

MINUTES of a meeting of the CABINET held in the Board Room, Council Offices, Coalville on  
TUESDAY, 24 SEPTEMBER 2019

Present: Councillor R Blunt (Chairman)

Councillors R Ashman, R D Bayliss, T Gillard, N J Rushton and A C Woodman

In Attendance: Councillors J Clarke, D Everitt, J Legrys, V Richichi, C A Sewell and S Sheahan

Officers: Mr J Arnold, Mrs T Bingham, Miss E Warhurst and Mrs R Wallace

**30. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**31. DECLARATION OF INTERESTS**

There were no interests declared.

**32. PUBLIC QUESTION AND ANSWER SESSION**

**QUESTION FROM MR IAN WEBB AND MR WILLIAM MOORE TO COUNCILLOR A WOODMAN**

“With reference to the upcoming agenda item, 2019 AIR QUALITY ANNUAL STATUS, is this cabinet aware that this statutory report breaks the law by being 3 months late? Is this cabinet aware that it is being asked to endorse that?

Why does this Annual Status Report fail to mention that the vehicle exhaust pollutants along Nottingham Rd, Ashby de la Zouch exceed the Government legal limits? Why does this Annual Status Report not address the increasing health risks when the present mortality rate stands at 76 Ashby persons per year due to poor air quality according to the NWLDC 2018 Annual Status Report?

In 2019, William Moore Fellow of the Royal society of Chemistry, provided a professional report to the Planning Dept of the NWLDC, applying DEFRA data that showed Nottingham Road, Ashby has air pollution far exceeding government's legal limits. Added to this, the Leicestershire County Council Director of the Environment and Transport has just issued two important air quality reports that record exactly the same problem for Ashby. Is this cabinet aware that this 2019 ASR wrongly concludes *no new area is likely to exceed air quality objectives*?

Is this cabinet aware that this Council is spending several thousand pounds modelling the air quality for Nottingham Road, Ashby instead of taking more credible measurements?

All of this evidence has been previously presented to the NWLDC, yet today why is it not before this Cabinet?

We hope you would agree that this report should be deferred until it is upgraded & corrected, as there is already an external consultant employed to assess the Air Pollution in Ashby.”

**RESPONSE FROM COUNCILLOR A WOODMAN**

“I would like to thank Mr Webb and Mr Moore for their question in relation to Air Quality in Ashby but specifically Nottingham Road.

Chairman's initials

I need to make it very clear that this is a status report about air quality that has historically effected residential properties in the district in the 2018 calendar year and is a factual account of the data collected and is therefore not subject to change.

The Department for Environment Food and Rural Affairs (DEFRA), who determine the methodology for statutory air quality monitoring, do provide a target date of the end of June each year for submission but there are no laws or penalties relating to not meeting this target date.

DEFRA provide councils with a template for the air quality report which only covers the monitoring of certain pollutants and locations (nitrogen dioxide and particulates (PM<sub>10</sub>) primarily). These are different to any other methods of assessing air quality carried out by others such as Public Health England or county councils. To date under this councils statutory monitoring responsibilities Ashby has not been found to have an air quality issue in relation to any effect on nearby residential properties.

I am aware that there is a live planning application for a haulage yard on Nottingham Road, which is being considered by planning officers currently. This Cabinet cannot comment upon that application but is aware that the planning officer has commissioned an independent air quality report in relation to the proposed development.

Should the commissioned report for the said development find a problem then this would be included in the air quality report published in 2020.

The statistics from Public Health England relate to 6% of the deaths in the district as a whole (in 2016 there were 896 deaths). PHE have attributed the deaths to exposure to PM<sub>2.5</sub> which is not a pollutant that is measured under the air quality monitoring undertaken by the council.

Officers are more than happy to engage further to discuss the concerns raised which could include engagement with DEFRA.”

Councillor D Harrison, as Ward Member expressed his deep concerns regarding the air quality and that there had been no physical scientific measurements taken in the last 15 years. He asked members to be cautious of signing up to a document that was inaccurate as it was compiled using a desktop exercise. He urged members to defer the item so that more work could be undertaken to obtain a better understanding of the air quality throughout the district.

Councillor R Blunt invited Mr Moore to ask a supplementary question.

Mr Moore stated that officers should be using credible monitoring methods rather than a desktop exercise to collect data and felt that the council was contravening its own policies by not compiling physical data.

### **33. 2019 AIR QUALITY ANNUAL STATUS**

It was agreed for the item to be considered after item 3 – Public Question and Answer Session, as it was the subject matter of the public question received.

As he felt it was a very complex matter, Councillor R Blunt moved that the item be deferred to allow further investigation. He asked that Councillor A Woodman have further discussions with Officers and Councillor D Harrison, as ward member, to progress the matter. It was seconded by Councillor A Woodman.

RESOLVED THAT:

Chairman's initials

The Item be deferred.

**Reason for decision:** To allow further investigation into the air quality annual status for 2019.

### 34. MINUTES

Consideration was given to the minutes of the meeting held on 16 July 2019.

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

RESOLVED THAT:

The minutes of the meeting held on 16 July 2019 be approved and signed by the Chairman as a correct record.

**Reason for decision:** To comply with the Constitution.

### 35. TO GRANT A LONG TERM LEASE FOR A COUNCIL ASSET (SWANNINGTON DEPOT) TO HOSPICE HOPE

Councillor A Woodman presented the report to members.

He informed members that Hospice Hope was a registered charity that delivered specialist care services for people with life limiting conditions. The owner of the current accommodation in Griffydham now wished to return to the property and live in it; therefore, the charity was in need of alternative accommodation. He reported that Bloor Homes had made a commitment to build the new accommodation for free if a suitable site was provided. Following a site options appraisal, Swannington Depot was deemed the most suitable. Bloor Homes would meet the full cost of the design development and construction of the new facility, and submit the planning application. The Council would need to make provision for the relocation of the bin storage facility currently at Swannington Depot which would cost in the region of £65,000, this would be funded from unallocated reserves.

Councillor R D Bayliss commented on the unusual and highly desirable combination of volunteers, building developer and Local Authority. He wished them well in the venture.

It was moved by Councillor A Woodman, seconded by Councillor R Blunt and

RESOLVED THAT:

- a) The transfer of land under a long-term 150 year lease to Hospice Hope (the extent of which shown edged with a thick red line on appendix 4) subject to securing planning consent.
- b) The authority to negotiate and enter into the lease on substantially the same terms as set out in appendix B be delegated to a Strategic Director.
- c) A commitment to fund the project to extend the Linden Way Recycling Centre to the value of £65,000 from unallocated reserves be approved.

**Reason for decision:** The granting of a lease will facilitate the construction of the new facility by Bloor Homes to an agreed specification, which will be subject to a planning application by Bloor Homes.

Chairman's initials

### 36. FUTURE HIGH STREETS FUND BUSINESS CASE DEVELOPMENT

Councillor T Gillard presented the report to members.

He informed members that the Council's expression of interest in the Future High Street Fund was successful and had now been invited to submit a full business case for up to £25 million. A grant of up to £150,000 from the Ministry of Housing, Communities and Local Government had been allocated to develop the business case with a deadline of 28 February 2020. This money could be used to engage consultants to assist with developing the business plan, as and when the professional expertise was required. He reported that officers would be talking to ward members, businesses and the public to help finalise the bid.

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

RESOLVED THAT:

- a) The expenditure of up to £150,000 of grant funding and existing budgets to develop a full business case for submission to Future High Streets Fund be agreed.
- b) The authority to finalise negotiations and award a contract to WYG Consultants up to a value of £150,000 for development of a full business case for Future High Streets Fund, be delegated to the Strategic Director of Place.

**Reason for decision:** Cabinet approval is required to enter into a contract with a supplier for amounts over £100,000 spent within a single 12-month period.

### 37. EXTENSION OF THE COALVILLE CONSERVATION AREA LOCAL DEVELOPMENT ORDER

Councillor T Gillard presented the report to members.

He reported that the Coalville Frontage Improvement Scheme, originally launched in 2015, had committed over £340,000 of grant funding for 15 eligible applications and following the recent review had reopened for applications in July 2019. To enable the frontage scheme works to be completed in a speedy manner, Cabinet approved the adoption of a Local Development Order to allow eligible property owners to carry out certain works that comply with the schemes design guide. This order was due to expire on 30 November 2019. He informed members that the revised order had been drafted in consultation with the Council's Planning and Development Team to allow continued flexibility in delivering the scheme for up to five years whilst protecting heritage assets.

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

RESOLVED THAT:

- a) The 28 day period of consultation for the Draft Coalville Area Local Development Order be endorsed.
- b) The 28 day period of consultation for the Draft Coalville Frontage Improvement Scheme Design Guide be endorsed.
- c) The authority to:
  - i) Consider any responses to consultation; and

Chairman's initials

- ii) Having given due regard to the consultation responses, make relevant amendments to and adopt the Coalville Conservation Area Local Development Order for a period of five years from 1 December 2019,

be delegated to the Strategic Director of Place in consultation with the Portfolio Holder for Planning and Infrastructure.

**Reason for decision:**

- To support the Coalville Project, by making it easier for property owners to undertake specified improvements.
- The Town and Country Planning (Development Management Procedure) (England) Order 2015 provides for the local planning authority to formally adopt the Local Development Order.

### **38. CORPORATE CHARGING POLICY**

Councillor N J Rushton presented the report to members.

He advised that the policy had been developed under the new commercial approach and sought to maximise the financial position through local income generation. The new framework would empower service areas to generate income whilst fully considering and managing the impact to customers, and enduring proper transparency around charging decisions. The Council could expect to see the effect of the new policy in the coming months, with details around income streams and the proposals for 2020 charges presented as part of the draft budget.

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

RESOLVED THAT:

The Corporate Charging Policy be approved.

**Reason for decision:** Policy required Cabinet approval.

### **39. LIST OF LOCAL HERITAGE ASSETS ADOPTION OF LIST OF RECREATIONAL BUILDINGS**

Councillor R Ashman presented the report to members.

He informed members that following the consultation on the draft local list, twelve responses were received and taken into consideration. The revised list contains seven recreational buildings, which were detailed within the report. The owner of the former Rex Cinema objected to the inclusion of the building; however, officers have recommended that it remain on the list due to the nature of the building.

Councillor R Blunt commented that the Conservation Society had stated that Coalville was once a very desirable town due to its cinemas and shops, and with the help of the Coalville Project, it could be that way again. Therefore, it was important to keep and maintain these buildings.

It was moved by Councillor R Ashman, seconded by Councillor R Blunt and

RESOLVED THAT:

The revised List of Recreational Buildings be approved.

Chairman's initials

**Reason for decision:** Adoption of the revised full list of recreational buildings would support the aims of the Council Delivery Plan relating to sustainable development and growth and people feeling proud of their homes and communities.

#### **40. NWL ECONOMIC GROWTH PLAN 2019-21**

Councillor T Gillard presented the report to members, highlighting the ambitions for North West Leicestershire.

He advised that following the consultation on the draft document, a number of amendments had been made. In particular, the sustainable economy section now reflected on the relationship between the economy, the environment and climate change, and the alignment with the National Forest. In addition, a series of additional collaborative objectives had been included within the business, People and Place Sections to reflect feedback.

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

RESOLVED THAT:

The final version of the North West Leicestershire Economic Growth Plan 19-21 and, the Associated Evidence Base and Investor Prospectus be approved.

**Reason for decision:** Cabinet approval sought to adopt the final version of the North West Leicestershire Economic Growth Plan 19-21 and, the Associated Evidence Base and Investor Prospectus following stakeholder consultation.

#### **41. SAFEGUARDING UPDATE FOR 2018 TO 2019**

Councillor A Woodman presented the report to members.

He informed members that in the last 12 months the Council had invested in training new designated safeguarding staff and additional training had been identified to ensure staff understand their cases and improve their ability to refer to other organisations. The number of cases was increasing year on year; in 2018/19, 157 cases were referred to the team, all of which were considered in a timely manner. Councillor A Woodman referred members to the case samples within the report, which indicated the impact of the safeguarding team within the community. He commended the team for their work.

Councillor R Blunt agreed that the case samples were very good examples of what the team had been doing in the community.

It was moved by Councillor A Woodman, seconded by Councillor R Bayliss and

RESOLVED THAT:

The work of the North West Leicestershire Safeguarding Team 2018/19 be noted.

**Reason for decision:** To comply with the Council's Constitution and statutory duty to safeguard children and vulnerable adults as detailed in the Children Act 2004 and Working Together 2013.

#### **42. 2018/19 END OF YEAR REPORT**

Councillor R Blunt presented the report to members.

He informed members that the report reviewed the achievements of the Council against its objectives and targets for the financial year ending April 2019. He advised that excellent progress had been made in all of the priority areas, with 31 of the 35 commitments achieved or on plan. He went on to highlight the achievements has detailed within the report.

Councillor R D Bayliss commented that the housing progress was good overall, especially with the number of affordable homes exceeding targets.

Councillor N J Rushton drew members' attention to the increase in business rate income, which indicated a level of growth within the district. He also referred to the increased levels in recycling, the growth in the self-sufficiency fund and the amount of savings. He commented that North West Leicestershire District Council was possibly the best performer in Leicestershire on a whole range of factors not just income.

Councillor R Ashman thanked officers for the excellent report, which was clear and easy to read. He was happy to see the results of the urban design for new builds and the improvements in the process for Section 106 Agreements.

Councillor A Woodman commented that although he was not an elected member during the period of the report, it was great to see what had been achieved. He thanked his predecessor for the hard work undertaken.

Councillor T Gillard commented that the success of the Enterprising Phase 3 Grant Programme showed that local businesses were continuing to invest, grow and create new jobs. He thanked the Business Focus Team for all the work undertaken for local businesses.

Councillor R Blunt agreed that it was good to see the direction the council was going in and to see the growth in the last 12 years. He was very proud of the success.

It was moved by Councillor R Blunt, seconded by Councillor R D Bayliss and

**RESOLVED THAT:**

The report be received.

**Reason for decision:** The report delivers an update and actions on all of the Council priorities.

#### **43. 2019/20 QUARTER 1 PERFORMANCE REPORT**

Councillor R Blunt presented the report to members, highlighting the key areas of performance.

Councillor R D Bayliss commented on the housing repairs team operating above target, the progress on the turnaround times for the empty homes programme and the parking improvements underway. He was also pleased with the improved call waiting times in Customer Services and was expecting further improvements in future reports. Councillor R Blunt commented on the parking improvements in council estates and explained his ambitions to become tenure neutral for all council housing to improve society cohesion; he felt this was very important.

Councillor N J Rushton reported that budgets were being effectively managed and Quarter 1 performance had been positive.

Chairman's initials

Councillor R Ashman commented on the progress made in achieving targets in the planning process and the increase in affordable homes.

Councillor A Woodman reported that work on Hood Park Leisure Centre was going well and the newly opened gymnasium was fantastic.

It was moved by Councillor R Blunt, seconded by Councillor R Ashman and

RESOLVED THAT:

The Quarter 1 Performance Report (April - June 2019) be noted.

**Reason for decision:** The report be provided for members to effectively monitor the performance of the organisation.

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

Councillor N J Rushton presented the report to members.

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

RESOLVED THAT:

The non-domestic rates and sundry debt write offs that are over £10,000 be approved.

**Reason for decision:** To comply with the proper accounting practices.

The meeting commenced at 5.00 pm

The Chairman closed the meeting at 5.56 pm