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

Time/Date 6.30 pm on TUESDAY, 10 MAY 2022
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	
	Under the Code of Conduct members are reminded that in declaring interests you should make clear the nature of that interest and whether it is a disclosable pecuniary interest, registerable interest or other interest.	
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.	
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 Commercial 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 Commercial Services.

10. MOTIONS

To consider the following motion received from Councillor T Eynon:

END FUEL POVERTY

This Council notes the work to date on reducing fuel poverty in our area but acknowledges that thousands of households are estimated to be in fuel poverty and more can be done to end fuel poverty by 2030.

This Council resolves:

- To instruct the chief executive and officers to create a strategy to minimise fuel poverty in North West Leicestershire by 2030. This will be achieved by:
 1. continuous improvement in the energy efficiency of Council housing stock
 2. partnership working to improve the energy efficiency standards in housing association stock
 3. enforcement of existing regulations on energy efficiency and property standards in the private rented sector
 4. reviewing the outcomes achieved by the [2017 Statement of Intent](#), eligibility criteria and access to Energy Company Obligation funding via the Local Authority Flexibility arrangements
 5. leveraging in funds to improve the energy efficiency standards of all housing
 6. making private tenants' aware of their rights to Minimum Energy Efficiency Standards and help under the Government's ECO scheme
 7. providing accessible information, advice and guidance in

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	a variety of formats to those most in need
	8. maximising the incomes of low-income households through the efficient delivery of Council-administered benefits, sensitive recovery of debt and the provision of advice and support
	9. working in partnership with other agencies and voluntary and community groups to implement and monitor delivery of the Strategy
	<ul style="list-style-type: none"> • To instruct the chief executive and officers to report on progress on minimising fuel poverty every six months. • To consider how this Council can support the work of the End Fuel Poverty Coalition.
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 24 February 2022.
	5 - 14
13. APPOINTMENTS TO COMMITTEES AND GROUPS, ELECTION OF CHAIRS AND DEPUTY CHAIRS	
	Report of the Head of Legal and Commercial Services
	15 - 24
14. APPOINTMENT OF REPRESENTATIVES ON COMMUNITY BODIES	
	Report of the Head of Legal and Commercial Services
	25 - 28
15. SCHEDULE OF MEETINGS 2022/23	
	Report of the Head of Legal and Commercial Services
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16. EAST MIDLANDS FREEPORT UPDATE	
	Report of the Strategic Director
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17. FUTURE EXTERNAL AUDIT ARRANGEMENTS	
	Report of the Head of Finance
	45 - 48
18. MEMBER CONDUCT ANNUAL REPORT	
	Report of the Head of Legal and Commercial Services
	49 - 60
19. EXCLUSION OF PRESS AND PUBLIC	
	The officers consider that the press and public should be excluded during consideration of the following items in accordance with Section 100(a) of the Local Government Act 1972 as publicity would be likely to result in disclosure of exempt or confidential information. Members are reminded that they must have regard to the public interest test and must consider, for each item,

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whether the public interest in maintaining the exemption from disclosure outweighs the public interest in making the item available.

20. APPOINTMENT OF CHIEF EXECUTIVE

Report of the Head of HR and Organisation Development

61 - 64

MINUTES of a meeting of the COUNCIL held in the Council Chamber, Council Offices, Coalville on THURSDAY, 24 FEBRUARY 2022

Present: Councillor V Richichi (Chairman)

Councillors R Boam, E G C Allman, R Ashman, R D Bayliss, C C Benfield, D Bigby, A S Black, R Blunt, J Bridges, R Canny, J Clarke, T Eynon, J Geary, L A Gillard, S Gillard, T Gillard, D Harrison, B Harrison-Rushton, G Houlton, J Houlton, R Johnson, J Legrys, K Merrie MBE, R L Morris, N J Rushton, A C Saffell, C A Sewell, S Sheahan, J G Simmons, N Smith, J Windram, A C Woodman and M B Wyatt

Officers: Mrs B Smith, Mr D Bates, Miss E Warhurst, Mrs M Long and Mrs C Hammond

58. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors A Bridgen, D Everitt, M Hay and M French.

59. DECLARATION OF INTERESTS

There were no interests declared.

60. CHAIRMAN'S ANNOUNCEMENTS

The Chairman invited Council to observe a minute's silence to remember Jason Summerfield, a past serving member who passed away at the end of last year. Jason was a Conservative member for the Measham Ward between June 2009 and December 2010.

He then announced that this was the last scheduled meeting of Council which would be attended by Bev Smith, Chief Executive. He complimented Bev on her management style and advised that she would be a very hard act to follow. On behalf of Council, the Chairman presented Bev with flowers and a gift in recognition of her support to members.

The Chief Executive conveyed her thanks and referenced the feeling of being valued and supported by members from all sides. She gave special thanks to the Leader and Cabinet for having the trust in her to enable her to get on with her role; and to the Group Leaders for dealing with challenging issues with mutual respect and understanding. Without wishing to embarrass individual members, Bev thanked those who had taken the time to get to know her as a person and stated that she really appreciated this.

The Chairman invited comments from the floor. Several comments were made which echoed the Chairman's sentiments and which highlighted, in particular, Bev's people skills and her humanity throughout her five years with the Authority.

The Chairman thanked Councillor R Boam for his deputising role during recent events and to members who had attended his charity event; and he invited attendance at his next event where it was hoped that the amount raised for his charities would exceed the £8,000 mark.

The Chairman referred to an award for outstanding contribution which he had presented to Lee Mansfield, Licensing Team Manager for the way he had dealt with the challenges faced by the organisation in the past two years as a consequence of Covid. He advised that Lee had been invited to the Royal Garden Party to thank him for his efforts.

The Chairman referenced the aggressive political dialogue which had taken place at the previous meeting and urged councillors to refrain from this unacceptable behaviour.

He then went on to deliver a very poignant address reflecting on the atrocities in Ukraine and invited Council to observe a minute's silence to consider the fallout out of the situation and to remember those that had already fallen.

61. LEADER'S AND PORTFOLIO HOLDERS' ANNOUNCEMENTS

Councillor R Blunt referred to the new Leisure Centre and Newmarket as examples of how Coalville is changing for the better. He provided an update on the progress in respect of Marlborough Square accepting that the risks and the costs were high. Funding for additional works had been included in the budget to be agreed later in the meeting. Finally, the Leader referred to the impressive work currently being undertaken in the Belvoir Centre and advised that he hoped to announce further improvements in the coming months.

Councillors were broadly supportive of the initiatives, but a question was asked about the deliverance of a cinema in the town. Councillor Blunt advised that he could not provide any details at this stage due to continentality issues. Questions were raised about the suitability of the Leisure Centre for the disabled, particularly with regard to noise; and the accessibility to it by walkers and cyclists given the proximity of the main road and there being no direct access.

Councillor A Woodman advised that he was hugely encouraged to see the Leisure Centre was already being well used. In response to the question of access, he referred to the two nearby crossings and the fact that walkers and cyclists were using the facility; adding that any issues can be addressed in the forthcoming walking and cycling strategy. He advised that he would feed back the comments regarding any disability issues to the Everyone Active Steering Group. Finally, Councillor Woodman referred to several health and wellbeing initiatives taking place across the district including the £300,000 new purpose-built fitness room at Ibstock Leisure Complex which is due to open in the next few weeks, the £300,000 extension to the fitness room at Measham Leisure Centre and the community access arrangement which has been facilitated between the parish council and Castle Donington College to the schools' grass football. In summary he advised that there was no greater investment a Council can make than in the health and wellbeing of its residents, and the total investment of around £25m demonstrates that is what we continue to do.

62. QUESTION AND ANSWER SESSION

There were no questions received.

63. QUESTIONS FROM COUNCILLORS

The Chairman advised that he had received one question ahead of the meeting and invited Councillor R Johnson to ask his question addressed to Councillor A Woodman.

Councillor R Johnson asked "on April 16th we are to have an official opening of our New Leisure centre with Colin Jackson and former footballers to name but a few. Can the Portfolio holder explain to me this Council's rationale to omit a local international athlete Gemma Steele; and how much will this council have to pay out for the sports personality's appearance?"

The Chairman invited Councillor A Woodman to respond.

Councillor A Woodman replied "although the date has now been set for the official opening there are a lot of preparations to be put in place for the programme of activities on the day itself. Our partner Everyone Active is leading on the organisation for the day and a press release along with relevant publicity will be shared nearer the date. Everyone Active is responsible for securing and paying the sporting VIP's who will have a key role

interacting with those attending the activities. Each of the stars is expected to lead sessions with customers and speak to the media as ambassadors for the new centre. They are all from the region and Anthony Clark is from Coalville. The stars already lined up are the following:

Colin Jackson CBE – GB Athletics – 1 x Silver Olympic Medallist and 2 x Commonwealth Gold Medallist + Frequent appearances on national TV in reality shows and as a commentator.

Anthony Clark – GB Badminton – Commonwealth Gold Medallist

Ross Davenport – GB Swimming - 2 x Commonwealth Gold Medallist

Ollie Hynd MBE – GB Swimming – 3 x Olympic Gold Paralympian

Charlotte Henshaw MBE – GB Swimming & Canoeing – Paralympian Gold, Silver and Bronze Medallist

Steve Walsh – Former Leicester City FC 2 x League Cup Winner

Muzzy Izzet – Former Leicester City FC 2 x League Cup Winner

Hannah Ward – Captain, Derby County FC Women

We can of course put Gemma Steele in touch with the relevant lead at Everyone Active to explore this further”.

The Chairman invited Councillor R Johnson to ask a supplementary question.

Councillor R Johnson asked again why Gemma Steele had not been invited to join the line-up.

Councillor A Woodman responded by stating that it was a shame that Councillor R Johnson had not taken the time to contact him directly about this as he would have been able to advise him that Gemma Steele had been contacted and subsequently added to the line-up.

64. MOTIONS

No motions were received.

65. PETITIONS

No petitions were received.

66. MINUTES

Consideration was given to the minutes of the meeting held on 16 November 2021.

It was moved by Councillor V Richichi, seconded by Councillor R Boam and upon being put to the vote it was

RESOLVED THAT:

The minutes of the meeting held on 16 November 2021 be approved and signed by the Chairman as a correct record.

67. BUDGET AND COUNCIL TAX 2022/23

Before handing over to Councillor N Rushton as portfolio holder, the Chairman set out how he intended to deal with this item given the complexities and detail of the report.

Councillor N Rushton then presented the report to members and thanked the Finance Team for all their hard work. He referred to the route the budget had taken to get to this stage where members' comments were invited; and whilst a number of comments were made, no amendments had been proposed.

Councillor N Rushton moved the recommendations as set out in the report. The motion was seconded by Councillor R Blunt.

The Chairman referred to the amendments to the motion, which had been circulated in the additional papers. He invited Councillor S Sheahan to put forward his amendment.

Councillor S Sheahan outlined the amended budget as detailed in the additional papers and echoed Councillor N Rushton's thanks to the Finance Team in assisting with the amended budget. The motion was seconded by Councillor J Legrys.

A full and lengthy debate was held before the Chairman put the motion to the vote. A recorded vote being required, the voting was as detailed below:

The amendment was declared LOST.

The Chairman referred members to a second amended budget and invited Councillor Wyatt to present it. Councillor Wyatt duly set out his budget amendment which was seconded by Councillor A Black. A further debate was held before the Chairman put the amendment to the vote. A recorded vote being required, the voting was as detailed below:

The amendment was declared LOST.

The Chairman referred members to the substantive motion as set out in the agenda.

A further debate was held which received wide support for the budget.

The Chairman then put the substantive motion to the vote. A recorded vote being required, the voting was as detailed below:

The motion was declared CARRIED.

It was therefore

RESOLVED THAT:

1. The S151 Officer's comments on the robustness of the estimates and adequacy of reserves, as set out in paragraph 1.3 of the report and as required by Section 25 of the Local Government Act 2003, be noted.
2. The Medium Term Financial Plan approved by Cabinet on 1 February 2022, as detailed in paragraph 1.2 and the associated background paper, be noted.
3. The General Fund Revenue Budget for 2022/23 as summarised in section 2 of the report approved. This includes
 - (a) Freezing the District Council's share of the Council Tax in 2022/23

- (b) Changes to the Fees and Charges, as detailed in Appendix 1B, effective from 1 April 2022.
4. The Housing Revenue Account Budget for 2022/23, as summarised in section 3 of the report, be approved. This includes
 - (a) Increasing rents by up to 4.1%
 - (b) Changes to Fees and Charges and Service Charges, as detailed in Appendices 2B and 2C.
 5. The proposed General Fund and Housing Revenue Account Capital Programmes for 2022/23 and planned financing, as set out in Section 4 of the report, be approved.
 6. The fleet replacement programme for 2023/24, to allow vehicles to be ordered in advance, be approved.
 7. The remaining elements of the General Fund and HRA Capital Programmes 2023/24 – 2026/27 be approved for indicative purposes only.
 8. The Special Expenses Revenue Budget for 2022/23 as summarised in Section 5 be approved. This includes
 - (a) Setting the Special Expenses Band D Council Tax at the levels detailed in table 5 of the report.
 9. The following amounts for the year 2022/23 in accordance with Regulation 31b of the Local Government Finance Act 1992 as amended be approved:
 - (a) £35,581 being the amount calculated by the Council, in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base (England) Regulations 2012, as its Council Tax Base for the year.
 - (b) The amounts specified in Appendix 6, table A of this report being the amounts calculated by the Council, in accordance with Section 34 of the Local Government Finance Act 1992, as the amount of its Council Tax Base for the year for dwellings in those parts of its area to which one or more special items relate.
 10. The following amounts be now calculated by the Council for the year 2022/23 in accordance with Sections 31a and 31b of the Local Government Finance Act 1992 as amended be approved:
 1. District/Parish gross expenditure
£60,111,517 being the aggregate of the amounts which the Council estimates for the item set out in Section 31a (2) of the Act.
 2. Income
£51,365,280 being the amount by aggregate of the amounts which the Council estimates for the items set out in Section 31a (3) of the Act.
 3. District/Parish gross expenditure
£8,746,237 being the amount by which the aggregate at 10(1) above exceeds the aggregate at 10(2) above, calculated by the Council in accordance with Section 31a(4) of the Act as its Council Tax requirement for the year.
 4. Basic amount of tax (including average Parish precepts)

£245.81 being the amount of 10(2) above, divided by the amount stated as the Council Tax Base in parts of the Council's area, calculated by the Council in accordance with Section 31b of the Act as the basic amount of its Council Tax for the year.

5. Parish precepts/special expenses
£3,103,803 being the aggregate amount of all special items referred to in Section 35(1) of the Act.
6. Basic amount of tax (basic council tax – District)
£158.58 being the amount at 10(4) above less the result given by dividing the amount at 10(5) above by the amount as stated as the Council Tax Base for the whole of the Council area, calculated by the Council in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for dwellings in those parts of its area to which no special items relate.
7. Basic amount of tax (Parished areas)
The amounts listed in column 5 of table B Appendix 6 to this report, being the amounts given by adding to the amount at 10(6) above, the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned, divided in each case by the amount stated as the Council Tax Base in parts of the Council area, calculated by the Council in accordance with Section 34(3) of the Act as the basic amounts of its Council Tax for the year for dwellings in those parts of its areas to which one or more special items relate.
8. District/Parish council tax rates
The amounts set out in table c appendix 6 to this report being the amounts given by multiplying the amounts at 10(6) and 10(7) above by the number which, the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band D, calculated by the Council in accordance with Section 36(1) of the Act as the amounts to be taken into account for the year in respect of categories of dwelling listed in different valuation bands.
11. Major precepting authorities
The amounts set out in table d Appendix 6 to the report are the amounts notified by Leicestershire County Council, Leicestershire Police and Crime Commissioner and the Combined Fire Authority in accordance with Section 40 of the Local Government Finance Act 1992 hereby sets the amounts of Council Tax for the Council's area for the year 2022/23 for each of the categories of dwellings as shown in table e Appendix 6 be noted.
12. Council tax base – all bands
Having calculated the aggregate in each case of the amounts at 10(8) (table c Appendix 6) and 11 (table d Appendix 6) above, the Council in accordance with Section 30(2) of the Local Government Finance Act 1992 hereby sets the amount of Council Tax for the Council's area for the year 2022/23 for each of the categories of dwellings as shown in table e Appendix 6.
13. Referendums relating to council tax increases
The relevant basic amount of Council Tax for 2022/23 is not excessive be noted.

Amendment to the Budget as submitted by Councillor S Sheahan (Amendment)	
Councillor Virge Richichi	Against
Councillor Russell Boam	Against
Councillor Elliott Allman	Against
Councillor Robert Ashman	Against
Councillor Roger Bayliss	Against

Councillor Carl Benfield	For
Councillor Dave Bigby	For
Councillor Angela Black	Abstain
Councillor Richard Blunt	Against
Councillor John Bridges	Against
Councillor Rachel Canny	Against
Councillor John Clarke	Against
Councillor Dr Terri Eynon	For
Councillor John Geary	For
Councillor Louise Gillard	Against
Councillor Stuart Gillard	Against
Councillor Tony Gillard	Against
Councillor Dan Harrison	Against
Councillor Bertie Harrison-Rushton	Against
Councillor Gill Hout	Against
Councillor Jim Hout	Against
Councillor Russell Johnson	For
Councillor John Legrys	For
Councillor Keith Merrie MBE	Against
Councillor Ray Morris	Against
Councillor Nicholas Rushton	Against
Councillor Tony Saffell	Against
Councillor Carol Sewell	For
Councillor Sean Sheahan	For
Councillor Jenny Simmons	Against
Councillor Nigel Smith	Against
Councillor Jake Windram	Abstain
Councillor Andrew Woodman	Against
Councillor Michael Wyatt	Abstain
Rejected	
Amendment to the Budget as submitted by Councillor Wyatt (Amendment)	
Councillor Virge Richichi	Against
Councillor Russell Boam	Against
Councillor Elliott Allman	Against
Councillor Robert Ashman	Against
Councillor Roger Bayliss	Against
Councillor Carl Benfield	Abstain
Councillor Dave Bigby	Abstain
Councillor Angela Black	For
Councillor Richard Blunt	Against
Councillor John Bridges	Against
Councillor Rachel Canny	Against
Councillor John Clarke	Against
Councillor Dr Terri Eynon	Abstain
Councillor John Geary	Abstain
Councillor Louise Gillard	Against
Councillor Stuart Gillard	Against
Councillor Tony Gillard	Against
Councillor Dan Harrison	Against
Councillor Bertie Harrison-Rushton	Against
Councillor Gill Hout	Against
Councillor Jim Hout	Against
Councillor Russell Johnson	Abstain
Councillor John Legrys	Abstain
Councillor Keith Merrie MBE	Against
Councillor Ray Morris	Against

Councillor Nicholas Rushton	Against
Councillor Tony Saffell	Against
Councillor Carol Sewell	Abstain
Councillor Sean Sheahan	Abstain
Councillor Jenny Simmons	Against
Councillor Nigel Smith	Against
Councillor Jake Windram	For
Councillor Andrew Woodman	Against
Councillor Michael Wyatt	For
Rejected	
Substantive Motion (Motion)	
Councillor Virge Richichi	For
Councillor Russell Boam	For
Councillor Elliott Allman	For
Councillor Robert Ashman	For
Councillor Roger Bayliss	For
Councillor Carl Benfield	Abstain
Councillor Dave Bigby	Against
Councillor Angela Black	Against
Councillor Richard Blunt	For
Councillor John Bridges	For
Councillor Rachel Canny	For
Councillor John Clarke	For
Councillor Dr Terri Eynon	Against
Councillor John Geary	Against
Councillor Louise Gillard	For
Councillor Stuart Gillard	For
Councillor Tony Gillard	For
Councillor Dan Harrison	For
Councillor Bertie Harrison-Rushton	For
Councillor Gill Hout	For
Councillor Jim Hout	For
Councillor Russell Johnson	Against
Councillor John Legrys	Against
Councillor Keith Merrie MBE	For
Councillor Ray Morris	For
Councillor Nicholas Rushton	For
Councillor Tony Saffell	Abstain
Councillor Carol Sewell	Against
Councillor Sean Sheahan	Against
Councillor Jenny Simmons	For
Councillor Nigel Smith	For
Councillor Jake Windram	Against
Councillor Andrew Woodman	For
Councillor Michael Wyatt	Against
Carried	

68. PRUDENTIAL INDICATORS AND TREASURY STRATEGIES 2022-23

Councillor N Rushton presented the report to members.

It was moved by Councillor N Rushton, seconded by Councillor K Merrie and upon being put to the vote it was

RESOLVED THAT:

The Capital Strategy 2022-23 (Appendix 1); The Treasury Management Statement 2022-23 (Appendix 2); The Minimum Revenue Provision (MRP) Statement 2022-23 (Appendix 3) and the Investment Strategy 2022-23 (Appendix 4), be approved.

69. MEMBER CODE OF CONDUCT

Councillor R Ashman presented the report to members.

A question was raised about the omission of a provision which allows for councillors to be investigated even when they are not acting in their capacity as a councillor, as included in the LGA model Code. The Monitoring Officer advised that the Localism Act provides that a member must be acting in their capacity as a councillor and, whilst the LGA did extend this to include those who were not, it was the view of the Monitoring Officers across the county that this went beyond the limits of the current legislation.

It was moved by Councillor R Ashman, seconded by Councillor J Clarke and upon being put to the vote it was

RESOLVED THAT:

1. The work of the Standards Working Group in respect of the draft Members' Code of Conduct be noted;
2. The new Members' Code of Conduct (as detailed in Appendix A) be adopted with effect from 1 April 2022;
3. The arrangements for dealing with complaints about member conduct (as detailed in Appendix B) be adopted with immediate effect.

70. LICENSING CUMULATIVE IMPACT POLICY

Councillor A Woodman presented the report to members.

It was moved by Councillor A Woodman, seconded by Councillor J Clarke and upon being put to the vote it was

RESOLVED THAT:

The retention of the Cumulative Impact Assessment, as attached at Appendix 1 to the report, be approved.

71. PAY POLICY STATEMENT

Councillor R Ashman presented the report to members.

A question was asked about the car allowance policy and when this would be changed to reflect the use of only electric vehicles to reflect the zero-carbon agenda. Councillor Ashman advised that work was still ongoing on this matter.

It was moved by Councillor R Ashman, seconded by Councillor N Rushton and upon being put to the vote it was

RESOLVED THAT:

The Pay Policy Statement for 2022/23, as attached at Appendix 1 of the report be

72. GENDER PAY GAP REPORT

Councillor R Ashman presented the report to members.

A member expressed dismay that traditionally male roles were still being undertaken by 100% males and when females did take up certain roles, there was evidence that pay fell. She also stated that there appeared to be a distinct lack of female apprentices. A suggestion was made that future reporting on this issue includes references to the measures being taken to address this.

The Portfolio Holder considered that these issues should be flagged up and addressed through the Equalities Group.

Following objections from the floor, the Chairman apologised for a comment he made about ~~the ability~~ of women carrying out jobs on building sites.

It was moved by Councillor R Ashman, seconded by Councillor N Rushton and upon being put to the vote it was

RESOLVED THAT:

The report be noted.

73. NOTIFICATION OF URGENT DECISIONS

Councillor R Blunt presented the report to members.

It was moved by Councillor R Blunt, seconded by Councillor R Ashman and upon being put to the vote it was

RESOLVED THAT:

The report be noted.

74. CHIEF EXECUTIVE APPOINTMENT - INTERIM AND PERMANENT APPOINTMENTS

Councillor R Blunt presented the report to members.

It was moved by Councillor R Blunt, seconded by Councillor R Ashman and upon being put to the vote it was

RESOLVED THAT:

1. The process and timeline for the appointment of the new permanent Chief Executive be noted.
2. The process and timeline for the appointment of an Interim Chief Executive and the delegation of authority to make that appointment to the current Chief Executive, in consultation with the Appointments Committee, be noted
3. It be agreed that the post of Interim Chief Executive be designated 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 9.08 pm

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

ANNUAL COUNCIL – TUESDAY, 10 MAY 2022



Title of Report	APPOINTMENT OF COMMITTEES & GROUPS AND ELECTION OF CHAIRS AND DEPUTY CHAIRS	
Presented by	Councillor Tony Gillard Conservative Group Whip	
Background Papers	The Council's Constitution.	Public Report: Yes
Financial Implications	There are no direct financial implications connected with appointment to the committees and groups listed in 1.2.	
	Signed off by the Section 151 Officer: Yes	
Legal Implications	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.	
	Signed off by the Monitoring Officer: Yes	
Staffing and Corporate Implications	There are no implications	
	Signed off by the Deputy Head of Paid Service: Yes	
Purpose of Report	To appoint the committees and groups of the Council and members to serve thereon and also to elect the Chairs and Deputy Chairs.	
Recommendations	THAT COUNCIL <ol style="list-style-type: none"> 1. MAKE THE APPOINTMENTS TO THE COMMITTEES AND GROUPS LISTED IN PARAGRAPH 1.2 OF THE REPORT. 2. APPOINT CHAIRS AND DEPUTY CHAIRS FOR THE COMMITTEES AND GROUPS LISTED IN PARAGRAPH 3.1 OF THE REPORT. 	

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 Committee *(11 Members)*
- Planning Committee *(11 Members)*
- Community Scrutiny Committee *(10 Members)*
- Corporate Scrutiny Committee *(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 CHAIRS AND DEPUTY CHAIRS

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

- Appointments Committee
- Audit and Governance Committee
- Community Scrutiny Committee
- Corporate Scrutiny Committee
- Investigatory Committee
- Licensing Committee
- Local Plan Committee
- Planning Committee

4.0 NOMINATIONS

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

Policies and other considerations, as appropriate	
Council Priorities:	Supporting Coalville to be a more vibrant, family-friendly town Support for businesses and helping people into local jobs Developing a clean and green district Local people live in high quality, affordable homes Our communities are safe, healthy and connected
Policy Considerations:	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.
Safeguarding:	Not applicable
Equalities/Diversity:	The process ensures that all committees have a politically balanced make up.
Customer Impact:	Not applicable
Economic and Social Impact:	Not applicable
Environment and Climate Change:	Not applicable
Consultation/Community Engagement:	Political Group Leaders
Risks:	Failure to appoint to the relevant Committees would put the Council in breach of its duties and compromise the legality and integrity of any future decisions.
Officer Contact	Elizabeth Warhurst Head of Legal and Commercial Services elizabeth.warhurst@nwleicestershire.gov.uk

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

NOMINATIONS

APPOINTMENTS COMMITTEE (4 members plus appropriate Portfolio Holder)

Current Membership	Nominees for 2022/23
<p>Chairman: Councillor R Blunt Deputy Chairman: Councillor R Ashman</p> <p>Councillor A C Saffell Councillor S Sheahan Appropriate Portfolio Holder</p>	<p>Chairman: Councillor Deputy Chairman: Councillor</p> <p>Councillor Councillor Appropriate Portfolio Holder</p>
<p>Substitutes: Councillors R D Bayliss, C Benfield, D Bigby, R Canny, T Gillard, J Legrys, K Merrie and N J Rushton.</p>	<p>Substitutes: Councillors</p>

AUDIT AND GOVERNANCE COMMITTEE (10 members)

Current Membership	Nominees for 2022/23
<p>Chairman: Councillor S Gillard Deputy Chairman: Councillor N Smith</p> <p>Councillor E Allman Councillor C Benfield Councillor J Clarke Councillor M Hay Councillor R Morris Councillor S Sheahan Councillor V Richichi Councillor M B Wyatt</p>	<p>Chairman: Councillor Deputy Chairman: Councillor</p> <p>Councillor Councillor Councillor Councillor Councillor Councillor Councillor Councillor</p>

COALVILLE SPECIAL EXPENSES WORKING PARTY

Current membership	Nominees for 2022/23
<p>Ward members for Bardon, Broom Leys, Castle Rock, Coalville East, Coalville West, Greenhill, Snibston North, Snibston South and Thringstone:</p> <p>Councillor E Allman Councillor A Black Councillor A Bridgen Councillor D Everitt Councillor M French Councillor J Geary Councillor J Legrys Councillor J Windram</p>	<p>Ward members for Bardon, Broom Leys, Castle Rock, Coalville East, Coalville West, Greenhill, Snibston North, Snibston South and Thringstone:</p> <p>Councillor E Allman Councillor A Black Councillor A Bridgen Councillor D Everitt Councillor M French Councillor J Geary Councillor J Legrys Councillor J Windram</p>

Councillor M B Wyatt	Councillor M B Wyatt
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COMMUNITY SCRUTINY COMMITTEE (10 members)

Current membership	Nominees for 2022/23
<p>Chairman: Councillor J Hoult Deputy Chairman: Councillor R Morris</p> <p>Councillor A Bridgen Councillor C Benfield Councillor Dr T Eynon Councillor J Geary Councillor M Hay Councillor G Hoult Councillor J Simmons Councillor M B Wyatt</p>	<p>Chairman: Councillor Deputy Chairman: Councillor</p> <p>Councillor Councillor Councillor Councillor Councillor Councillor Councillor Councillor</p>
<p>Substitutes: Councillors D Bigby, A Black, R Canny, J Clarke, M French, L Gillard, S Gillard, J Legrys, A C Saffell, C Sewell and S Sheahan.</p>	<p>Substitutes: Councillors</p>

CORPORATE SCRUTINY COMMITTEE (10 members)

Current membership	Nominees for 2022/23
<p>Chairman: Councillor R Boam Deputy Chairman: Councillor B Harrison-Rushton</p> <p>Councillor E Allman Councillor D Bigby Councillor A Bridgen Councillor G Hoult Councillor A C Saffell Councillor S Sheahan Councillor N Smith Councillor M B Wyatt</p>	<p>Chairman: Councillor Deputy Chairman: Councillor</p> <p>Councillor Councillor Councillor Councillor Councillor Councillor Councillor Councillor</p>
<p>Substitutes: Councillors C Benfield, J Bridges, R Canny, D Everitt, Dr T Eynon, M French, L Gillard, S Gillard, D Harrison, M Hay, R Johnson, V Richichi, J Simmons and J Windram.</p>	<p>Substitutes: Councillors</p>

ELECTORAL REVIEW WORKING PARTY (5 members)

Current membership	Nominees for 2022/23
<p>Councillor R Ashman Councillor R Blunt Councillor N J Rushton Councillor S Sheahan</p>	<p>Councillor Councillor Councillor Councillor</p>

Councillor M B Wyatt	Councillor
Substitutes: Councillors R D Bayliss, D Bigby, M French, T Gillard, K Merrie, R Morris, C Sewell and J Windram.	Substitutes: Councillors

EMPLOYEE JOINT CONSULTATIVE COMMITTEE (5 members)

Current membership	Nominees for 2022/23
Councillor J Clarke Councillor J Geary Councillor G Houtt Councillor J Houtt Councillor A C Saffell	Councillor J Clarke Councillor J Geary Councillor G Houtt Councillor J Houtt Councillor A C Saffell
Substitutes: Councillors C Benfield, R Canny, Dr T Eynon, L Gillard, R Johnson, R Morris and J Simmons.	Substitutes: Councillors

INVESTIGATORY COMMITTEE (5 members)

Current membership	Nominees for 2022/23
Chairman: Councillor R Blunt Deputy Chairman: Councillor R Ashman Councillor J Clarke Councillor S Sheahan Councillor M B Wyatt	Chairman: Councillor Deputy Chairman: Councillor Councillor Councillor Councillor
Substitutes: Councillors R D Bayliss, A Black, D Everitt, M French, J Geary, G Houtt, J Houtt, R Morris.	Substitutes: Councillors

LICENSING COMMITTEE (17 members)

Current membership	Nominees for 2022/23
Chairman: Councillor J Clarke Deputy Chairman: Councillor K Merrie Councillor E Allman Councillor D Everitt Councillor M French Councillor S Gillard Councillor M Hay Councillor G Houtt Councillor J Houtt Councillor R Morris Councillor V Richichi Councillor A C Saffell Councillor C Sewell	Chairman: Councillor Deputy Chairman: Councillor Councillor Councillor Councillor Councillor Councillor Councillor Councillor Councillor Councillor Councillor Councillor Councillor Councillor

Councillor S Sheahan Councillor J Simmons Councillor N Smith Councillor M B Wyatt	Councillor Councillor Councillor Councillor
Substitutes: Councillors C Benfield, R Bayliss, D Bigby, A Black, R Boam, J Bridges, R Canny, J Geary, L Gillard, T Gillard, D Harrison, R Johnson, J Legrys and J Windram.	Substitutes: Councillors

LOCAL PLAN COMMITTEE (11 members)

Current membership	Nominees for 2022/23
<p>Chairman: Councillor J Bridges Deputy Chairman: Councillor R Morris</p> <p>Councillor D Bigby Councillor R Boam Councillor D Everitt Councillor J Houtt Councillor J Legrys Councillor A C Saffell Councillor J Simmons Councillor N Smith Councillor M B Wyatt</p>	<p>Chairman: Councillor Deputy Chairman: Councillor</p> <p>Councillor Councillor Councillor Councillor Councillor Councillor Councillor Councillor Councillor</p>
Substitutes: Councillors R Bayliss, C Benfield, A Black, A Bridgen, R Canny, J Clarke, Dr T Eynon, M French, J Geary, B Harrison-Rushton, G Houtt, R Johnson, C Sewell, A Woodman.	Substitutes: Councillors

PLANNING COMMITTEE (11 members)

Current membership	Nominees for 2022/23
<p>Chairman: Councillor N Smith Deputy Chairman: Councillor R Boam</p> <p>Councillor D Bigby Councillor A Bridgen Councillor D Everitt Councillor S Gillard Councillor J Houtt Councillor J Legrys Councillor R Morris Councillor J Simmons Councillor M B Wyatt</p>	<p>Chairman: Councillor Deputy Chairman: Councillor</p> <p>Councillor Councillor Councillor Councillor Councillor Councillor Councillor Councillor Councillor</p>
Substitutes: Councillors E Allman, R Ashman, J Bridges, M French, J Geary, D Harrison, B Harrison-Rushton, G Houtt, R	Substitutes: Councillors

Johnson, C Sewell, S Sheahan and J Windram.	
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NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

ANNUAL COUNCIL – TUESDAY, 10 MAY 2022



Title of Report	APPOINTMENT OF REPRESENTATIVES ON COMMUNITY BODIES	
Presented by	Councillor Tony Gillard Conservative Group Whip	
Background Papers	Correspondence from Community Bodies requesting nominations held in Room 122 (Democratic Services).	Public Report: Yes
Financial Implications	There are no financial implications	
	Signed off by the Section 151 Officer: Yes	
Legal Implications	The Constitution advises that the Council has nomination rights to a large number of different organisations, referred to as community bodies. The practice of making nominations to community bodies is a benefit to the Council and the links created contribute to the social well-being of the district.	
	Signed off by the Monitoring Officer: Yes	
Staffing and Corporate Implications	There are no staffing and corporate implications	
	Signed off by the Deputy Head of Paid Service: Yes	
Purpose of Report	To approve the nominations for representatives on community bodies for the forthcoming year.	
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 February 2022. During the review, it was established that the following community bodies no longer require representation:-

- Equalities and Access Group – At its meeting on 19 October 2021, the Group agreed that the future reporting arrangements should be via Scrutiny.
- Hood Park/Ivanhoe Steering Group – The school will be taking on the management of the body as of September and will be in contact if they require future representation.

- The National Forest Charitable Trust - Due to trust merging with the National Forest Company it no longer requires representation from the Council.

- 1.3 At the end of 2021, correspondence was received from the Interlink South Country Park Limited, who are the management company for Nailstone Country Park, inviting the Council to appoint a District Councillor as a representative on its board.
- 1.4 On the 31 March 2022, correspondence was received from PATROL, which is the Parking and Traffic Regulations Outside London Joint Committee, seeking the appointment of the Portfolio Holder with responsibility for parking enforcement to the committee.
- 1.5 Members are asked to appoint representatives to the remaining community bodies for the forthcoming 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.

Policies and other considerations, as appropriate	
Council Priorities:	Supporting Coalville to be a more vibrant, family-friendly town Support for businesses and helping people into local jobs Developing a clean and green district Local people live in high quality, affordable homes Our communities are safe, healthy and connected
Policy Considerations:	Terms of reference for each community body
Safeguarding:	Not applicable
Equalities/Diversity:	The process ensures that the most appropriate member is appointed to the community body
Customer Impact:	Not applicable
Economic and Social Impact:	Not applicable
Environment and Climate Change:	Not applicable
Consultation/Community Engagement:	Political Group Leaders
Risks:	Failure to appoint to the relevant community bodies would put the Council in breach of its duties and compromise the integrity of its relationship with community bodies in the district.
Officer Contact	Elizabeth Warhurst Head of Legal and Commercial Services elizabeth.warhurst@nwleicestershire.gov.uk

APPENDIX

ANNUAL COUNCIL - TUESDAY, 10 MAY 2022

APPOINTMENT OF REPRESENTATIVES ON COMMUNITY BODIES

NOMINATIONS

Body	Current Appointments	Nominees for 2022/23
Alderman Newton Education Foundation (1 seat)	Councillor J Clarke	
Ashby de la Zouch Endowed Schools Foundation (1 seat appointed for District term (every 4 years))	Councillor R Bayliss (Appointment to roll forward until 2023)	Councillor R Bayliss
Bardon Hill Quarries Liaison Committee (2 seats)	Councillors A Black and M Wyatt	
Bredon Quarry Liaison Committee (1 seat)	Councillor R Morris	
CCTV Operations Management Group (1 seat)	Councillor A Woodman (as relevant Portfolio Holder)	
Cliffe Hill Quarry Liaison Committee (1 seat)	Councillor V Richichi	
Coalville and District Town Twinning Association (2 seats)	Councillors J Clarke and G Hout	
Coalville Town Football Club Committee (1 seat)	Councillor J Geary	
East Midlands Airport Independent Consultative Committee (1 seat & 1 substitute)	Councillor N Smith (as Chair of Planning Committee) (sub R Boam (as Deputy Chair of Planning Committee))	
Former Lount Landfill Site Liaison Committee (2 seats)	Councillors R Boam and R Morris	
Grace Dieu Priory Trust (2 seats)	Councillors D Everitt and N Smith	
Home Start - North West Leicestershire (1 seat)	Councillor R D Bayliss (as relevant Portfolio Holder)	
Interlink South Country Park Board Meeting (1 seat)	New Community Body for 2022	
Leicester, Leicestershire and Rutland Police and Crime Panel (1 seat)	Councillor A Woodman (as relevant Portfolio Holder)	
Local Government Association – General Assembly (1 seat)	Councillor R Blunt (as Leader of the Council)	
Mantle Community Arts (2 seats)	Councillors J Geary and A Woodman	
Moira Furnace Trust (1 seat)	Councillor D Bigby	

Body	Current Appointments	Nominees for 2022/23
MSV Donington Park Consultative Forum (7 seats)	Councillors R Canny (as Castle Donington Central Ward Member), B Harrison-Rushton (as Kegworth Ward Member), M Hay (as Castle Donington Park Ward Member), N J Rushton (as Long Whatton and Diseworth Ward Member), A C Saffell (as Castle Donington Castle Ward Member), C Sewell (as Daleacre Hill Ward Member) and R Morris (as Worthington and Breedon Ward Member)	
New Albion Revised Liaison Committee (1 seat)	Councillor G Hoult	
North West Leicestershire Hackney Carriage and Private Hire Taxi Licensing Forum (3 seats)	Councillors J Bridges, J Clarke (as Chairman of Licensing Committee) and K Merrie (as Deputy Chairman of Licensing Committee)	
North West Leicestershire Staying Healthy Partnership (1 seat)	Councillor A Woodman (as relevant Portfolio Holder)	
PATROL (Parking and Traffic Regulations Outside London) Joint Committee (1 seat)	New Community Body for 2022 (relevant Portfolio Holder)	
Ravenstone Hospital Charity (2 seats)	Councillors V Richichi and N Smith	
Redbank Manufacturing Liaison Committee (1 seat)	Councillor S Sheahan	
Safer North West Leicestershire Partnership (1 seat)	Councillor A Woodman (as relevant Portfolio Holder)	
Whitwick Quarry Liaison Committee (3 seats)	Councillors L Gillard, S Gillard and T Gillard	

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

ANNUAL COUNCIL – TUESDAY, 10 MAY 2022



Title of Report	SCHEDULE OF MEETINGS 2022/23	
Presented by	Councillor Robert Ashman Deputy Leader	
Background Papers	None	Public Report: Yes
Financial Implications	There are no financial implications	
	Signed off by the Section 151 Officer: Yes	
Legal Implications	The Constitution advises that the Council will agree its schedule of meetings for each forthcoming municipal year.	
	Signed off by the Monitoring Officer: Yes	
Staffing and Corporate Implications	There are no staffing and corporate implications	
	Signed off by the Deputy Head of Paid Service: Yes	
Purpose of Report	To agree the schedule of meetings for the forthcoming municipal year.	
Recommendations	THE PROPOSED SCHEDULE OF MEETINGS FOR 2022/23 BE AGREED.	

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 2022/23 includes dates for June 2023. 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 2022/23 as follows:

Audit and Governance Committee	4
Cabinet	10
Coalville Special Expenses Working Party	6
Corporate Scrutiny Committee	6
Community Scrutiny Committee	5
Council	4 + Annual Meeting
Licensing Committee	4
Local Plan Committee	6
Planning Committee	12

- 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.
- 2.5 An additional meeting of the Audit and Governance Committee has been included in the schedule on this occasion, for September, to enable the Committee to sign off the final accounts.

Policies and other considerations, as appropriate	
Council Priorities:	All Council Priorities
Policy Considerations:	The Terms of Reference for each committee
Safeguarding:	Not applicable
Equalities/Diversity:	Not applicable
Customer Impact:	Not applicable
Economic and Social Impact:	Not applicable.
Environment and Climate Change:	Not applicable
Consultation/Community Engagement:	Corporate Leadership Team Strategy Group Performance Team Leicestershire County Council
Risks:	Failure to agree the schedule of meetings will put the Council in breach of its constitutional duties and compromise the integrity of its decision making processes.
Officer Contact	Elizabeth Warhurst Head of Legal and Commercial Services elizabeth.warhurst@nwleicestershire.gov.uk

DRAFT SCHEDULE OF MEETINGS

Jul 2022 – June 2023

Audit & Governance Committee (6.30pm)

Weds, 27 July 2022
Weds, 28 September 2022
Weds, 26 October 2022
Weds, 25 January 2023
Weds, 26 April 2023

Cabinet (5.00pm)

Tues, 7 June 2022
Tues, 19 July 2022
Tues, 20 September 2022
Tues, 8 November 2022
Tues, 6 December 2022
Tues, 10 January 2023
Tues, 31 January 2023
Tues, 28 February 2023
Tues, 28 March 2023
Tues, 25 April 2023
Tues, 6 June 2023

Coalville Special Expenses Working Party (6.30pm)

Tues, 14 June 2022
Tues, 16 August 2022
Tues, 11 October 2022
Tues, 13 December 2022
Tues, 14 February 2023
Tues, 13 June 2023

Community Scrutiny Committee (6.30pm)

Weds, 29 June 2022
Weds, 21 September 2022
Weds, 23 November 2022
Weds, 8 February 2023
Weds, 5 April 2023
Weds, 27 June 2023

Corporate Scrutiny Committee (6.30pm)

Weds, 8 June 2022
Weds, 31 August 2022
Weds, 9 November 2022
Weds, 7 December 2022
Weds, 4 January 2023
Weds, 8 March 2023
Weds 14 June 2023

Council (6.30pm)

Tues, 10 May 2022
Tues, 21 June 2022
Tues, 6 September 2022
Tues, 15 November 2022
Thu, 23 February 2023
Tues, 23 May 2023 (Annual Council)
Tues, 20 June 2023

Licensing Committee (6.30pm)

Weds, 15 June 2022
Weds, 14 September 2022
Weds, 2 November 2022
Weds, 15 February 2023
Weds, 21 June 2023

Local Plan Committee (6.00pm)

Weds, 25 May 2022
Weds, 6 July 2022
Weds, 7 September 2022
Weds, 16 November 2022
Weds, 18 January 2023
Weds, 15 March 2023
Thurs, 15 June 2023

Planning Committee (6.00pm)

Weds, 4 May 2022
Weds, 1 June 2022
Tues, 5 July 2022
Tues, 2 August 2022
Thu, 1 September 2022
Tues, 4 October 2022
Tues, 1 November 2022
Weds, 30 November 2022
Weds, 11 January 2023
Tues, 7 February 2023
Tues, 7 March 2023
Tues, 4 April 2023
Weds, 3 May 2023
Weds, 7 June 2023

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NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL
ANNUAL COUNCIL – TUESDAY, 10 MAY 2022



Title of Report	EAST MIDLANDS FREEPORT UPDATE	
Presented by	Councillor Robert Ashman Deputy Leader and Infrastructure Portfolio Holder	
Background Papers	Freeport Update (restricted document) Cabinet - 9 November 2021 Freeport Proposition Cabinet - 25 Jan 2021 East Midlands Freeport Update (restricted document) Cabinet - 15 February 2022. East Midlands Freeport Update and East Midlands Freeport Business Rates Relief Policy Reports – Cabinet 26 April 2022.	Public Report: Yes
Financial Implications	The East Midlands Freeport Final Business Case submitted to Government included a 'no detriment' arrangement which seeks to ensure the Council receives the same level of retained rates that it would have received had no freeport existed. Furthermore, the EMF Company is proposed as a Company limited by guarantee protecting the Council from financial risk.	
	Signed off by the Section 151 Officer: Yes	
Legal Implications	Legal implications are detailed in this report	
	Signed off by the Monitoring Officer: Yes	
Staffing and Corporate Implications	There are no staffing implications. Corporate implications are detailed in the report.	
	Signed off by the Head of Paid Service: Yes	
Purpose of Report	To update Council on the progress of the East Midlands Freeport (EMF) project and to consider whether the Council should join the EMF Company.	
Recommendations	THAT COUNCIL 1. NOTE THE PROGRESS OF THE EMF PROJECT AND	

	<p>THE RECOMMENDATIONS OF CABINET FROM THEIR MEETING ON 26 APRIL 2022;</p> <p>2. APPROVES THE COUNCIL TO JOIN THE EMF COMPANY AND PARTICIPATE IN THE INCORPORATION OF IT;</p> <p>3. APPROVES, IN PRINCIPLE, TO THE COUNCIL ENTERING INTO THE MEMBERS AGREEMENT AND DELEGATES AUTHORITY FOR AGREEING THE FINAL FORM OF THE MEMBERS AGREEMENT, ARTICLES OF ASSOCIATION AND ANY OTHER DOCUMENTS/AGREEMENTS REQUIRED TO FACILITATE INCORPORATION OF THE COMPANY, TO THE CHIEF EXECUTIVE IN CONSULTATION WITH THE PORTFOLIO HOLDER.</p>
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1.0 BACKGROUND – WHAT IS A FREEPORT?

- 1.1 A Freeport is a type of special economic zone. The aim of a Freeport is to create a favourable business environment to attract investment and spur local and regional economic growth as well as enhancing international trade, by simplifying the customs procedures for firms within the Freeport zone and reducing administrative costs of trading goods with the rest of the world thereby increasing competitiveness. Goods entering a free zone are not subject to typical import procedures. The goods can be processed and re-exported from the zone without being considered to have entered the host country. This does not, however, imply that the activities carried out within the Freeport are exempted from other regulatory requirements of the host country such as employee rights or health and safety.
- 1.2 Freeports are a flagship government programme that are expected to play an essential part in the UK's post-Covid economic recovery and contribute to realising the levelling up agenda; bringing jobs, investment and prosperity across the four nations of the UK through the benefits and incentives within the policy. The establishment of a Freeport typically leads to the creation of new jobs and associated infrastructure which benefit local residents and communities.
- 1.3 In addition to the customs and tariff benefits, Freeports will also be able to access significant tax benefits, including Stamp Duty Land Tax Relief, Enhanced Structures and Buildings and Capital Allowances, Employer National Insurance Contributions, Rate Relief and Business Rates Relief. Reliefs will be available for all new businesses, and certain existing businesses (where they expand) for a period of 5 years commencing from the tax designation date of Freeport sites.
- 1.4 On creation of a Freeport, Councils are granted the ability to retain all business rates above an agreed baseline to reinvest into their local communities over a 25 year period without reset. The principle behind this arrangement is that it gives councils the ability to reinvest receipts into the Freeport tax site and the certainty to borrow to invest in regeneration and infrastructure that will support further growth. In the case of the EMF, retained business rates from each billing authority will be paid over to the EMF Company (see below).

2.0 EAST MIDLANDS FREEPORT PROJECT PROGRESS

- 2.1 In February 2020 the Government launched a consultation to inform a future Freeports policy. A formal response was submitted on behalf of the East Midlands region which was developed by a working group of key local stakeholders including North West Leicestershire District Council and led by the D2N2 Local Enterprise Partnership (LEP) and Leicester and Leicestershire LEP.
- 2.2 The EMF area is shown on the plan attached at Appendix A. The EMF is a private/public sector project which comprises the County and District/Borough Councils covering the Freeport area (Leicestershire, Nottinghamshire and Derbyshire County Councils and North West Leicestershire District Council, South Derbyshire District Council and Rushcliffe Borough Council) and the businesses within it (including East Midlands Airport, Segro and Uniper UK).
- 2.3 The EMF is an example of public-private partnership, with organisations from each sector working closely together. Private sector partners share the ambition and the objectives of the Freeport, seeking to deliver benefits for the East Midlands region, as well as commercial benefit for their organisations. In evidence of this, private sector partners comprise half of the Delivery Board membership from set up through to delivery.
- 2.4 Cabinet have considered reports in relation to the Freeport project at their meetings on 25 January and 9 November 2021 and 15 February and 26 April 2022. At its meeting on 25 January 2021, Cabinet endorsed the submission of the Freeport proposition to Government following which an interim board was established to develop the proposition further with Leicestershire County Council being the lead accountable body. The Council has played an active part in the Freeport Board, with representation by the Portfolio Holder and support from the former Chief Executive.
- 2.5 The EMF submitted an expression of interest and outline business case to government in September 2021. It is the only airport centred inland Freeport in England based around three core sites:
- East Midlands Gateway Industrial Cluster (EMAGIC)
 - Uniper's Ratcliffe on Soar Site
 - East Midlands Intermodel Park (EMIP)
- 2.6 Since September 2021, work has continued to develop the Final Business Case (FBC) for submission to government by 15 April 2022. Cabinet considered the progress made in the development of the Final Business Case (FBC) on 15 February 2022. They endorsed the work of the Freeport Board, agreed to support in principle the draft FBC, noted that there was further work to be done on the governance of the EMF and delegated authority to agree to submit the FBC to Government to the Chief Executive in consultation with the Portfolio Holder.
- 2.7 The Cross Party Devco and Freeport Working Group met on 5 April 2022. They were briefed on the latest position on the EMF project, governance documents and decision making timeline and had the opportunity to ask questions and make comments about progress.
- 2.8 The Freeport Board met on 7 April 2022 to review the final draft FBC and accompanying appendices. The Portfolio Holder advised the Board that the Council was able to support the submission of the FBC to government and that full Council

would be asked to make the decision on whether to join the EMF Company at this meeting. The FBC was submitted to government on the 15 April 2022. If the EMF submission is successful, it is expected that the EMF Company will be incorporated at the end of May 2022.

- 2.9 Cabinet considered the latest position on the project at its meeting on 26 April 2022. Cabinet and Council have different decisions to make based on their respective legal and constitutional powers. In terms of those matters within Cabinet's remit, they noted the progress of the project and the intention of the Chief Executive to appoint the Portfolio Holder as a Director of the EMF Company, should a decision to join the company be made by Council. Cabinet also agreed to recommend to Council that the Council join the EMF Company on the basis of the current draft members' agreement and articles of association and delegate the finalisation of those documents and any others necessary to facilitate the incorporation of the EMF Company to the Chief Executive in consultation with the Portfolio Holder.

3.0 PLANNING IMPLICATIONS

- 3.1 The report to Cabinet on 15 February 2022 set out the position in relation to the East Midlands Airport and Gateway Industrial Cluster (EMAGIC) site. Members may be aware that the Government designated the EMAGIC site as a tax site on 22 March 2022. The Government also designated 2 other areas within the Freeport area as tax sites (East Midlands Intermodel Park (EMIP) and the Uniper's Ratcliffe on Soar Site at the same time. Neither of these areas fall within this Council's area.
- 3.2 Officers have undertaken work on behalf of the Council, as Local Planning Authority, to assess how the designation of the tax site would affect the consideration of the site through the Local Plan or Development Management processes.
- 3.3 That work has now been concluded and while not planning legislation, the designation of EMF as a Freeport is a statement of government policy which has been re-enforced very recently in the Levelling Up White Paper. As such, the designation and economic benefits of the EMF would need to be given significant weight as part of the consideration through the Local Plan process, or the case of a planning application, the economic benefits would be a material consideration to be balanced against all other environmental impacts such as severe impact upon the highway network, impact upon visual and rural amenity and the setting of heritage assets, in particular Diseworth Conservation Area, and risk of increased flooding.
- 3.4 All matters relating to the role of the Council, as Local Planning Authority will be dealt with via the statutory planning process and are not for consideration by Council in this report.

4.0 LEGAL AND GOVERNANCE IMPLICATIONS

Power to join a company

- 4.1 The Council has the power to join a company limited by guarantee under the general power of competence in Section 1 of the Localism Act 2011 ("the 2011 Act"). This gives the Council the power to do anything that an individual might do. The power is restricted by Section 4 of the 2011 Act which requires that: a thing done for a commercial purpose must be something that the Council may also do for a non-commercial purpose; it must not be something that the Council is required to do by

statute; and if done for a commercial purpose, then it must be done through a company.

- 4.2 The aim of the Freeport is to attract investment and spur local and regional economic growth as well as enhancing international trade, by simplifying the customs procedures for firms within the Freeport zone and reducing administrative costs of trading goods with the rest of the world thereby increasing competitiveness. These are not activities that the Council is required to do by statute and are activities that can be done for a non-commercial purpose, therefore, the general power of competence is engaged and can be relied upon to join the Freeport company.

Governance documents

- 4.3 The Freeport is currently operating under an informal collaboration agreement between the relevant public and private sector partners. The EMF Board decided that, should the government designate the Freeport after submission of the FBC, it will establish itself as an incorporated body. The preferred option for an incorporated body is a Company limited by guarantee. The FBC sets out the proposed governance structure for the EMF Company, including the draft Members Agreement and Articles of Association. The Council has been represented on the EMF Governance Working Group, which has been working on these documents based on key principles agreed by the EMF Board, by the Monitoring Officer and Legal Team Manager. A summary of the key matters contained within both agreements is set out at appendix B to this report. A full copy of the draft documents are available to members on request.

- 4.4 The Members Agreement sets out the relationship between the Limited Company and its Members, of which the Council is one. It includes, amongst other things:

- The objectives of the Company, its powers and activities
- The Board composition, role of Chair and arrangements for appointment of Directors
- The process for approving the Business Plan
- Reserved matters and requirements for decision making within the Company
- Member liabilities (if any)
- Funding of the EMF Company
- Member and EMF Co obligations
- Provisions for default and termination
- Role of Leicestershire County Council as the lead authority.

- 4.5 The Members agreement also notes that other legal agreements may be required to facilitate the operation of the Freeport Company. For example, there will need to be a Business Rates Agreement to govern the payment of Business Rates by the Council and other Billing Authorities to the EMF Company. In addition, to support the initial set up and early operation of the Company, Leicestershire County Council will provide support services to the Company. This will be the subject of a separate services agreement between the EMF Company and the County Council.

- 4.6 The Articles of Association govern how the EMF Company will operate, effectively its Constitution. It includes, amongst other things:

- Directors' powers and responsibilities
- Directors' decision-making
- Appointment of Directors
- Membership and member decision-making

- Arrangements for general meetings of the Company
- Administrative matters, e.g. company seal and record-keeping

4.7 This Council has contributed to the drafting of these key governance documents via the working group process. The work has focussed on agreeing key principles and arriving at a draft of the documents which all the Board are comfortable can be submitted to government as part of the FBC. If Council agree to the Council joining the EMF Company, it confirms its agreement to the terms set out in these documents. However, it is accepted that it may be necessary to refine the drafting post submission if any comments are received from any EMF Company Member. Council are therefore being asked to delegate the power to finalise the governance documents to the Chief Executive.

4.8 One of the key issues which was discussed by the Governance Working Group was the alignment of the EMF Company and EM Devco Company. It is understood that this will be the subject of a memorandum of agreement between Leicestershire and Nottinghamshire County Councils as the respective lead authorities for the two entities. A report will be brought back to a later meeting of Cabinet which looks at the first years' work of the EM Devco.

Role of Directors and the Council as Member of the Company

4.9 The Council will need to appoint a Director to sit on the EMF Company Board. Directors have various duties to the Company, including those codified in the Companies Act 2006. They include ensuring that the company follows its constitution, acting in good faith and in the interests of the company, exercising independent judgement and avoiding any conflicts of interest, promoting the success of the company, exercising skill and care, ensuring company compliance and having oversight of the work of the Executive team.

4.10 The Chief Executive has the power to appoint a Director to a company in accordance with Section 3 of the Constitution. It is proposed that the Portfolio Holder for Infrastructure be so appointed once EMF Company is incorporated.

4.11 Private limited companies are owned by one or more individuals (human or corporate). They are known as members. The role of company members includes:

- Providing any capital to the business (no capital is being sought in relation to the EMF Company. Its activities are funded by business rates).
- Appointing directors
- Determining the rights and powers of directors (this is done via the list of reserved matters in the Members Agreement)
- Making decisions on matters reserved to them
- Participating in the EMF Company AGM

4.12 Should the Council need to appoint a Councillor to act as a representative of the Council as a Member, this will be considered at a later date. The Chief Executive has the constitutional power to make such an appointment.

5.0 INTERNAL GOVERNANCE PROCESS

5.1 The Board have been working at pace on what has been a large and complex project. The deadlines for the submission of the FBC have been fixed by government

and they have not allowed for the prior consideration of this matter by Scrutiny. The internal project team have briefed the cross party working group as set out at para 2.7 above.

6.0 FINANCIAL IMPLICATIONS

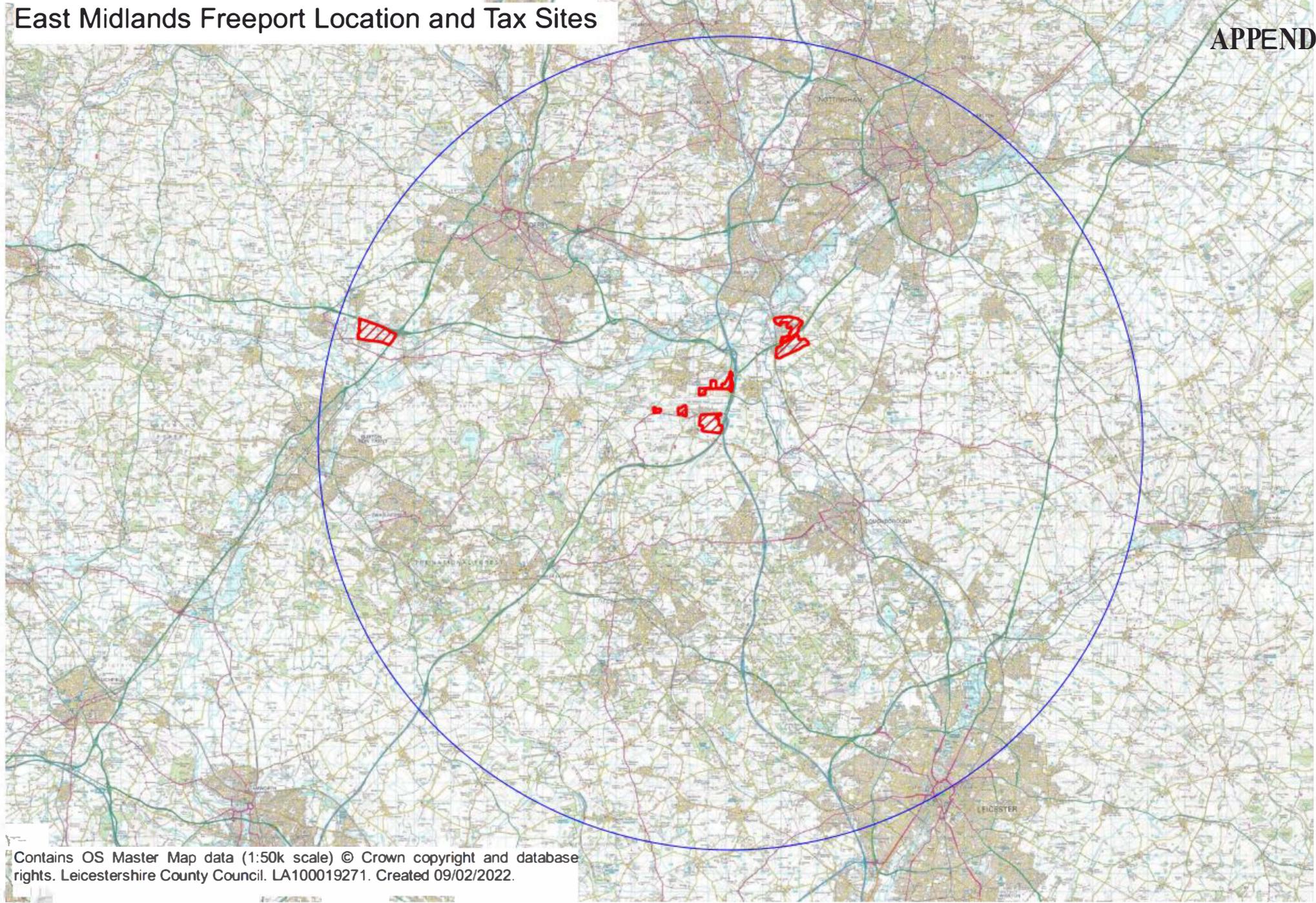
- 6.1 On the 1 March 2022 the government announced the designation of the tax sites that would be included within the East Midlands Freeport. The tax site designation took effect from 22 March 2022.
- 6.2 North West Leicestershire District Council will be the accountable body for administering the business rates for the parts of the Freeport in its area. This means that the Council will grant relief to companies moving to the Freeport in accordance with a Rates Relief Policy agreed by Cabinet on 26 April 2022. The Government will reimburse the Council for all relief granted.
- 6.3 The Council will retain all business rates growth above an agreed baseline, free from any Government levy or reset, for a period of 25 years. The Final Business Case submitted to Government includes a 'no detriment' arrangement which seeks to ensure the Council receives the same level of retained rates that it would have received had no freeport existed. The remaining business rates gain will be available to the Freeport via the Business Rates agreement to be finalised as mentioned in the Governance section above.
- 6.4 The District continues to take an active role within the Infrastructure Working Group ensuring that a co-ordinated approach is taken to balance the growth and impact of infrastructure and there will be a group of S151 officers responsible for ensuring that projects are fully financed and include sufficient funds to deal with any infrastructure requirements together with the allocation of business rates. North West Leicestershire District Council will be fully represented on this group and no capital contribution is being sought.

Policies and other considerations, as appropriate	
Council Priorities:	- Support for businesses and helping people into local jobs
Policy Considerations:	None identified
Safeguarding:	None identified
Equalities/Diversity:	Inclusive growth is a key theme in the business case ensuring that, as far as possible, the Freeport brings benefits for all. As well as creating jobs the focus is on the quality as well as the accessibility of those jobs.
Customer Impact:	None identified
Economic and Social Impact:	The East Midlands Freeport has the potential to attract investment and spur local and regional economic growth as well as enhancing international

	trade. This means new jobs and associated infrastructure to benefit our local residents and communities.
Environment and Climate Change:	Government Net Zero goals are at the heart of the East Midlands Freeport proposal and the Board are fully committed to supporting clean growth, supporting businesses to deliver on ambitious emissions targets. In addition the freeport partners are working to net zero; Segro is committed to achieving Net Zero by 2030 and East Midlands Airport aims to achieve net zero carbon by 2038.
Consultation/Community Engagement:	The East Midlands Freeport has developed a focused and robust stakeholder management and communications strategy as part of the full business case, which aims to establish sustainable and inclusive partnerships with a broad array of external stakeholders and strengthen EMF's local and commercial offer.
Risks:	The risk of reduced revenue to the district through loss of business rates income has been considered and a no detriment policy on business rates forms the basis of the full business case. Planning considerations are set out in this report under paragraph 2.
Officer Contact	James Arnold Strategic Director James.arnold@nwleicestershire.gov.uk

East Midlands Freeport Location and Tax Sites

APPENDIX A



East Midlands Gateway and Industrial Cluster Tax Site



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APPENDIX B

Summary of Key Matters – Draft Members Agreement/Draft Articles of Association

The incorporation of the company will involve the Council, as a founding member, agreeing to two company governance documents. The first being the articles of association which is the legal constitutional document of the company, which sets out how the company is constituted and the basic rules around how the company will be run. The second is a members agreement, which is a “private” contract between the members to the company and the company itself that regulates the relationship between them. Whilst you do not have to have a members agreement, it is a very common document in these kind of company arrangements, particularly as in this case we have both public sector and private sector members.

The key points to note from the documents are as follows:

Articles:

- The company will be established as a company limited by guarantee, which means that the Council will only be liable for the amount of the guarantee (being £1) should the company be wound up.
- The board of directors shall be 13, made up of 6 public sector directors (one from each council that is a member), 6 private sector directors (one from each private sector member) and an independent chair. Each founding member has the right to appoint a director and remove that director. The independent chair will be an independent director and will not have a casting vote.
- The quorum for board meetings requires the Lead Authority’s director to be present, along with two public sector directors and 3 private sector directors.
- Decisions made by directors will first be made on a unanimous basis. Where unanimity is not achieved, it will be decided on a ‘Public Private Sector Majority’, which requires a majority of the public sector directors agreeing and a majority of the private sector directors agreeing.
- Member decisions will be made at company general meetings. The quorum for those general meetings mirrors the board meeting requirements and requires the Lead Authority to be present, along with 2 public sector members and 3 private sector members.

Members Agreement:

- The agreement confirms that the company’s day to day working capital and expenditure is to be funded by: capacity funding provided by DHLUC; a member loan from LCC as Lead Authority; and retained business rates. There is no requirement for other members to contribute to the day to day working capital and/or expenditure of the Company.
- Capital projects and infrastructure projects may be funded by the Company but the agreement is clear that the entity or public sector body that will ultimately own or have responsibility for the capital asset or infrastructure will be primarily responsible for procuring, commissioning and funding that project.

- The company’s board will set the strategy for retained business rates. There will be a ‘Public Sector Directors group’ which consists of all the directors of the public sector members and that group will be responsible for making decisions on the use and allocation of retained business rates.
- Certain decisions are reserved to members (rather than the board of directors) and those are contained in the Reserved Matters schedule. Some of those decisions require all of the members to agree and some decisions require only a Public Private Majority. The Reserved Matters schedule also contains some decisions that are reserved to the board of directors and some decisions that require the consent of the Lead Authority.
- The Council may make a request to withdraw from the company, which will be subject to certain company decisions, depending on its status in the Freeport at the time of the request, as follows:
 - If the Council requests to withdraw prior to the end of the Delivery Period (22 March 2022-30 September 2026) then it will require a Public Private Majority member decision
 - If the Council requests to withdraw after the end of the Delivery Period but it still has a tax site in its area then it will require a Public Private Majority member decision
 - If the Council requests to withdraw after the end of the Delivery Period and it no longer has a tax site in its area then that will only require a decision of the Public Sector Directors group
- There will be an annual business plan that will be approved by the board of directors each year. The business plan will set out how the company anticipates delivering its objectives over the following four years, including funding considerations.

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

ANNUAL COUNCIL – TUESDAY, 10 MAY 2022



Title of Report	FUTURE EXTERNAL AUDIT ARRANGEMENTS	
Presented by	Councillor Nicholas Rushton Corporate Portfolio Holder	
Background Papers	None	Public Report: Yes
Financial Implications	There are no direct financial implications from a decision to opt into the PSAA sector led appointment of external auditors.	
	Signed off by the Section 151 Officer: Yes	
Legal Implications	Section 7 of the Local Audit and Accountability Act 2014 requires the Council to appoint an external auditor at least every 5 years. The Council must appoint the auditor no later than 31 December in the year preceding the financial year to which the appointment will commence. It is therefore important that the Council makes arrangements to appoint an external auditor within the required timescales.	
	Signed off by the Monitoring Officer: Yes	
Staffing and Corporate Implications	There are no direct implications	
	Signed off by the Deputy Head of Paid Service: Yes	
Purpose of Report	This report sets out proposals for appointing North West Leicestershire District Council's external auditor for the five-year period commencing financial year 2023/24.	
Recommendations	THAT COUNCIL ENDORSE THE DECISION MADE TO ACCEPT PUBLIC SECTOR AUDIT APPOINTMENTS' (PSAA) INVITATION TO OPT INTO THE SECTOR-LED OPTION FOR THE APPOINTMENT OF EXTERNAL AUDITORS TO PRINCIPAL LOCAL GOVERNMENT AND POLICE BODIES FOR FIVE FINANCIAL YEARS FROM 1 APRIL 2023	

1.0 BACKGROUND

- 1.1 The current auditor appointment arrangements cover the period up to and including the audit of the 2022/23 accounts. North West Leicestershire District Council opted into the 'appointing person' national collective auditor appointment arrangements established by Public Sector Audit Appointments (PSAA) for the period covering the

accounts for 2018/19 to 2022/23. Mazars have been the Council’s appointed auditors for this period.

1.2 PSAA is now undertaking a procurement for the next appointing period, covering audits for 2023/24 to 2027/28. All local government bodies need to make a decision about their external audit arrangements for 2023 onwards. When considering this issue NWLDC, like other councils, had the option to arrange their own procurement and make a direct appointment or to take advantage of the national collective scheme arranged by PSAA.

1.3 Having considered the options, the sector-wide procurement conducted by PSAA will produce better outcomes and will be less burdensome for the Council than a procurement undertaken locally because:

- collective procurement reduces costs for the sector and for individual authorities compared to a multiplicity of smaller local procurements;
- if it does not use the national appointment arrangements, the Council/Authority will need to establish its own auditor panel with an independent chair and independent members to oversee a local auditor procurement and ongoing management of an audit contract;
- it is the best opportunity to secure the appointment of a qualified, registered auditor - there are only nine accredited local audit firms, and a local procurement would be drawing from the same limited supply of auditor resources as PSAA’s national procurement; and
- supporting the sector-led body offers the best way of ensuring there is a continuing and sustainable public audit market into the medium and long term.

1.4 The Council was required to make a decision about whether to opt in or out of the national scheme by 11 March 2022. Due to the timing of the work on this matter it was not possible to bring this report to an earlier meeting of Full Council. Based on advice from the Interim S151 Officer, which included an assessment of the benefits of opting in versus opting out, the Chief Executive took the decision to opt-in to the national auditor appointment arrangements ahead of the 11 March 2022 deadline. It is worth noting that 470 out of 475 public sector bodies including all but one district opted-in to the arrangements for the next period.

1.5 On the 20 April 2022 the Audit & Governance Committee endorsed the decision made by the Chief Executive and recommended the decision to Council.

Policies and other considerations, as appropriate	
Council Priorities:	No direct implications. The recommended opt-in is considered the best means for establishing value for money in respect of the external audit arrangements.
Policy Considerations:	No direct policy considerations.

Safeguarding:	None
Equalities/Diversity:	None
Customer Impact:	None
Economic and Social Impact:	None
Environment and Climate Change:	None
Consultation/Community Engagement:	None
Risks:	None
Officer Contact	Mark Walker Head of Finance (Section 151 Officer) and Customer Services mark.walker@nwleicestershire.gov.uk

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NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

ANNUAL COUNCIL – TUESDAY, 10 MAY 2022



Title of Report	MEMBER CONDUCT ANNUAL REPORT	
Presented by	Councillor Robert Ashman Deputy Leader	
Background Papers	Member Conduct Annual Report and Minutes – A&G Committee - 20 April 2022	Public Report: Yes
Financial Implications	There are no financial implications.	
	Signed off by the Section 151 Officer: Yes	
Legal Implications	Legal implications are detailed in the report	
	Signed off by the Monitoring Officer: Yes	
Staffing and Corporate Implications	There are no staffing and corporate implications	
	Signed off by the Deputy Head of Paid Service: Yes	
Purpose of Report	To receive and endorse the Member Conduct Annual Report.	
Recommendations	THAT COUNCIL BE RECOMMENDED TO ENDORSE THE MEMBER CONDUCT ANNUAL REPORT 2021/22.	

1.0 BACKGROUND

- 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 to the public and to Members.
- 1.2 The Annual Report of the North West Leicestershire District Council's Audit and Governance Committee covering the period 1 April 2021 to 31 March 2022 was considered by the Audit and Governance Committee at its meeting on 20 April 2022 and is appended. At the meeting, a member of the Committee advised that Cllr Leary, who had been appointed as a Parish Representative on the Committee was no longer a parish councillor. The role of the Parish Representatives is to support the Monitoring Officer and sub-committees of the Audit and Governance Committee, if required, in dealing with any conduct issues relating to parish/town councils. When a vacancy arises for a Parish Representative, the Democratic Services Manager contacts all town and parish councils to seek nominations for the position. A ballot is held if more than one nomination is received.
- 1.3 In relation to the current vacancy, officers have written to all the town and parish councils seeking nominations and are currently awaiting responses. Should only one nomination be received a report will be taken to the next Council meeting to ratify the appointment. Should more than one nomination be received officers will arrange for

the ballot to be held and the results will be reported to the next available Council meeting once the count has taken place, which will be overseen by the Chair of Audit and Governance Committee and the Monitoring Officer.

1.4 Audit and Governance Committee agreed to recommend the report to Council.

Policies and other considerations, as appropriate	
Council Priorities:	Supporting Coalville to be a more vibrant, family friendly town Support for businesses and helping people into local jobs Developing a clean and green district Local people live in high quality, affordable homes Our communities are safe, healthy and connected
Policy Considerations:	Code of Conduct and Constitution.
Safeguarding:	None
Equalities/Diversity:	None
Customer Impact:	None
Economic and Social Impact:	None
Environment and Climate Change:	None
Consultation/Community Engagement:	None
Risks:	Audit and Governance Committee have responsibility for the overseeing the conduct of members. They receive quarterly reports and ensure that an annual report is considered by Council.
Officer Contact	Elizabeth Warhurst Head of Legal and Commercial Services and Monitoring Officer elizabeth.warhurst@nwleicestershire.gov.uk



MEMBER CONDUCT ANNUAL REPORT 2021-22

This is the Member Conduct Annual Report of North West Leicestershire District Council's Audit and Governance Committee and covers the period from 1 April 2021 to 31 March 2022.

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.

On 24 February 2022, the Council adopted a new Members' Code of Conduct and Arrangements for dealing with complaints about Councillors. The new Code was based on the Local Government Association's model Members' Code of Conduct, published in 2021, which was reviewed and amended following a collaborative piece of work with the other Leicestershire MOs (District/Borough and County). Those authorities all now share a common code.

2. Audit and Governance Committee Terms of Reference

Membership: Ten District Councillors

Quorum: Three District Councillors

Terms of Reference during the 2021-2022 financial year:

Statement of purpose

1. The Audit & Governance Committee is a key component of North West Leicestershire District Council's corporate governance. It provides an independent and high-level focus on the audit, assurance and reporting arrangements that underpin good governance and financial standards.
2. The purpose of the Audit & Governance Committee is to provide independent assurance to those charged with governance of the adequacy of the risk management framework and the internal control environment. It provides independent review of North West Leicestershire District Council's governance, risk management and control frameworks and oversees the financial reporting and annual governance processes. It oversees internal audit and external audit arrangements, helping to ensure efficient and effective assurance mechanisms are in place.

Governance, risk and control

3. To review the council's corporate governance arrangements against the good governance framework, including the ethical framework and consider the local code of governance.
4. To review the Annual Governance Statement prior to approval and consider whether it properly reflects the risk environment and supporting assurances, taking into account internal audit's opinion on the overall adequacy and effectiveness of the council's framework of governance, risk management and control.
5. To consider the council's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements.
6. To consider the council's framework of assurance and ensure that it adequately addresses the risks and priorities of the council.
7. To monitor and provide scrutiny over the effective development and operation of risk management in the council.
8. To monitor progress in addressing risk-related issues reported to the committee such as the Corporate Risk Register.

9. To consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions.
10. To review the assessment of fraud risks and potential harm to the council from fraud and corruption.
11. To monitor the Anti-Fraud and Corruption strategy, actions and resources.

Internal audit

12. To approve the internal audit charter.
13. To approve (but not direct) the risk-based internal audit plan, including internal audit's resource requirements, the approach to using other sources of assurance and any work required to place reliance upon those other sources.
14. To approve significant interim changes to the risk-based internal audit plan and resource requirements.
15. To make appropriate enquiries of both management and the head of internal audit to determine if there are any inappropriate scope or resource limitations.
16. To consider any impairments to independence or objectivity arising from additional roles or responsibilities outside of internal auditing of the head of internal audit. To approve and periodically review safeguards to limit such impairments.
17. To consider progress reports from the head of internal audit on internal audit's performance during the year
18. To consider the head of internal audit's annual report, including the statement of the level of conformance with the Public Sector Internal Audit Standards and the results of the Quality Assurance and Improvement Programme that supports the statement. Fundamental to the annual report is the opinion on the overall adequacy and effectiveness of the council's framework of governance, risk management and control together with the summary of the work supporting the opinion. These will assist the committee in reviewing the Annual Governance Statement.
19. To consider summaries of specific internal audit reports in accordance with agreed protocols.
20. To receive reports outlining the action taken where the head of internal audit has concluded that management has accepted a level of risk that may be unacceptable to the authority or there are concerns about progress with the implementation of agreed actions.
21. To contribute to the QAIP and in particular, to the external quality assessment of internal audit that takes place at least once every five years.
22. To provide free and unfettered access to the audit committee chair for the head of internal audit, including the opportunity for a private meeting with the committee.

External audit

23. To support the independence of external audit through consideration of the external auditor's annual assessment of its independence and review of any issues raised.
24. To consider the external auditor's annual letter, relevant reports and the report to those charged with governance.
25. To consider specific reports as agreed with the external auditor.

26. To comment on the scope and depth of external audit work and to ensure it gives value for money.

Financial reporting

27. To review and approve the annual statement of accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the council.
28. To consider the external auditor’s report to those charged with governance on issues arising from the audit of the accounts.
29. To seek assurances that the council has complied with the Treasury Management Strategy and Practices by demonstrating effective control of the associated risks and pursuing optimum performance consistent with those risks.

Accountability arrangements

30. To report to those charged with governance on the committee’s findings, conclusions and recommendations concerning the adequacy and effectiveness of their governance, risk management and internal control frameworks, financial reporting arrangements, and internal and external audit functions.
31. To report to full council on a regular basis on the committee’s performance in relation to the terms of reference and the effectiveness of the committee in meeting its purpose.
32. To publish an annual report on the work of the committee.

Functions	Matters reserved for a Decision
The Council has determined under the powers conferred on it by Section 28(6) of the Localism Act 2011 to appoint an Audit and Governance Committee and it has the following roles and functions:	To determine any issues referred to the Committee (except for any matter reserved to the Council).
Promoting and maintaining high standards of conduct by councillors and co-optees Assisting the councillors and co-optees to observe the Members’ Code of Conduct Advising the Council on the adoption or revision of the Members’ Code of Conduct Monitoring the operation of the Members’ Code of Conduct Advising, training or arranging to train councillors and co-opted members on matters relating to the Members’ Code of Conduct Granting dispensations to councillors who require such dispensations for more than one meeting or on more than one occasion from requirements relating to interests set	

<p>out in the Members Code of Conduct as appropriate</p> <p>Dealing with any report from the Monitoring Officer on any matter concerning Governance</p> <p>To establish Sub-committees for the Assessment of Determination of matters concerning allegations of Members Conduct</p> <p>And in addition the Audit and Governance Committee also oversees the ethical framework of the Council including oversight of:</p> <ul style="list-style-type: none"> • the Whistle Blowing Policy • complaints handling • Ombudsman investigations 	
<p>To exercise the above functions for the parish councils wholly or mainly in its area and the members of those parish councils</p>	

Sub-committees of the Audit and Governance Committee

All Audit and Governance Committee members 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:

- Refer the complaint to the Monitoring officer to take other action.
- Request further information from the parties.
- Refer the complaint to the Monitoring Officer for investigation.
- Take no action to be taken in respect of the complaint.

Review Sub-committee

Consideration of requests for a review in accordance with the Council's Guidance. The Arrangements state that a review of a decision of the Assessment Sub-committee will not be allowed unless new evidence is submitted.

Determinations Sub-committee

To receive reports from the Monitoring Officer or her appointed 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

in accordance with the Council Guidance.

3. Composition

District Councillors

All appointed by Council on 25 May 2021

Chairman: Councillor S Gillard

Deputy Chairman: Councillor N Smith

Councillor E Allman

Councillor C Benfield

Councillor J Clarke

Councillor M Hay

Councillor R Morris

Councillor V Richichi

Councillor S Sheahan

Councillor M Wyatt

Parish Representatives

The following parish councillors were appointed as Parish Representatives with effect from 8 September 2020 for the remainder of the Administration (May 2023):

Councillor Patricia Thomas – Ashby Woulds Town Council

Councillor Ray Woodward – Whitwick Parish Council

Councillor Brian Beggan – Ashby Town Council

Vacancy

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

Gordon Grimes

Richard Gough

Michael Gibson

Laurence Faulkner

The main officer support for the Committee is provided by the Monitoring Officer (Elizabeth Warhurst), the Deputy Monitoring Officer (Kate Hiller) 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 2021/22, there were no applications received for a dispensation from either District or Parish members. Under the new Members' Code of Conduct, Dispensations for Parish Councillors will be dealt with by the Parish Council.

(b) Complaints made to the Monitoring Officer under the Code of Conduct during 2021/22

Qtr	Complaint From	About District/Parish Councillor	Regarding	Status
Q1 21/22	Member of the public (4 complainants)	District Councillor	BREXIT and the pandemic	No action taken – not acting in capacity as Cllr
	Member of the public	Parish Councillor	Comments made on social media	No action taken – not acting in capacity as Cllr
	Member of the public	Parish Councillor	Comments made in a local public house regarding Covid	No action taken – not acting in capacity as Cllr
Q2 21/22	Member of the public	District Councillor	Lack of communications about a bin replacement	Partial not acting in capacity as Cllr and did not amount to a breach of the Code of Conduct
Q3 21/22	Member of public	Parish Cllr	Comments made on social media	No action taken – not acting in capacity as Cllr
	Member of public	Parish Cllr	Comments made on social media	No action taken – not acting in capacity as Cllr
	Member of public	Parish Cllr	Comments made on social media	No action taken – not acting in capacity as Cllr
Q4 21/22	Member of the public	Parish Cllr	Allegation of exchange of words in public place	No action taken – not acting in capacity as Cllr
	Member of the public	District Cllr	Allegation of making comments and taking photographs	No action taken – not acting in capacity as Cllr

	Parish Cllr	Parish Cllr	Allegation of disrespect due to language used in public meeting	Apology to be made at Council meeting on 16 May – hoped that this should resolve the complaint
	Parish Cllr	District Cllr	Disrespect in an email exchange	Resolved informally
	Member of the public	Parish Cllr	Comments made regarding member of the public	Resolved informally

(c) Complaints referred to the Standards Assessment Sub Committee

From the above-mentioned complaints: 0

(d) Members' Register of Interests

The Democratic Services 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 governance.

Following the adoption of the Members' Code of Conduct by Council on 24 February 2022, the Monitoring Officer provided training to District and Parish Members. An external trainer was engaged to provide training over 4 sessions (one in person, 2 hybrid and one wholly virtual session). The sessions were well attended and the feedback has been positive. The training slides and a recording of the virtual session will be posted on the Members' hub for ease of reference.

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
- Anti Fraud and Corruption Policy*
- Anti Money Laundering Policy*
- Risk Management Policy*
- RIPA Policy*
- Information Management Policy*
- Data Protection Policy*
- ICT & Cyber Security Policy*
- Local Code of Corporate Governance*

The policies marked with an * were reviewed as part of the annual governance policy review process in 2021/22. They were considered by Audit and Governance Committee on 21 July 2021 and approved by Cabinet on 21 September 2021.

**Elizabeth Warhurst
Monitoring Officer**

Councillor S Gillard 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**

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Likely to contain exempt information under paragraph(s) 1, 2 of Part 1 of Schedule 12A of the Local Government Act 1972.

Agenda Item 20.

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