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

Time/Date 6.30 pm on TUESDAY, 10 SEPTEMBER 2019
Location Council Chamber, Council Offices, Coalville
Officer to contact Democratic Services (01530 454512)



.....
Chief Executive

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. CHAIRMAN'S ANNOUNCEMENTS | |
| 4. 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. | |
| 5. 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. | |

6. 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.

7. MOTIONS

To consider the following motion submitted by Councillor S Sheahan:

This Council notes the latest promise of £150,000 from the Government to assist with our EU exit preparations as a port area. This comes in addition to sums totalling £180,000 already allocated.

However, this Council does not believe this money will adequately mitigate the effects of a no-deal Brexit which the Government claims it is 'turbo-charging' its preparations for.

Evidence indicates the outcome of a no-deal Brexit would be costly and damaging and we are particularly concerned about the impact on vulnerable residents and smaller businesses within our District.

We further note that there is no majority for a no-deal Brexit either in Parliament or amongst the wider electorate.

We therefore deplore the Prime Minister's anti-democratic attempt to frustrate the will of Parliament by suspending it, thereby increasing the chances of Brexit occurring with no deal in place.

This Council resolves to make its views known by writing to our local MP, and urging him not to support actions which will lead to a damaging no-deal Brexit.

8. PETITIONS

To receive petitions in accordance with the Council's Petition Scheme.

9. MINUTES

To confirm the minutes of the meeting of the Council held on 25 June 2019.

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10. NOTIFICATION OF AN URGENT DECISION - LAND OPTIONS AT COALVILLE

Report of the Chief Executive
Presented by the Leader

13 - 16

11. UPDATE TO THE COUNCIL'S CONSTITUTION

Report of the Head of Legal and Commercial Services
Presented by the Corporate Portfolio Holder

17 - 22

| Item | Pages |
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| 12. ALLOCATION OF SEATS ON COMMITTEES | |
| Report of the Chief Executive Presented by the Deputy Leader | 23 - 26 |
| 13. APPOINTMENT OF REPRESENTATIVES ON COMMUNITY BODIES - ALDERMAN NEWTON EDUCATION FOUNDATION | |
| Report of the Chief Executive Presented by the Deputy Leader | 27 - 28 |

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MINUTES of a meeting of the COUNCIL held in the Council Chamber, Council Offices, Coalville on TUESDAY, 25 JUNE 2019

Present: Councillor J Bridges (Chairman)

Councillors V Richichi, R Ashman, R D Bayliss, C C Benfield, A S Black, R Blunt, R Boam, A J Bridgen, R Canny, J Clarke, D Everitt, T Eynon, M French, J Geary, L A Gillard, S Gillard, T Gillard, D Harrison, B Harrison-Rushton, M D Hay, G Houlst, J Houlst, R Johnson, J Legrys, K Merrie MBE, N J Rushton, A C Saffell, C A Sewell, S Sheahan, N Smith, D E J Tebbutt, J Windram, A C Woodman and M B Wyatt

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

20. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors E Allman, D Bigby and D J Stevenson.

21. DECLARATION OF INTERESTS

There were no interests declared.

22. CHAIRMAN'S ANNOUNCEMENTS

The Chairman made the following announcements:

The Chairman referred to the success of Picnic in the Park and Music in the Park, which had been particularly well attended this year. He expressed thanks to all the staff involved for their hard work to prepare the park after the bad weather. He also thanked the members who had attended the event.

The Chairman announced that the flag had been raised for Armed Forces Day and he was grateful to have taken part with members of the Armed Forces whose dignity and discipline should be remembered.

The Chairman said farewell to Glyn Jones, Strategic Director of Housing, Property and Customer Services, who would be leaving the Council in August after nearly 5 years' service. He wished him every success in the future.

23. LEADER'S AND PORTFOLIO HOLDERS' ANNOUNCEMENTS

Councillor N J Rushton shared some of the key messages from the 2018/19 provisional outturn report which had recently been considered by Cabinet. He announced that financial performance had continued to improve across the Council and reserves remained healthy due to growth in income from business rates and the new homes bonus. He reported that £1.4 million had been transferred into the self-sufficiency reserve taking the total to £4.2 million, meaning there was now a healthy reserve which would enable the Council to respond to future financial risks in a rational and reasoned way. He felt it was prudent to have this reserve given the uncertainty going forwards.

Councillor N J Rushton highlighted the remaining surpluses and reserves which had been allocated, including £200,000 for a new Local Centres Frontage Improvement Scheme in Castle Donington, Kegworth, Ibstock and Measham, £20,000 to fund an options appraisal for Moira Furnace, £20,000 to support the administration of EMEG Access to Work

scheme, £30,000 to commission a Carbon Footprint report, £30,000 to undertake a food waste recycling pilot and £30,000 to fund health and safety improvements.

Councillor N J Rushton reported that £4.6 million of the Housing Revenue Account surplus had been transferred to the Loan Redemption Reserve which now had the full £13 million of funds in place to repay the maturity loans due for redemption in 2022, ahead of the target date in 2020.

Councillor S Sheahan made reference to the supplements from business rates. With respect to Moira he suggested that consideration be given to expanding the number of workshops on site.

Councillor N Smith supported the comments on the need to expand Moira Furnace.

Councillor N J Rushton announced that officers had been successful in securing £7,500 of funding from Barnardo's, which would be used to deliver a physical activity based school holiday programme in Coalville for children who were most in need. The programme was being delivered in partnership with Everyone Active.

Councillor B Harrison-Rushton welcomed the additional funding in Kegworth, which was needed in such a fast growing area. He also welcomed the announcement regarding the funding from Barnardo's, especially considering a recent report from the Education Policy Institute which showed that the fitness of students in low income families fell 18 times faster during the summer holidays.

Councillor R D Bayliss said farewell to Glyn Jones and thanked him on behalf of the tenants. He stated that he had a transformative agenda and had been a great servant to this Council. He commented on their positive working relationship and the progress that had been made during his tenure.

Councillor R D Bayliss announced the completion of the second phase of the building programme of new council houses, with 24 new council homes built and let on the site of the old Police Station on Ashby Road, Coalville. Phase three of the programme will see the development of the former Cocked Hat public house in Greenhill, a site which has been derelict for 15 years and which the Council purchased last year. He reported that planning permission had been granted for 8 new council homes, and construction would commence in August. The viability of sites in Measham and Whitwick were also being assessed.

Councillor R D Bayliss stated that the Council had added to the supply of affordable rented housing by acquiring 45 new homes from developers as part of planning agreements over the previous 2 years. A further 2 homes had been acquired in Ashby de la Zouch and were due to be handed over in the next month. This meant that the Council had added 95 new homes to its council housing stock over the last 2 years.

Councillor R D Bayliss announced that the Council had signed a Section 106 agreement with East Midlands Homes at the Holywell Spring Farm site enabling a land transfer which would see the first publicly funded extra care scheme in North West Leicestershire. The Council would be contributing over £1 million to enable this scheme to go ahead which would see 65 apartments built in a state-of-the-art scheme for older people.

Councillor M B Wyatt welcomed the announcement in respect of the development of Cropston Drive. He asked whether the new council homes were going to be carbon neutral.

Councillor D Everitt welcomed the progress made regarding new council houses. He hoped that the Council would be in a position to provide more than it sold.

In response to Councillor M B Wyatt, Councillor R D Bayliss advised that the new council homes would be built in accordance with the latest regulations; however the exact specification had not been drawn up yet.

In response to Councillor D Everitt, Councillor R D Bayliss advised that over the past 2 years, the Council had acquired 95 homes and sold 85.

In response to a question from Councillor A Bridgen, Councillor R D Bayliss advised that there were currently around 650 people on the housing waiting list and there were around 330 new council tenancies issued each year.

24. QUESTION AND ANSWER SESSION

There were no questions received.

25. QUESTIONS FROM COUNCILLORS

There were no questions received.

26. MOTIONS

Councillor A Woodman moved the motion as set out on the agenda and spoke to the motion. He stated that the recognition of there being a climate emergency was not new. He highlighted the progress made in the battle against emissions in the last 30 years, and in particular that since 1990, the UK had performed better in reducing emissions on a per person basis than any other G7 nation and would be one of the first developed countries to completely remove coal as an energy source. He acknowledged that more needed to be done and he welcomed the Government introducing a legally binding net zero target. He added that he wanted the Council to go further than this and he updated members on what the district council had been doing to progress the green agenda as a key leader on this issue.

Councillor J Legrys seconded the motion and reserved his comments.

Councillor S Sheahan felt that there may be clear solutions but a longer term view was needed. He added that declaring a climate emergency brought the issue into focus. He felt it was important to involve the public in discussions about the solutions. He felt that it needed to be recognised that a tipping point had been reached.

Councillor J Clarke requested that residents be provided with information on what materials could be recycled and he asked what plans were in place to increase public awareness.

Councillor M B Wyatt stated that he fully supported the motion. He highlighted that the biggest contributor to the carbon footprint was building and the Council had no policy to delivery carbon neutral homes.

Councillor C C Benfield welcomed the motion and commented that he believed the appetite for this change was shared by most members. He acknowledged that the world was rapidly reaching a tipping point from which there would be no return. He stated that the motion rightly suggested that the Council could only operate in its own scope of control or influence, however he argued that there was far more within the Council's power and resources than was intimated by the motion. He also argued that the actions of the Council had repercussions far wider than the motion suggested; the Council's influence could radically reduce the carbon footprint of the entire district via planning regulations, contracts, sub-contracts and training courses. Councillor C C Benfield asked members to consider to what immediate actions they were committing themselves in

Chairman's signature

declaring a carbon emergency, and what the Council's targets would be in planning for carbon neutrality by 2030. He referred to the graphs circulated at the meeting showing two approaches to achieving carbon neutrality and the challenges presented by each approach. He concluded that the Council needed to commit to a path now.

Councillor D Everitt agreed that the information to residents on recycling needed to be clarified. He highlighted the benches in Thringstone that were made from recycled materials.

Councillor D Tebbutt welcomed the motion and was glad that the Council had come together to put this motion forward in the best interests of the district. He commented that climate change was an issue that affected everyone, and being the youngest member of the Council he was concerned about the future of the planet. He highlighted a report from the Breakthrough National Centre for Climate Restoration which suggested that civilisation may be close to its end by 2050. He stated that everyone had a responsibility to ensure the planet had a future. He welcomed the introduction of the target of achieving carbon neutrality and the commitment to work closer with other bodies to deliver the best results. He believed that with the correct resources, powers and guidance from central Government, more could be done to make the district as green as possible and set an example to other local authorities. He referred to the evident increase in calls for councils to declare a climate emergency and noted that Leicestershire County Council had already done so. He urged members to support the motion and declare a climate emergency.

Councillor R Canny stated that this issue was a crisis of our generation and the next generation to come. She felt that the time to act was now. She agreed that education was the place to start and commented that each person had to be responsible for making a difference in whatever way they could.

Councillor R Blunt stated that the green agenda was a Council priority, however more had to be done. He highlighted the lack of a charging point at the Council for electric cars and felt this was setting a poor example. He commented that the green agenda needed to be in the forefront of everyone's mind.

Councillor J Legrys commented on the need to support developers in this process and stated that he would be working on this via the review of the Local Plan. He highlighted the high level of car ownership in the district due to the location of housing and employment. He expressed support for the young people who were bringing these issues to the forefront. He highlighted the Council's level of influence as a local planning authority. He urged members to support the motion.

Councillor A Woodman exercised his right to reply and responded to the comments made by members.

The Chairman then put the motion to the vote. It was

RESOLVED THAT:

- a. "That this Council notes:
 - i. the UK has, at international level, signed into the Paris Accord 2015 and to the commitments agreed in 2018 at the Conference of Parties to the UN Framework Convention on Climate Change (COP24) which amongst other things recognise the need to limit by 2030 temperature rises to between 1.5° C and 2° C above the internationally recognised preindustrial baseline;
 - ii. the UK has at a national level, set targets into law under the Climate Change Act 2008, but despite outperforming every G7 nation by cutting emissions by more than 40 per cent since 1990, and recently breaking the record for the

longest continuous period without using coal in the energy mix since the Industrial Revolution, the UK is not currently on track to meet its statutory carbon targets set in the 4th and 5th carbon budgets for the period 2023-2027 and 2028-2032 respectively;

- iii. This Council already demonstrates its public commitment to the environment through the Green Footprints agenda which includes a Free Tree scheme, efforts to increase recycling and making Council homes more efficient by installing air source heat pumps.
- b. That this Council further notes that in October 2018 the UN Intergovernmental Panel on Climate Change (IPCC) published scientific evidence and determined that any rise above 1.5° C would cause much more serious outcomes than Paris Accord envisaged, thereby having a more rapid adverse impact in the north and south polar regions and the Himalayan 'third pole' and in doing so recognises that the current efforts and targets towards reducing emissions and limiting temperature rises is clearly not enough.
- c. That this Council also notes that there are increasing calls for councils to declare a climate emergency and to commit to carbon neutrality by 2030 for their administrative areas.
- d. That this Council notes that:-
 - i. it can only operate within its own scope of control and influence;
 - ii. there is a need to balance the competing demands on its decreasing resources and finances;
 - iii. not all the technological solutions nor the required powers and resources are currently in place.
- e. That this Council declares a climate emergency and will aim to achieve carbon neutrality from its own operations by 2030 and accordingly requests officers to develop an environment strategy necessary to achieve this aspiration together with an assessment of the cost and technology implications of so doing to enable the Cabinet and Council to take an informed decision whilst recognising that this will potentially require the reallocation of resources by the Council.
- f. That this Council commits to work with business and other public bodies across the district county and region to deliver this ambitious goal through all relevant technologies, strategies and the revision of the Local Plan where this aligns with national policy and guidance
- g. That this Council recognises that there is an increasing urgency for action to avoid the worst impacts of climate change and in doing so calls for the support of all parties to urge the Government to:-

provide the powers and resources to local authorities and others to make the wider 2030 target more possible; work with other governments (both within the UK and internationally) to determine and implement best practice methods to limit global warming to less than 1.5°C above pre-industrial levels.”

27. PETITIONS

No petitions were received.

28. MINUTES

Consideration was given to the minutes of the meeting held on 21 May 2019.

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

RESOLVED THAT:

The minutes of the meeting held on 21 May 2019 be approved and signed by the Chairman as a correct record.

29. PLANNING PEER CHALLENGE UPDATE

Councillor R Ashman presented the report to members, reminding them of the peer challenge of the Planning service which had been undertaken in February 2018 as part of the Council's commitment to continued development. He highlighted the work which had been undertaken by the cross party working group which had been established as a result of the peer challenge, and the subsequent changes which had been made to the operation of the Planning Committee.

Councillor N Smith referred to the changes which had been made as a result of the review and personally felt that there had been a significant improvement. He highlighted the lack of overturned applications since the changes had been implemented. He thanked the officers for their work and added that the relationships were far better than they were previously.

Councillor J Legrys spoke in support of the motion. He welcomed the review and felt that the process was now far more transparent.

Councillor D Everitt felt that the outcome of the review had not been positive for members of the public as the number of applications considered by the Planning Committee had been greatly reduced and the public were not able to take part in the same way. He felt that the changes were negative and that having less members on the Planning Committee was anti-democratic.

Councillor A C Saffell commented that the planning process was working better and ward member engagement was far more important than it was before. He welcomed the changes.

Councillor R Ashman acknowledged that there were challenges ahead with some major applications due to come before the Planning Committee. He felt the review had made the Council more focussed on planning issues and encouraging the resolution of any problems prior to the Planning Committee stage. He added that in a short period of time, a much improved Planning Committee had been arrived at which was evidenced by the fact that appeals were rarely lost. He highlighted the cost of losing appeals.

It was moved by Councillor R Ashman, seconded by Councillor N Smith and

RESOLVED THAT:

- a) The continued progress made against the action plan be noted.
- b) The intention of the cross party working group to continue to meet to complete the outstanding actions in the action plan, and to monitor and review procedures as necessary be noted, with Planning Advisory Service involvement as and when required.

The meeting commenced at 6.30 pm

The Chairman closed the meeting at 7.47 pm

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NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

COUNCIL – TUESDAY, 10 SEPTEMBER 2019

| | |
|----------------------------------|---|
| Report Title | NOTIFICATION OF AN URGENT DECISION - LAND OPTIONS AT COALVILLE |
| Contacts | <p>Councillor Richard Blunt 01530 454510 richard.blunt@nwleicestershire.gov.uk</p> <p>Strategic Director of Place 01530 454555 james.arnold@nwleicestershire.gov.uk</p> <p>Head of Economic Regeneration 01530 454752 mark.fiander@nwleicestershire.gov.uk</p> |
| Purpose of report | In accordance with the Council's Constitution, to formally report that the Cabinet has taken a decision on which the Call-In process was suspended because it was considered to be urgent and, if delayed, the Council's interests would be seriously prejudiced. |
| Council priorities | Supporting Coalville to be a more vibrant, family-friendly town. Supporting businesses and helping people into local jobs. |
| Implications: | |
| Financial/Staff | Financial implications were taken into account by Cabinet in reaching its decision. |
| Health and Safety | Not applicable |
| Risk Management | To comply with Rule 13 (call-in urgency) of Part 4.6 of the Council's Constitution, that suspensions of Call-In in relation to urgent decisions made by Cabinet are to be reported to Council. |
| Equalities Impact Screening | Not applicable |
| Human Rights | Not applicable |
| Transformational Government | Not applicable |
| Comments of Head of Paid Service | The report is satisfactory |
| Comments of Section 151 Officer | The report is satisfactory |
| Comments of Deputy | The report is satisfactory |

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| Monitoring Officer | |
| Consultees | The Chairman of the Council |
| Background papers | Report to Cabinet on 10 June 2019 |
| Recommendations | THAT COUNCIL NOTES THE REPORT |

1.0 BACKGROUND

- 1.1 As set out in Rule 13(g)(i) (call-in urgency) of Part 4.6 of the Council's Constitution, the call-in procedure may be suspended where a decision being taken by the Cabinet is urgent. A decision is considered urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests.
- 1.2 In all circumstances, the Chairman of the Council must agree that the decision is reasonable and must agree to the decision being treated as a matter of urgency.
- 1.3 Decisions taken as a matter of urgency must be recorded in the minutes and be reported to the next available meeting of the Council, together with the reasons for urgency.

2.0 SUMMARY OF THE DECISION MADE BY CABINET

- 2.1 An urgent executive decision was taken by Cabinet at its extraordinary meeting on 10 June 2019. A summary of the decisions is detailed below:-

Land Options in Coalville

- 2.2 The Council was approached by a property and development consultancy (Lathdale) who represents a private sector property investment unit trust who proposed to purchase the Belvoir Retail and Leisure Centre (Belvoir Centre) in June 2019. Prior to purchasing the Belvoir Centre, and as a requirement of purchase, the investor sought an option agreement with the Council to buy land adjacent to the Belvoir Centre.
- 2.3 Most of the land provides parking for the Belvoir Centre with some open space. The investor wishes to own, operate and improve both the centre itself and the car park in order to provide the best possible experience for customers. They may also wish to develop any part of the land purchased that can be demonstrated is not required for parking and would support the regeneration of Coalville. This proposal would support the Council's objectives.
- 2.4 It was proposed that the investor represented by Lathdale enters into an option agreement with the Council. This would grant the right for the investor to acquire the Council's land at any point during a period of 6 months from the date the option agreement is entered into. The investor would pay the Council the open market value of the property, taking into account the overage provisions and the restrictive covenant below. In return for the Council agreeing to sell the freehold title at market value, the investor agreed that the Council would be released from some covenants immediately and, after 5 years, all the covenants relating to the Council's land, notably the 0.339 hectare site of the current Market Hall but with a new covenant restricting its use to car parking, residential, a new market hall or a cinema.
- 2.5 The report sought Cabinet's approval to dispose of land adjacent to the Belvoir Centre and requested that Cabinet delegates authority to the Strategic Director of Place in

consultation with the Leader to approve the detailed terms of the land option agreement and ancillary documents and enter into a contract provided that the market value for the land is achieved. The report also requested that Cabinet approved legal and other development costs to support the project to be met from unallocated earmarked reserves and noted that each party will bear their own costs of entering into the contract.

- 2.6 The approval of the Chairman of the Council was given for exemption to the Council's Scrutiny Procedure Rules in relation to call-in. This was because the execution of the option agreement and ancillary documents was time critical and so any delay may have resulted in the investor's acquisition and wider development of the Belvoir Centre not occurring. This was because the investor was only willing to acquire the Belvoir Centre when the option agreement was in place and it was subject to time restrictions in their negotiations with Threadneedle (the owner of the Belvoir Centre at the time). A delay due to Call-In would have put both the proposed transaction and wider regeneration of the Belvoir Centre at risk. The Chairman noted in respect of appropriate scrutiny of this decision that members of the Community Scrutiny Committee and Coalville Members were invited to consider the proposals on 5 June 2019 at a confidential presentation and their comments were reported at the extraordinary cabinet meeting. In accordance with the constitution, this urgent decision was recorded in the minutes.
- 2.7 Following the Cabinet decision referred to in this report, the option agreement was entered into. As reported publically, the private investor has acquired the Belvoir Centre and plans are progressing for improvements to the town centre.

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NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL**COUNCIL - TUESDAY, 10 SEPTEMBER 2019**

| | |
|---------------------------------------|--|
| Report Title | UPDATE TO THE COUNCIL'S CONSTITUTION |
| Contacts | <p>Councillor Nick Rushton 01530 412059 nicholas.rushton@nwleicestershire.gov.uk</p> <p>Chief Executive 01530 454500 bev.smith@nwleicestershire.gov.uk</p> <p>Head of Legal and Commercial Services 01530 454762 elizabeth.warhurst@nwleicestershire.gov.uk</p> |
| Purpose of report | To approve proposals to improve the Council's scrutiny function |
| Council priorities | Appropriate corporate governance feeds into all Council priorities |
| Implications: | |
| Financial/Staff | Additional meetings will require small increase in resourcing from the Democratic Services Team which can be accommodated within existing budgets. |
| Health and Safety | N/A |
| Risk Management | A strong scrutiny function will ensure the Council is governed in a compliant and transparent manner. |
| Equalities Impact Screening | N/A |
| Human Rights | N/A |
| Transformational Government | Clear and robust governance arrangements and procedures assist with the effective and efficient delivery of services and proper decision making |
| Comments of Head of Paid Service | Report is satisfactory |
| Comments of Section 151 Officer | Report is satisfactory |
| Comments of Deputy Monitoring Officer | As author, the report is satisfactory |
| Consultees | Corporate Leadership Team |

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| Background papers | Report to Council on 26 February 2019 – Review of the Council’s Constitution |
| Recommendations | <p>COUNCIL APPROVES:</p> <ol style="list-style-type: none"> 1. THAT THE COUNCIL’S CONSTITUTION IS AMENDED TO ALLOW ADDITIONAL SCRUTINY MEETINGS AS DESCRIBED IN THIS REPORT. 2. THAT COUNCIL AUTHORISES THE HEAD OF LEGAL AND COMMERCIAL SERVICES TO MAKE THE AGREED AMENDMENTS AND ANY CONSEQUENTIAL AMENDMENTS TO THE CONSTITUTION AND RE-ISSUE THE DOCUMENT. |

1 INTRODUCTION

- 1.1 The Local Government Act 2000 introduced a new political management system for local councils in England and Wales, requiring them to have a separate ‘executive’ in the form of a leader, or elected mayor, and cabinet. To provide a counterweight for this, the Act also introduced the concept of ‘overview and scrutiny’, whereby every council with an executive management structure is required to have an overview and scrutiny committee. This enables the rest of the council to scrutinise the executive by investigating its decisions and policies, and publish reports and recommendations where any issues are identified.
- 1.2 At its meeting on 26 February 2019, Council noted the increased role that the Authority’s scrutiny committee was carrying out and expanded the scrutiny function, from one committee meeting six times per year, to two committees each meeting five times per year.

2 SCRUTINY DURING BUDGET SETTING

- 2.1 The Corporate Leadership Team have considered the role that the Corporate Scrutiny Committee will play in the budget setting process. Given the importance, complexity and profile of this process, senior officers recommend that an additional meeting of the Corporate Scrutiny Committee is provided for in the Constitution.
- 2.2 In coming to this conclusion, senior officers noted that there was little flexibility to allow extra meetings of the Scrutiny Committees should urgent business arise. Therefore it is further recommended that the Chief Executive, in consultation with the Chair of the relevant Scrutiny Committee, be empowered to convene additional meetings of either Scrutiny Committee to consider urgent business.

3 AMENDMENTS TO THE CONSTITUTION

- 3.1 In order to effect the additional meetings recommended above, minor changes need to be made to the following sections of the Constitution:
- 3.1.1 Paragraph 2.1.3 of Section 5 (Bodies Exercising Council Functions) of Part 3 (Responsibility for Functions)
 - 3.1.2 Paragraph 4 of the Scrutiny Procedure Rules in Part 4 (Rules of Procedure).

3.2 The proposed amendments are drafted in Appendix A.

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SECTION 5 - BODIES EXERCISING COUNCIL FUNCTIONS

2. SCRUTINY

2.1 SCRUTINY COMMITTEES

2.1.1 There shall be two Scrutiny Committees as follows:

The Corporate Scrutiny Committee

The Community Scrutiny Committee

2.1.2 ***Each*** Scrutiny Committee shall be constituted as follows:

Membership: Ten councillors

Quorum: Three members

2.1.3 Number of Meetings

(a) Each Scrutiny Committee shall meet five times per year.

(b) The Corporate Scrutiny Committee shall meet an additional (sixth) time during the Council's budget-setting process to consider budget proposals.

(c) In addition, meetings of either Scrutiny Committee may be convened from time to time:

a. to consider matters called in; and

b. on the instruction of the Chief Executive in consultation with the Chair of the relevant Scrutiny Committee where consideration of an urgent matter is required,

but only if timescales do not permit the called in or urgent matter to be considered at the next scheduled meeting of the relevant Scrutiny Committee.

~~(a) Each Scrutiny Committee shall meet five times per year.~~

~~In addition, meetings of either Scrutiny Committee may be convened from time to time to consider matters called in, but only if timescales do not permit the called in matter to be considered at the next scheduled meeting of either Scrutiny Committee.~~

4.6: SCRUTINY PROCEDURE RULES

4. MEETINGS OF THE SCRUTINY COMMITTEES

~~Meetings of the Scrutiny Committees shall take place as set out in Paragraph 2.1.3 of Section 5 (Bodies Exercising Council Functions) of Part 3 of this Constitution. There shall be no more than five meetings of each Scrutiny Committee per municipal year. In addition, meetings may be called from time to time to consider matters called in.~~

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

COUNCIL – TUESDAY, 10 SEPTEMBER 2019

| | |
|---------------------------------------|--|
| Title of report | ALLOCATION OF SEATS ON COMMITTEES (POLITICAL BALANCE) |
| Contacts | <p>Councillor Robert Ashman Robert.ashman@nwleicestershire.gov.uk</p> <p>Chief Executive 01530 454500 Bev.smith@nwleicestershire.gov.uk</p> <p>Head of Legal and Support Services 01530 454762 elizabeth.warhurst@nwleicestershire.gov.uk</p> |
| Purpose of report | To agree any changes to proportionality following the recent change of political affiliation of a district councillor. |
| Council Priorities | All |
| Implications: | |
| Financial/Staff | None applicable |
| Link to relevant CAT | None applicable |
| Risk Management | Failure to review the proportionality and appoint to the Council's Committees accordingly will see the Council failing in its duties set out in the Local Government and Housing Act 1989. |
| Equalities Impact Screening | None applicable |
| Human Rights | None applicable |
| Transformational Government | None applicable |
| Comments of Head of Paid Service | The report is satisfactory |
| Comments of Section 151 Officer | The report is satisfactory |
| Comments of Deputy Monitoring Officer | The report is satisfactory |
| Consultees | Group Leaders and Whips |
| Background papers | Local Government and Housing Act, Constitution and the declaration |

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| | of results of the local elections available at www.nwleicestershire.gov.uk |
| Recommendations | <p>(1) THAT COUNCILLOR JOHNSON BE APPOINTED TO THE PLANNING COMMITTEE TO REPLACE COUNCILLOR TEBBUTT;</p> <p>(2) THAT COUNCILLOR BIGBY BE APPOINTED AS A SUBSTITUTE ON THE PLANNING COMMITTEE TO REPLACE COUNCILLOR JOHNSON;</p> <p>(3) THAT COUNCILLOR TEBBUTT BE APPOINTED TO THE SEAT CURRENTLY ALLOCATED TO COUNCILLOR SEWELL ON THE COMMUNITY SCRUTINY COMMITTEE;</p> <p>(4) THAT COUNCILLOR SEWELL BE APPOINTED AS SUBSTITUTE ON THE COMMUNITY SCRUTINY COMMITTEE TO REPLACE COUNCILLOR TEBBUTT;</p> <p>(5) THAT THE UNCHANGED MEMBERSHIP OF THE CORPORATE SCRUTINY COMMITTEE BE NOTED.</p> |

1.0 BACKGROUND

- 1.1 On 29 August 2019, the Council was advised that Councillor Daniel Tebbutt would no longer be a member of the Labour Group.
- 1.2 Councillor Tebbutt has advised that he wishes to be a non-aligned Councillor and, due to the consequential shift in the political balance of the Council, the proportionality has been recalculated.
- 1.3 The requirements regarding political proportionality in the membership of Committees are embodied in the Local Government and Housing Act 1989, Section 15. It is a statutory requirement that where a relevant authority has a membership divided into different political groups then the decision making bodies on the Council must be proportional to the overall make-up of the Council. The Monitoring Officer has a statutory responsibility for ensuring the council implements proportionality correctly.
- 1.4 The rules state that:-
- No Committee is allowed to be made up entirely of one political group
 - A political group with an overall Council majority gets a majority of the seats
 - No political group can have more than they are entitled to
 - The proportion of seats on each Committee should be in proportion to strengths on the Council
 - When proportionality has been agreed, the group nominates the person to fill the seat.
 - Council seat proportionality must incorporate 100% of the members on the Authority irrespective of whether or not they are in a group, non-aligned or single party councillors.
- 1.5 Exceptions to the rules include seats on the Cabinet, area-based Committees or any alternative arrangement that is unanimously passed by all Members on the Council.
- 1.6 A registered group must be allocated the same proportion of Committee places that they have seats on the Council (eg for a group with 10 councillors on a 50 member Council, 10 committee places must be allocated in every 50). To start with we add up the total of all Committee places. If the total was, say, 150 seats, then a group consisting of 10 councillors on a 50 council seat authority is entitled to 30 seats (150 x 10/50ths). Groups are unlikely to

have the same number on every Committee. If Committees are the same size there has to be some negotiating between the group whips on where the additional places should be.

2.0 IMPLICATIONS

Recalculating the political balance has resulted in Labour losing two seats. One on the Corporate Scrutiny Committee and one on the Community Scrutiny Committee which will now fall to Councillor Tebbutt in his capacity as an individual unaligned councillor. As he was already a representative on the Corporate Scrutiny Committee then effectively no changes need to be made to the membership of this Committee. In terms of the seat on the Community Scrutiny Committee, a discussion has been held with the Labour Group whip which concluded that the seat on this Committee which they will be giving up is that currently held by Councillor Sewell.

2.1 Further consequential changes are to those Committees on which Councillor Tebbutt sat as a Labour Councillor to which Labour still have an entitlement. These seats were also discussed with the whip and the following is proposed:-

2.11 Member of the Planning Committee - This seat will be taken up by Councillor Johnson.

2.12 Substitute Member of the Planning Committee - This seat will be taken up by Councillor Bigby.

2.13 Substitute Member of the Community Scrutiny Committee - This seat will be taken up by Councillor Sewell.

2.2 No other Committees are affected.

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NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

COUNCIL – TUESDAY, 10 SEPTEMBER 2019

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| Title of report | APPOINTMENT OF REPRESENTATIVES ON COMMUNITY BODIES - ALDERMAN NEWTON EDUCATION FOUNDATION |
| Contacts | Councillor Robert Ashman 01530 273762 Robert.ashman@nwleicestershire.gov.uk Head of Legal and Support Services 01530 454762 elizabeth.warhurst@nwleicestershire.gov.uk |
| Purpose of report | To appoint a representative to a vacancy on a community body. |
| Council Priorities | Cross cutting across all priorities - ensuring that the Council is involved with all community issues. |
| Implications: | |
| Financial/Staff | No direct implications. |
| Link to relevant CAT | Links to all Corporate Action Teams. |
| Risk Management | None |
| Equalities Impact Screening | Not applicable. |
| Human Rights | None. |
| Transformational Government | None. |
| Comments of Head of Paid Service | The report is satisfactory |
| Comments of Section 151 Officer | The report is satisfactory |
| Comments of Monitoring Officer | The report is satisfactory |
| Consultees | Political group whips. |
| Background papers | Correspondence from Community Bodies requesting nominations held in Room 122 (Democratic Services). |

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| Recommendations | <p style="text-align: center;">THAT A REPRESENTATIVE BE APPOINTED TO SERVE ON THE ALDERMAN NEWTON EDUCATION FOUNDATION IN ACCORDANCE WITH PARAGRAPHS 2.3 AND 2.4 OF THE REPORT.</p> |
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1. BACKGROUND

- 1.1 Members will recall that appointments to community bodies were made at the Annual meeting of the Council in May. This followed a comprehensive review whereby all community bodies were written to and invited to request council representation. Following those appointments a further request has been made for a representative for the Alderman Newton Education Foundation. They did not reply to the initial invitation due to a change of personnel.
- 1.2 The Foundation exists for the benefit of boys and girls resident in the beneficial area (the Ecclesiastical Parish of Christ Church, Coalville) who are in need of financial assistance to help them to prepare for or to assist their entry into a profession, trade or calling.
- 1.3 The Foundation has indicated that it wishes to retain a relationship with the Council and therefore a member representative is sought.

2. NOMINATIONS

- 2.1 Nominations have been sought from all political group whips.
- 2.2 Councillor John Clarke has been nominated for the vacancy.
- 2.3 Unless any more nominations are received at the meeting, then it is recommended that Councillor John Clarke be appointed to the Alderman Newton Education Foundation.
- 2.4 Should further nominations be received, a vote will be required to fill the vacancy. The nomination with the clear majority of votes will be appointed.