor J Cotterill Councillor J G Coxon Councillor D Everitt Councillor D Harrison Councillor J Houlton Councillor R Johnson Councillor G Jones Councillor J Legrys Councillor V Richichi Councillor N Smith Councillor M Specht Councillor M B Wyatt</p>	
<p>Substitutes: Councillors R Ashman, J Clarke, J Geary, P Purver, A C Saffell and S Sheahan</p>	

POLICY DEVELOPMENT GROUP (10 members)

Current membership	Nominees for 2017/18
<p>Chairman: Councillor M Specht Deputy Chairman: Councillor N Smith</p> <p>Councillor N Clarke Councillor J Cotterill Councillor T Eynon Councillor J Geary Councillor D Harrison Councillor G Houlton Councillor V Richichi Councillor A C Saffell</p>	
<p>Substitutes: Councillors R Adams, G A Allman, R Ashman, R Boam, R Canny and S Sheahan</p>	

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL**ANNUAL COUNCIL – TUESDAY, 16 MAY 2017**

Title of report	APPOINTMENT OF REPRESENTATIVES ON COMMUNITY BODIES
Contacts	<p>Councillor Nick Rushton 01530 412059 nicholas.rushton@nwleicestershire.gov.uk</p> <p>Interim Director of Resources 01530 454833 andrew.hunkin@nwleicestershire.gov.uk</p> <p>Head of Legal and Support Services 01530 454762 elizabeth.warhurst@nwleicestershire.gov.uk</p>
Purpose of report	To approve the nominations for representatives on community bodies for 2017/18.
Council priorities	Homes and Communities Value for Money
Implications:	
Financial/Staff	None.
Link to relevant CAT	Links to all Corporate Action Teams.
Risk Management	None.
Equalities Impact Screening	None.
Human Rights	None.
Transformational Government	None.
Comments of Head of Paid Service	The report is satisfactory.
Comments of Deputy Section 151 Officer	The report is satisfactory.
Comments of Monitoring Officer	The report is satisfactory.

Consultees	Political Group Leaders.
Background papers	Correspondence from Community Bodies requesting nominations held in Room 122 (Democratic Services).
Recommendations	THAT REPRESENTATIVES BE APPOINTED TO SERVE ON THE COMMUNITY BODIES LISTED AT APPENDIX 1

1.0 COMMUNITY BODIES

- 1.1 The Council appoints representatives to various community bodies as attached at Appendix 1. The list of community bodies is reviewed regularly to ensure it remains current.
- 1.2 A review was last undertaken in December 2016. During the review, it was established that the following community body no longer operates and no longer requires a representative:
 - Minorca Surface Mine Site Liaison Committee
- 1.3 Members are asked to appoint representatives to the community bodies for the 2017/18 municipal year. Members are reminded that any community bodies they are appointed to by Council need to be recorded on their register of interests. The requisite form will be circulated to members following the meeting.

2.0 NOMINATIONS

- 2.1 Nominations to the community bodies will be circulated at the meeting.

APPOINTMENT OF REPRESENTATIVES ON COMMUNITY BODIES 2017/18

Body	Current Appointments	Nominees for 2017/18
Alderman Newton Education Foundation (1 seat)	Councillor J Clarke	
Association for Public Service Excellence (2 seats)	Councillors D Harrison and M Specht	
Bardon Hill Quarries Liaison Committee (2 seats)	Councillors J Cotterill and M Specht	
Breedon Quarry Liaison Committee (1 seat)	Councillor D J Stevenson (Worthington and Breedon ward member)	
CCTV Operations Management Group (1 seat)	Councillor T J Pendleton (relevant Portfolio Holder)	
Cliffe Hill Quarry Liaison Committee (1 seat)	Councillor V Richichi	
Coalville and District Town Twinning Association (2 seats)	Councillors P Purver and M Specht	
Coalville and District Voluntary Relief in Sickness Fund (1 seat)	Councillor J Clarke	
Coalville Town Football Club Committee (1 seat)	Councillor J Geary	
Donington Park Consultative Forum (7 seats)	Councillors R Canny (Castle Donington Central ward member) D Harrison (Castle Donington Park ward member), T J Pendleton (Kegworth ward member), N J Rushton (Long Whatton and Diseworth ward member), A C Saffell (Castle Donington Castle ward member), A V Smith (Daleacre Hill ward member) and D J Stevenson (Worthington and Breedon ward member)	
East Midlands Airport Independent Consultative Committee (1 seat & 1 substitute)	Councillor D J Stevenson (Chair of Planning Committee) (sub J Bridges (Deputy Chair of Planning Committee)	
East Midlands Airport Liaison Panel (7 seats)	Councillors R Canny (Castle Donington Central ward member) D Harrison (Castle Donington Park ward member), T J Pendleton (Kegworth ward member), N J Rushton (Long Whatton and Diseworth ward member), A C Saffell (Castle Donington Castle ward member), A V Smith (Daleacre Hill ward member) and D J Stevenson (Worthington and Breedon ward member)	

Body	Current Appointments	Nominees for 2017/18
Equity Group (6 seats)	Councillors R Adams, G A Allman, , T Eynon G Hoult, J Hoult and V Richichi	
Former Lount Landfill Site Liaison Committee (2 seats)	Councillors R Boam and D J Stevenson	
Grace Dieu Priory Trust (2 seats)	Councillors D Everitt and L Goacher	
Highways Forum (8 seats & 8 substitutes)	Councillors R Ashman (sub N Smith), J Bridges (sub T Gillard), J Cotterill (sub G Allman), D Harrison (sub J Clarke), G Hoult (sub A V Smith), J Legrys (sub R Adams), V Richichi (sub R Bayliss) and M Specht (sub D J Stevenson)	
Home Start - North West Leicestershire (1 seat)	Councillor R D Bayliss (relevant Portfolio Holder)	
Hood Park / Ivanhoe Steering Committee (1 seat)	Councillor G Hoult	
Ibstock Brick Liaison Committee (1 seat)	Councillor F Fenning	
Leicester, Leicestershire and Rutland Police and Crime Panel (1 seat)	Councillor T J Pendleton (relevant Portfolio Holder)	
Leicestershire and Rutland Heritage Forum (1 seat)	Councillor M Specht	
Local Government Association – General Assembly (1 seat)	Councillor R Blunt (Leader of the Council)	
Mantle Community Arts (2 seats)	Councillors J Geary and P Purver	
Moirs Furnace Trust (1 seat)	Councillor J Hoult	
The National Forest Charitable Trust (1 seat)	Councillor N Smith and Chief Executive (ex-officio)	
New Albion Revised Liaison Committee (1 seat)	Councillor S McKendrick	
North West Leicestershire Hackney Carriage and Private Hire Taxi Licensing Forum (3 seats)	Councillors P Purver, V Richichi (Deputy Chairman of Licensing Committee) and N Smith (Chairman of Licensing Committee)	
North West Leicestershire Staying Healthy Partnership (1 seat)	Councillor A V Smith (relevant Portfolio Holder)	
North West Leicestershire Tourism Promotions Board (1 seat)	Councillor A V Smith (relevant Portfolio Holder)	
Ravenstone Hospital Charity (2 seats)	Councillors A V Smith and N Smith	

Body	Current Appointments	Nominees for 2017/18
Redbank Manufacturing Liaison Committee (1 seat)	Councillor G Jones	
Safer North West Leicestershire Partnership (1 seat)	Councillor T J Pendleton (relevant Portfolio Holder)	
Thringstone House Community Centre – Executive Committee (3 seats)	Councillors J Cotterill, D Everitt and M Specht	
Whitwick Quarry Liaison Committee (3 seats)	Councillors S Gillard, T Gillard and L Goacher	

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NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL**ANNUAL COUNCIL – TUESDAY, 16 MAY 2017**

Title of report	SCHEDULE OF MEETINGS
Contacts	<p>Councillor Nick Rushton 01530 412059 nicholas.rushton@nwleicestershire.gov.uk</p> <p>Interim Director of Resources 01530 454833 andrew.hunkin@nwleicestershire.gov.uk</p> <p>Head of Legal and Support Services 01530 454762 elizabeth.warhurst@nwleicestershire.gov.uk</p>
Purpose of report	To agree the schedule of meetings for the forthcoming municipal year.
Council priorities	Value for Money.
<p>Implications:</p> <p>Financial/Staff</p> <p>Link to relevant CAT</p> <p>Risk Management</p> <p>Equalities Impact Screening</p> <p>Human Rights</p> <p>Transformational Government</p>	<p>None.</p> <p>None.</p> <p>None.</p> <p>None.</p> <p>None.</p> <p>None.</p>
Comments of Head of Paid Service	The report is satisfactory.
Comments of Deputy Section 151 Officer	The report is satisfactory.
Comments of Monitoring Officer	The report is satisfactory.

Consultees	Corporate Leadership Team Strategy Group Performance Team Leicestershire County Council Town and Parish Councils
Background papers	None.
Recommendations	<p>A) THE PROPOSED SCHEDULE OF MEETINGS FOR 2017/18 BE AGREED.</p> <p>B) THE FUTURE SCHEDULE OF COUNCIL AND CABINET MEETINGS FOR 2018/19 BE NOTED.</p>

1.0 BACKGROUND INFORMATION

- 1.1 Each year Council are asked to approve the schedule of meetings for the forthcoming year. The proposed schedule of meetings is attached at Appendix 1 to the report.
- 1.2 For reasons of administrative efficiency, the schedule of meetings for 2017/18 includes some dates for June 2018. In addition, at the request of the Leader, meetings of Council and Cabinet have been programmed up to the municipal year 2018/19. This is to enable members to have notice of these meetings well in advance.

2.0 MAIN FEATURES OF THE SCHEDULE

- 2.1 When compiling the schedule of meetings, regard has been had to the Council's service and financial planning timetable which includes the budget process, and the proposed meeting schedules of Leicestershire County Council and the Parish Councils within North West Leicestershire.
- 2.2 Meetings of the main committees have been programmed for the municipal year 2017/18 as follows:
- | | |
|--|--------------------|
| Audit and Governance Committee | 4 |
| Cabinet | 10 |
| Coalville Special Expenses Working Party | 4 |
| Council | 5 + Annual Meeting |
| Licensing Committee | 4 |
| Local Plan Advisory Committee | 4 |
| Planning Committee | 12 |
| Policy Development Group | 4 |
- 2.3 Please note that the Cabinet meetings are included in the schedule for information only as the frequency, dates and times of the meetings are agreed by the Leader.
- 2.4 The meetings of the Coalville Special Expenses Working Party are also included for information only as these dates are agreed by the Working Party.

DRAFT SCHEDULE OF MEETINGS MAY 2017 – JUNE 2018

APPENDIX 1

Audit & Governance Committee (6.30pm)

Wednesday, 21 June 2017
Wednesday, 27 September 2017
Wednesday, 6 December 2017
Wednesday, 21 March 2018
Wednesday, 20 June 2018

Cabinet (5.00pm)

(For information only)

Tuesday, 13 June 2017
Tuesday, 25 July 2017
Tuesday, 19 September 2017
Tuesday, 17 October 2017
Tuesday, 14 November 2017
Tuesday, 12 December 2017
Tuesday, 16 January 2018
Tuesday, 6 February 2018
Tuesday, 6 March 2018
Tuesday, 1 May 2018
Tuesday, 12 June 2018

Coalville Special Expenses Working Party (6.30pm)

(For information only)

Tuesday, 11 July 2017
Tuesday, 10 October 2017
Thursday, 11 January 2018
Tuesday, 24 April 2018

Council (6.30pm)

Tuesday, 27 June 2017
Tuesday, 12 September 2017
Tuesday, 21 November 2017
Tuesday, 27 February 2018
Tuesday, 20 March 2018
Tuesday, 15 May 2018 (Annual Meeting)
Tuesday, 26 June 2018

Licensing Committee (6.30pm)

Wednesday, 14 June 2017
Wednesday, 4 October 2017
Wednesday, 22 November 2017
Wednesday, 21 February 2018
Wednesday, 13 June 2018

Local Plan Advisory Committee (6.30pm)

Tuesday, 20 June 2017
Wednesday, 13 September 2017
Wednesday, 13 December 2017
Wednesday, 14 March 2018

Planning Committee (4.30pm)

Tuesday, 6 June 2017
Tuesday, 4 July 2017
Tuesday, 1 August 2017
Tuesday, 5 September 2017
Tuesday, 3 October 2017
Tuesday, 7 November 2017
Tuesday, 5 December 2017
Tuesday, 9 January 2018
Tuesday, 13 February 2018
Tuesday, 13 March 2018
Tuesday, 10 April 2018
Wednesday, 9 May 2018
Tuesday, 5 June 2018

Policy Development Group (6.30pm)

Wednesday, 28 June 2017
Wednesday, 20 September 2017
Wednesday, 10 January 2018
Wednesday, 7 March 2018
Wednesday, 27 June 2018

FUTURE CABINET & COUNCIL MEETING DATES JULY 2018 – MAY 2019

Cabinet (5.00pm)

(For information only)

Tuesday, 24 July 2018
Tuesday, 18 September 2018
Tuesday, 9 October 2018
Tuesday, 13 November 2018
Tuesday, 11 December 2018
Tuesday, 15 January 2019
Tuesday, 5 February 2019
Tuesday, 5 March 2019
Tuesday, 9 April 2019

Council (6.30pm)

Tuesday, 11 September 2018
Tuesday, 20 November 2018
Tuesday, 26 February 2019
Tuesday, 26 March 2019
Tuesday, 21 May 2019 (Annual Meeting)

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NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL**ANNUAL COUNCIL – TUESDAY, 16 MAY 2017**

Title of report	MEMBER CONDUCT ANNUAL REPORT 2016-17
Contacts	<p>Councillor Nick Rushton 01530 412059 nicholas.rushton@nwleicestershire.gov.uk</p> <p>Interim Director of Resources 01530 454833 andrew.hunkin@nwleicestershire.gov.uk</p> <p>Head of Legal & Support Services and Monitoring Officer 01530 454762 elizabeth.warhurst@nwleicestershire.gov.uk</p>
Purpose of report	To receive and endorse the Annual Report.
Council priorities	Value for Money
Implications:	
Financial/Staff	None.
Link to relevant CAT	None.
Risk Management	By receiving this information members will be able to manage risks of misconduct.
Equalities Impact Screening	None.
Human Rights	None.
Transformational Government	Not applicable.
Comments of Head of Paid Service	The report is satisfactory.
Comments of Deputy Section 151 Officer	The report is satisfactory.
Comments of Monitoring Officer	The report is satisfactory.

Consultees	None.
Background papers	Localism Act 2011: http://www.legislation.gov.uk/ukpga/2011/20/contents/enacted Current NWL Code of Conduct
Recommendations	THAT THE MEMBER CONDUCT ANNUAL REPORT 2016-17 BE RECEIVED AND ENDORSED.

1.0 INTRODUCTION

- 1.1 It is important that the work of the Audit and Governance Committee should be visible to the Authority and wider public. It is felt that the annual report acts as a helpful tool in communicating the work undertaken by the Audit and Governance Committee.
- 1.2 The Annual Report of North West Leicestershire District Council's Audit and Governance Committee covering the period 1 April 2016 to 31 March 2017 was considered by the Audit and Governance Committee at its meeting on 22 March 2017 and is appended.
- 1.3 The Chairman of the Audit and Governance Committee for 2016-17 was Councillor J Clarke. He will be invited to speak on the Annual Report at the meeting.



MEMBER CONDUCT ANNUAL REPORT 2016-17

1. Introduction

This is the Member Conduct Annual Report of North West Leicestershire District Council's Audit and Governance Committee and covers the period from 1st April 2016 to 31st March 2017.

In addition to the responsibilities detailed in the Terms of Reference below, the Audit and Governance Committee promotes high standards of conduct by District Council Members and Members of Town/ Parish Councils in North West Leicestershire. The Audit and Governance Committee complies with the requirements of the Localism Act 2011, the regulations and the guidance provided under that legislation, together with Council's adopted Arrangements.

On 27 June 2012 Council adopted the North West Leicestershire Code of Conduct for Members which had been drafted by Members for Members. The Code incorporates all the legislative requirements under the Localism Act 2011 in relation to Disclosable Pecuniary Interests together with retaining the personal obligations in existence under the previous regime.

2. Terms of Reference

Membership: Ten councillors

Quorum: Three District councillors

Terms of Reference:

To act as the Authority's Audit Committee, to provide independent assurance of the adequacy of the risk management framework and the associated control environment, independent scrutiny of the Authority's financial and non-financial performance to the extent that it affects the Authority's exposure to risk and weakens the control environment, and to be responsible for the financial reporting process. In particular:

- Consider the effectiveness of the Authority's risk management arrangements, the control environment, and anti fraud and corruption arrangements
- Seek assurances that action is being taken on risk-related issues identified by auditors and inspectors
- Be satisfied that the Authority's assurance statements properly reflect the risk environment and any actions required to improve it
- Approve (but not direct) Internal Audit's strategy and plans and monitor performance
- Review summary Internal Audit reports and the main issues arising, and seek assurance that action has been taken where necessary
- Receive the annual report of Internal Audit
- Consider plans of External Audit and inspection agencies
- Monitoring of relevant reports and action plans
- Ensure there are effective relationships between Internal and External Audit, inspection agencies and other relevant bodies, and that the value of the audit process is actively promoted
- Approve the Council's statement of accounts, income and expenditure and balance sheet and receive the External Auditor's opinion and reports to members, and monitor management action in response to the issues raised by External Audit
- To deal with the Annual Audit and Inspection letter and in particular to:
 - consider matters raised in the annual governance report
 - agree, if necessary, to adjust the financial statements
 - approve the representation letter on behalf of the Council
 - consider and agree, if considered appropriate, any actions proposed in the annual governance report and statement

- To have delegated authority to deal with all matters relating to the Council's final accounts

Sub-committees of the Audit and Governance Committee

All Audit and Governance Committee members will form a pool from which members will be drawn based on their availability and the requirements of the particular Sub-committee as and when required.

Assessment Sub-committee

Assessment of complaints in accordance with the Council's Guidance and to either:

- Determine that there should be no further action
- refer the matter for full investigation
- refer the matter for other action

Review Sub-committee

Consideration of requests for a review in accordance with the Council's Guidance.

Determinations Sub-committee

To receive reports from the investigating officer and to decide either:

- to determine finding of no failure to comply with the Code of Conduct
- to determine finding of failure to comply with the Code of Conduct and impose relevant sanctions
- refer the matter for other action

3. Composition

District Councillors

All appointed by Council on 17 May 2016

Chairman: Councillor J Clarke

Deputy Chairman: Councillor D Harrison

Councillor R Adams (May 2016 – February 2017)

Councillor R Ashman

Councillor F Fenning

Councillor G Jones

Councillor Gill Houlton

Councillor P Purver

Councillor S Sheahan

Councillor A C Saffell

Cllr S McKendrick (February 2017)

Parish Representatives

The following parish councillors be appointed as Parish Representatives with effect from 7 May 2016 for the remainder of the Administration (May 2019):

Mr Peter Moulton – Whitwick Parish Council

Mr David Gothard – Appleby Magna Parish Council

Mr Ray Woodward – Whitwick Parish Council

Ms Pat Thomas – Ashby Woulds Town Council

Independent Persons

The legislation requires the Council to appoint at least one Independent person who potentially advises all those involved in a Standards complaint, including the Monitoring Officer, and who must be consulted prior to the determination of a complaint.

Through an open advertising process conducted with partner authorities the Council appointed the following pool of independent persons from whom one can be drawn as and when required:

Michael Pearson
Mark Shaw
Christine Howell
Gordon Grime
Richard Gough
Rob Wade

The main officer support for the Committee is provided by the Monitoring Officer (Elizabeth Warhurst), the Deputy Monitoring Officer (Dave Gill) and the Democratic Support Officer (Rachel Wallace).

4. Meetings and Work Programme

The Audit and Governance Committee meets a minimum of four times per annum. In addition to its scheduled meetings, sub committees still meet on an ad hoc basis in order to consider and determine allegations of Member conduct. The Committee has its main work planned in advance through a Work Programme which enables it to be more proactive, strategic and focused in its approach to key issues.

5. Reporting Arrangements

The Audit and Governance Committee receives quarterly reports which have enabled Members to be reminded of the issues it has dealt with during each quarter and address any issues which this has highlighted.

6. Procedures and Workloads

(a) Dispensations

During 2016/17, there were no applications received for a dispensation from either District or Parish members.

(b) Complaints made to the Monitoring Officer under the New Code of Conduct 2016/17

<u>Complaints made:</u>	5
by Members of the Public	0
by Parish Councillors	2
by District Councillors	3
by Parish Clerk	0
by Council Officer	0

Complaints against:

a Parish Councillor	0
a District Councillor	5

From the above mentioned complaints:

3 complaints were resolved informally:

All of these complaints related to unprofessional conduct of councillors.

2 complaints were withdrawn:

These complaints also related to unprofessional conduct of councillors.

0 complaints are at informal resolution stage:

During the investigation of one of the complaints referred to above Michael Pearson, an Independent Person appointed by the council assisted the Monitoring Officer during the informal resolution process in a complaint involving district councillors. Mr Pearson provided an independent view on the issues to be resolved and the Monitoring Officer found the input and assistance from Mr Pearson very useful and his input facilitated the complaint being resolved.

There were no complaints received involving parish members and therefore there was no need to engage the parish representatives on the committee.

(c) Complaints referred to the Standards Assessment Sub Committee

From the above-mentioned complaints: - None

From complaints received in 2015/16:- 2

(d) Members' Register of Interests

The Local Member Support Officers undertake regular checks of the Register of Members' Interests and provide advice and assistance to Parish Councils on the completion of the Registers.

(e) Advice and Training

The Monitoring Officer and Deputy Monitoring Officer continue to provide both parish and district members with advice, both proactively and on request, on member's interests and all aspects of corporate governance.

Training is also currently being provided to members on all aspects of data protection and freedom of information.

7. Policies & Procedures

The Audit and Governance Committee oversees the ethical framework of the Council including oversight of:

- the Whistle Blowing Policy
- complaints handling
- Ombudsman investigations.
- Freedom of Information and Data Protection

**Elizabeth Warhurst
Monitoring Officer**

**Councillor J Clarke
Chairman**

OUR VISION

North West Leicestershire will be a place where people and businesses feel they belong and are proud to call home

**Legal and Support Services
North West Leicestershire District Council
Council Offices, Whitwick Road, Coalville, Leicestershire, LE67 3FJ**

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

ANNUAL COUNCIL – TUESDAY, 16 MAY 2017

Title of report	URGENT DECISIONS TAKEN BY CABINET IN QUARTER 4 2016/17
Contacts	<p>Councillor Richard Blunt 01530 454510 richard.blunt@nwleicestershire.gov.uk</p> <p>Director of Services and Deputy Chief Executive 01530 454555 steve.bambrick@nwleicestershire.gov.uk</p> <p>Head of Legal and Support Services 01530 454762 elizabeth.warhurst@nwleicestershire.gov.uk</p>
Purpose of report	In accordance with the Council's Constitution, to formally report that the Cabinet has taken decisions, which are considered to be urgent and, if delayed, would be likely to cause serious prejudice to the Council's interests.
Council priorities	Homes and Communities Value for Money
Implications:	
Financial/Staff	Financial implications were taken into account by the Cabinet in reaching its decision.
Link to relevant CAT	None.
Risk Management	To comply with Special Urgency Rule 17 of Part 4.3 of the Council's Constitution, the decisions made by Cabinet are to be reported to Council.
Equalities Impact Screening	Not applicable.
Human Rights	Not applicable.
Transformational Government	This relates to the new ways in which Councils are being asked to deliver their services
Comments of Head of Paid Service	The report is satisfactory.

Comments of Deputy Section 151 Officer	The report is satisfactory.
Comments of Monitoring Officer	The report is satisfactory.
Consultees	Corporate Leadership Team
Background papers	Council's Constitution Minutes of the Cabinet meeting on 17 January 2017
Recommendations	THAT COUNCIL NOTES THE REPORT.

1.0 BACKGROUND

- 1.1 The Special Urgency Procedure states that if the date by which an executive decision must be taken and the general exception Rule 16 cannot be followed, then the decision can only be taken if Cabinet has obtained the agreement of the Chairman of the Policy Development Group that the taking of the decision cannot be reasonably deferred. If the chairman of the Policy Development Group is unable to act, then the agreement of the Chairman of the Council, or in his/her absence the Deputy Chairman will suffice.
- 1.2 The Leader is required to submit a quarterly report to the Council on the executive decisions taken under this rule in the preceding three months. The report will include the number of decisions taken and a summary of the matter about which each decision was made.
- 1.3 The reporting timetable for 2016/17 is as follows:-

			REPORT TO COUNCIL
Q1			13 September 2016
April	May	June	
Q2			8 November 2016
July	August	Sept	
Q3			23 February 2017
Oct	Nov	Dec	
Q4			16 May 2017
Jan	Feb	Mar	

- 1.4 No urgent decisions were taken by Cabinet in quarters 1 – 3 and as such, a quarterly report to Council was not required.

2.0 DECISIONS MADE DURING QUARTER 4

- 2.1 One urgent executive decision was made during quarter 4. A summary of the decision is detailed below:-

Cabinet Decision

- 2.2 At its meeting on 17 January 2017, Cabinet considered a report entitled "Proposal to Dispose of Land at North Close, Blackfordby".
- 2.3 It was resolved that:
- a) The comments and implications of the report be noted.
 - b) The disposal of the open land at North Close, Blackfordby be approved to allow the development of affordable housing by East Midlands Homes.
 - c) The authority to liaise with Ashby Town Council and East Midlands Housing to complete the sale of the land be delegated to the Director of Housing in conjunction with the Housing Portfolio Holder.
- 2.4 Members were advised that the decision to be taken was urgent for the following reason:-
- "Following the publication of the site notice, a query was raised regarding the ownership of the land which requires a decision by Cabinet. Delaying the decision until the next available meeting of Cabinet could jeopardise the development of the site going forward".

3.0 CONCLUSION

- 3.1 In line with the Special Urgency Procedure the Chairman of the Policy Development Group had agreed that the decisions proposed were reasonable in all circumstances and that they should be treated as a matter of urgency.

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