

MINUTES of a meeting of the COUNCIL held in the Forest Room, Stenson House, London Road, Coalville, LE67 3FN on TUESDAY, 5 SEPTEMBER 2023

Present: Councillor R L Morris (Chair)

Councillors K Horn, M Ball, A Barker, R Boam, D Bigby, M Blair-Park, R Blunt, M Burke, R Canny, D Cooper, D Everitt, T Eynon, M French, J Geary, T Gillard, R Johnson, S Lambeth, P Lees, J Legrys, K Merrie MBE, A Morley, P Moul, J Page, E Parle, G Rogers, N J Rushton, A C Saffell, C A Sewell, S Sheahan, J G Simmons, N Smith, R Sutton, A Wilson, J Windram, L Windram, A C Woodman and M B Wyatt

Officers: Mr J Arnold, Mr A Barton, Mrs A Crouch, Mrs C Hammond, Ms K Hiller, Mrs A Thomas and Mrs R Wallace

### **31. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

### **32. DECLARATION OF INTERESTS**

Councillor T Eynon declared an interest in item 6 – Questions from Councillors as the Chair of Snibston Heritage Trust and had submitted a question that related to the Trust.

### **33. CHAIR'S ANNOUNCEMENTS**

The Chair made the following announcements:

Under his new initiative to celebrate the success of staff, the Chair announced that he had recently presented the award to Helen Patrick who worked in the Customer Services Centre. He invited any Councillors who were interested in accompanying him to the next presentation to contact him directly.

The Chair announced that the recent charity dinner had raised over £1000, he invited Members to the next dinner which would be taking place on 29 September.

### **34. LEADER'S AND PORTFOLIO HOLDERS' ANNOUNCEMENTS**

The Leader of the Council, Councillor R Blunt, made the following announcements:

With the completion of Stenson House, the accommodation project was now concluded. It was confirmed that the running costs of the Council's buildings had reduced by half, the efficient buildings worked towards the Council's green targets and the project had been completed within budget. He thanked the Strategic Director for managing the project. He reported that the next stage was to move forward with Stenson Square and options would be considered in due course.

Work was due to commence on the Marlborough Square Project which would bring the area back to life. The delays were acknowledged and the support from Members and public was appreciated.

To conclude, Councillor R Blunt announced that Work on the Ivanhoe line was slowly moving forward. He referred to a letter he had drafted to the North West Leicestershire Member of Parliament to support the opening of the trainline and invited the Leader of the

Labour Group to add his signature to it. Councillor S Sheahan agreed to sign the letter and was happy to see that things were moving forward.

In response to a suggestion to name the Ivanhoe line the 'Stephenson Line' to represent the history of the area, Councillor R Blunt explained that the Ivanhoe Line was more than just Coalville as it would travel through the surrounding areas, therefore he felt the 'Ivanhoe Line' was more appropriate.

A challenge was made on the comments made in relation to the accommodation project being delivered within budget and reference was made to the report considered by Corporate Scrutiny Committee which reported that there was an overspend.

### **35. QUESTION AND ANSWER SESSION**

There were three questions asked which are set out below together with the responses. Each member of the public who asked a question was invited by the Chair to ask one supplementary question which is also set out together with the response.

Question from Mr Palmer

'My name is Stephen Palmer and I live in Donington Le Heath. In our Parish of Hugglescote and Donington Le Heath and running through the villages we have a very small river, the River Sence. This is little more than a stream, locally referred to as the 'brook' and more and more regularly it smells of sewage.

Severn Trent's EDM (Event Duration Monitoring) data for 2022 shows 361 deliberate discharges of raw sewage with a total duration of 2,466 hours into the River Sence. Children play in this water and it runs through two nature reserves.

These are not spills and neither are they storm discharges.

The increasing incidence of deliberate discharges has less to do with the weather but more to do with the huge increases in the Parish (and beyond) of both residential and industrial development with zero new infrastructure.

Can the Portfolio Holder explain what powers the LPA has ensure that waste from old, new and proposed dwellings is treated and disposed of properly and to halt new and future developments until Severn Trent can give assurances that sufficient infrastructure is in place to enable all sewage to be treated properly and not deliberately discharged into our villages' waterways?'

Response by Councillor A Saffell

Responsibility for ensuring that waste flows from housing that is connected to mains sewers are disposed of correctly lies with the relevant sewage undertaker, Severn Trent Water (STW) who, under the Water Resources Act 1991, have a legal duty to comply with its sewage treatment works and storm overflow discharge permits, issued by the Environment Agency (EA). Failure to comply with Permit conditions can result in enforcement action being taken by the EA.

The essence of STW's legal duty to provide and extend our sewerage network and sewage treatment capacity is laid out below.

Severn Trent Water has a general duty under section 94 (cluses 1a and 1b) of the Water Industry Act 1991:

- a) To provide, improve and extend such a system of public sewers (whether inside its area or elsewhere) and so to cleanse and maintain these sewers and any lateral drains which belong to or vest in the undertaker as to ensure that the area is and continues to be effectually drained; and
- b) To make provision for the emptying of those sewers and such further provision (whether inside its area or elsewhere) as is necessary from time to time for effectually dealing, by means of sewage disposal works or otherwise, with the contents of those sewers.

In effect, this places an absolute obligation upon STW to provide such additional capacity as may be required to treat additional flows arising from new domestic development.

In terms of the Local Plan Review, the Council will consult with STW as part of the wider consultation on site allocations. It will be then be for STW to identify any issues on specific sites. More generally STW was also consulted as part of the Infrastructure Delivery Plan baseline study for the Local Plan Review. This identified some capacity issues at the Snarrows Waste Water Treatment Water Works which serves Coalville and also Kegworth, but notes that STW has indicated that schemes will come forward to address these, as per their requirements stated above. If necessary, allocation policies in the Local Plan Review could include criteria to ensure that new development is phased and aligned with mains and waste water infrastructure provision.

For the determination of planning applications, under the Town and Country Planning (Development Management Procedure) (England) Order 2015, STW is not a statutory consultee in respect of applications for new housing, but the Local Planning Authority will nevertheless normally consult STW on any new major full or outline housing applications, and as such, there would be an opportunity for them to draw attention to any issues relating to sewage treatment capacity. My officers can't recall any instances where STW have responded to a planning application consultation for development on sites in the Parish of Hugglescote and Donington le Heath to indicate that there is not sufficient capacity at the receiving waste water treatment works.

#### Supplementary question and response

Mr Palmer did not feel there was any concern and asked if it was acceptable for residents to have unsanitary waste in a stream running by their homes. Councillor A Saffell empathised with Mr Palmer and confirmed that the officers would continue to liaise with the Environment Agency on the matter.

#### Question from Ms Davies

'Residents in the area of the Lovell development, off Highfield Street, are experiencing not only an intrusive level of noise, but thick red dust on their properties, mud on the roads and now, yet again, the cutting down of trees in a TPO area.

Are the council aware of the impact this development is having on residents and the environment?'

#### Response from Councillor A Saffell

I can confirm that the Council are aware of concerns raised about the impact this development is having on residents and the environment. Unfortunately, the planning system does not have powers to prevent new developments from having no impact at all on neighbouring occupiers and as such it is an inevitable consequence that some impact during the construction phase should be expected.

However, the Council's Planning Enforcement team have been monitoring the situation in relation to the Lovell development off Highfields Street and have actively been visiting the site to check that the developer is complying with their planning conditions. The planning permission is subject to a construction management plan condition which seeks to reduce any adverse impacts on residents and having assessed the situation on site, the Planning Enforcement Officer has advised that the developer is complying with its terms as approved. The Planning Enforcement Team will continue to monitor the site to make the developer is aware of their continuing requirements to ensure that the construction of the development on this site has minimal impact on local residents.

In terms of trees removed that are protected by a Tree Preservation Order, this was permitted by the granting of the planning permission for the Lovell Development. The trees were protected via a group order (so not TPO'd individually) and when the Lovell planning application was submitted, the developer submitted a detailed tree report to justify the works they were proposing on that part of the site. This was carefully considered by the Council's Tree Officer as part of the consideration of the application, and it was agreed that some of trees in the group order could be removed as individually they weren't worthy of protection. It was also considered that the trees removal would not harm the status of the group order which still seeks to protect the remainder of the trees on site for the collective contribution that the group makes to the visual appearance of the area.

To clarify further, the granting of a planning permission for development, as in this case, supersedes the requirements of a Tree Preservation Order and the works that have been carried out on site are in line with that agreed in the planning permission for the development of housing on the site.

#### Supplementary question and response

Ms Davies quoted planning policy which referenced an efficient planning enforcement system. She asked if the Council was still of the opinion that planning enforcement was fit for purpose. Councillor A Saffell stated that he would visit the site and seek information from the planning enforcement team on the position, he would then make contact with Ms Davies.

#### Question from Ms Dillon

'There are 650 MPs in the elected Parliamentary chamber, all there to scrutinise the plans set forth by the government. The formation of political parties is a relatively recent development within our Parliamentary system, in particular the whipping system. It could be argued that the Party system has reduced the effect of those 650 voices – reducing democracy; power of the people, within Parliament.

The motion put forward implies that the Party allegiance of our MP is more important than the character of the MP, so I ask you to consider the following question in regards to the motion:

Should the MP of North West Leicestershire be a Party representative to the region, or should our MP be representing constituents interests whilst scrutinising government plans, policies and legislation?'

#### Response from Councillor R Blunt

I would like to thank Siobhan for her interesting question which is timely in view of the motion which appears later on our agenda this evening.

I have used sources from the UK Parliament and BBC websites in putting together my response.

Historically, as I understand it, the House of Commons has acted on the principle that all Members of the House of Commons are individually elected, and voters put a “cross against the name of a candidate”. While decisions on candidates may be affected by their party labels, Members of Parliament (MPs) are free to develop their own arguments once elected, until it is time to face the voters in the next general election.

The role of an MP, as set out on the websites referred to above is to:

“Represent his/her constituents, including those who did not vote for them or did not vote at all.

MPs represent their constituents in areas where the UK Parliament takes decisions. MPs either debate or ask questions in the House of Commons or they work in smaller groups known as committees.

Other important roles of MPs in Parliament are to help make laws and to scrutinise (check-up on) the work of the government or investigate issues.

**The Parliamentary duties of an MP include:**

- writing to or organising meetings with relevant ministers
- speaking in Parliament during a debate
- asking questions during Prime Minister's Questions (PMQs)
- introducing Members Bills on topics of concern to their constituents
- lobbying other organisations (such as local councils, health boards) and individuals on behalf of their constituents
- raising the profile of an issue in the media
- involvement in committees which scrutinise new legislation or question the work of the government.

When they are not working in parliament, MPs work in their constituencies, communicating with their constituents by writing letters, emails and replying to phone messages. Often MPs will hold 'surgeries' where local people can meet with their MP and ask questions. Constituents usually meet with their MP to seek help with a problem or issue. Some MPs send out newsletters to their constituents and communicate via their own website or social media accounts”.

I would, therefore, take the view that MPs, are a representative of their constituents rather than a delegate of their political party, should they be a member of one.

**Supplementary question and response**

Ms Dillon asked if Councillor R Blunt considered the role of the District Councillors to be similar to the Members of Parliament. Councillor R Blunt felt that once the elections were

finished, District Councillors represented the people of the District regardless of their political parties.

### **36. QUESTIONS FROM COUNCILLORS**

There were five questions asked which are set out below together with the responses. Each Member who asked a question was invited by the Chair to ask one supplementary question which is also set out together with the response.

Question from Councillor Sheahan

'The Local Government and Social Care Ombudsman has been reported by the BBC as saying councils are frequently failing to use their powers to tackle anti-social behaviour. In the same report, the Local Government Association were quoted as saying, "...it is vital all agencies – including the Government – ensure all measures in the ASB Plan launched earlier this year are adequately resourced." Paragraph 40 of the Government's ASB Plan, says, "while the police, local authorities and other agencies have a range of powers to tackle anti-social behaviour, they do not use them consistently, or, at times, enough.

Does the Council recognise these issues?'

Response from Councillor M Wyatt

'All local authorities within Leicester, Leicestershire and Rutland have committed to following a shared procedure relating to tackling antisocial behaviour to ensure that there is both consistency and best practice applied across the area.

The procedure requires councils and the police to apply an incremental approach to tackling ASB. The approach details the breadth of powers available which range from informal approaches such as providing advice and the issuing of warning letters through to using formal legal powers such as community protection notices, injunctions, closures, and public space protection orders.

When tackling ASB officers start with an informal approach and move along the range of powers incrementally until a resolution can be reached.

When officers consider the use of legal powers the Council's legal team are engaged and the views of the Joint Action Group (JAG) are sought before acting. The membership of the JAG includes a range of agencies namely the police, schools, social care, youth justice and others as required.

The Council has a track record of making use of the full range of informal resolutions and formal legal powers to resolve ASB issues. The issue of advice and warning letters are a regular occurrence and were most recently used with recent injunctions to resolve a serious issue in June this year into ASB and violence between neighbours in Coalville.

In conclusion, I can confirm that this Council does not recognise the issues in the quote from Paragraph 40 of the Government's ASB Plan and sees that its practice of managing ASB accords with the best practice highlighted above.

Full details on the Council's ASB policy can be found at [Anti-social Behaviour Policy \(nwleics.gov.uk\)](http://nwleics.gov.uk)'

Supplementary question and response

Councillor S Sheahan asked for evidence including benchmarking information to prove that the council accords with best practice. Councillor M Wyatt confirmed he would be happy to provide the information outside of the meeting.

Question from Councillor J Legrys

'At Council on the 20 June 2023, I asked Councillor Saffell a question about the reopening of the Right of Way between London Road to Stephenson Way Coalville. The Right of Way is closed due to unsafe structures.

Councillor Saffell replied that the issue is complex, but he would be providing me with regular updates on progress to reopen the Right of Way.

I am disappointed that I have had no such regular update and I would be grateful if I can be informed when the Right of Way will be re-opened?'

Response from Councillor Saffell

Further to my response to the previous question raised on this matter at Council on 20 June 2023, I am advised that there were initially five or six walls in a dangerous condition and which led to the footpath within the park being fenced off. Officers have now had some feedback from LCC Highways who are leading on the matter as the footpath adjoins their public right of way. They have advised that there are now just two walls which need repairing by the owners. Officers are advised by LCC that there has been no response from those remaining owners so the matter will now be handled by the County Council's legal team who will start the legal process to enable repair of the wall. They have also advised that, unfortunately, this may take some time now it has become a legal process as there could be challenges regarding ownership and responsibility.

I can also advise that some of the temporary fencing has now been removed which means that residents can now access and egress the park from the jitty at northern end from Albert Road without having to walk all the way to the London Road entrance. In the meantime, Officers from the District and County Councils are looking into the position of the two remaining dangerous walls along the footpath so they can decide whether or not further parts can be reopened.

While I can't give a specific date when the footpath will be totally reopened, progress is being made and as soon as I have more information from officers, I will update Cllr Legrys further.

Supplementary question and response

Councillor J Legrys asked if the residents in that area that used the route regularly could be kept informed via a press release, regarding what action was being taken. Councillor A Saffell confirmed a press release could be issued.

Question from Councillor R Sutton

The last meeting of Council recommended, under Agenda 11, 'Appointments to Community Bodies', appointments to East Midlands Councils and the Regional Migration Board:

In what sense are these 'community bodies' independent of this Council and, if, on the other hand, membership of and influence via these two bodies indicates a democratic function, how are policy setting, accountability to Council members and our electorate, and open and transparent decision making all ensured, making specific reference to:

- a) Transport investment and delivery for rail and roads impinging on the District,

- b) The temporary housing and permanent resettlement of asylum seekers in the District?

Response from Councillor R Blunt

I have liaised with and taken advice from East Midlands Councils in preparing the response to this question.

- East Midlands Councils is independent partnership body that works on behalf local authorities in the region. East Midlands Councils provides a platform for collective work and decision making and is accountable to its Local Authority membership.
- Each member council has one seat by virtue of its membership, additional seats are allocated on the basis of political balance. All East Midlands Councils boards are politically-led, with decisions made by Local Authority councillors (including leaders and portfolio holders) from within its membership.
- All councillors in the region are invited to the plenary meetings of East Midlands Councils (two per year) and the agenda, papers and minutes of all Board meetings are publicly accessible.
- Policy setting, in respect to where East Midlands Councils has these responsibilities, is through the politically led Boards, including the collective regional response to nationally set policy, e.g., the implementation of asylum dispersal programmes, or in the case of strategic transport investment. Boards agree a collective response to inform the prioritisation of nationally directed investment, e.g. the Integrated Rail Plan.
- East Midlands Councils does not have responsibility for deciding the numbers, or location, of asylum dispersal (including contingency hotels). This is a nationally determined programme, undertaken in consultation with East Midlands Councils and local authorities. Similarly, while East Midlands Councils seeks to influence the prioritisation of strategic road and rail investment, decisions remain either nationally determined, or through the respective Local Transport Authority as appropriate.

Supplementary question and response

Councillor R Sutton stated that East Midlands Councils did set policies when required and made decisions, therefore he asked Councillor R Blunt if he agreed that residents should be able to access these minutes and therefore should be tabled at Council meetings. Councillor R Blunt could not provide a response as some further work was required on the appropriate process for feeding back from community bodies, therefore a response would be provided outside of the meeting.

Question from Councillor Sewell

'Having recently been frustrated by the Planning process at this Council, I would like to ask the following question:

Call-ins from Ward Members/neighbouring Ward Members are refused on a regular basis, from what I gather from my colleagues, even when strong material planning considerations are put forward.

I believe the refusal to allow call-in is decided by the Chairman of the Planning Committee, along with the Strategic Director of Place.

When a Ward Member/neighbouring Ward Member puts forward a call-in, they do so with prior local knowledge, and because of local constituents' concerns. The Strategic Director of Place, Planning Officers and Chair won't always be aware of these 'local' matters and



totally rely on the Planning Portal for resident comments – this portal isn't always useable or accessible by members of the public.

Will consideration please be given to at least allow Ward Members/neighbouring Ward Members to be present at the discussion appertaining to the particular application they have the concern about? Phone calls or emails refusing call-ins aren't giving Ward Members the clarity necessary to provide the right information to concerned constituents on contentious planning issues.'

Response from Councillor A Saffell

The process for call in, is set out in the Constitution (page 37-38) under the terms of reference of the Planning Committee, paragraph 2.4 which sets out those matters which are reserved to Committee:

*2.4 Excluding those types of applications detailed at paragraph 1.3 above, the determination of an application where:*

*(a) a ward member of the ward to which the application relates or the ward member of an adjoining ward (if that adjoining ward is materially impacted by the application) has notified the relevant Strategic Director (in writing or by email within 4 weeks of being notified of the application) that the application should be determined by the Planning Committee; and*

*(b) in the opinion of the Chair having consulted the relevant Strategic Director (or his nominated officer):*

*(i) the notification is supported by one or more material planning grounds; and*

*(ii) the item relates to a matter of local concern,*

*Provided that where the relevant ward member or neighbouring ward member has a disclosable pecuniary interest in the application in question, this "call-in" shall automatically be triggered for consideration by the Chair under (b) above.*

*Where the Chair decides that an application does not satisfy (b)(i) or (ii) above, written reasons shall be given to the requesting member.*

There is currently no constitutional requirement for the Chair to contact Members regarding each call-in request that they make. However, at a meeting of the Planning Cross Party Working Group in June 2020, it was agreed to slightly amend the process so that the Chairman of Committee would speak to the Ward Member on their call-in reasons before a final decision was made. I understand that the new Chair of Planning Committee is now making contact with ward members to discuss the call-in requests and to understand their concerns before discussing with officers and making a final decision. It is also open to the ward member to contact the Chair about their call-in requests.

As I'm aware that some Members continue to have concerns about the current call-in procedure, as indicated by the question raised, I would suggest that this matter is discussed at the next Planning Cross Party Working Group, to explore whether any minor

changes to the process maybe required. I will ask for a meeting of the Planning Cross Party Working Group to be arranged for the Autumn.

#### Supplementary question and response

Councillor C Sewell asked how the planning department could be adequately funded to enable all Ward Councillor call-ins to be heard at planning committee which she was aware happened at other authorities. She believed this would be more democratic. Councillor A Saffell felt that accepting all call-in's would be a step too far as it was important to have material planning reasons. He confirmed that the Planning Cross Party Working Group would be convened soon to discuss, and he invited Councillor Sewell to attend.

#### Question from Councillor T Eynon

'How does this authority intend to meet its statutory duty, under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, to have special regard to the desirability of preserving not only the listed buildings of Snibston Colliery but its setting on Ashby Road which includes the former Coalville and Local Mines Fire Station, the Pithead Baths, Ebenezer Chapel, Deputies Row and the Snibstone New Inn?'

#### Response from Councillor A Saffell

Under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 the Council has a "general duty as respects listed buildings" in the exercise of our planning functions. The Council fulfils its statutory duty under S66 when dealing with applications for planning permission that would affect listed buildings at Snibston Colliery, including the Grade 2 administrative offices, locomotive house and powder magazine, or their settings, by carefully considering the impact of any development proposals on the listed building or its setting. Applications will be assessed and considered by the Council's Conservation Officer and their conclusions would be afforded considerable weight in the decision making process.

The headstocks and engine houses at Snibston Colliery are scheduled monuments, but there is no similar general duty as respects scheduled monuments. However, the Council ensures that any applications for planning permission conserve the scheduled monument and its setting in the same way by carefully considering the impact of any development proposals on monument or its setting. Applications will be assessed and considered by the Council's Conservation Officer and Historic England and their conclusions would again be afforded considerable weight in the decision making process.

I can confirm that a recent planning application for a major development on Ashby Road was refused permission and one of the reasons for refusal was that the scale, layout and appearance of the proposed development would erode the setting which contributes positively to the significance of the scheduled ancient monuments that form part of Snibston Colliery.

#### Supplementary question and response

Councillor T Eynon referred to the applications being assessed by tree officers and Environmental England and asked what opportunities existed to work in collaboration with heritage agencies. Councillor A Saffell stated that he would make some enquiries and provide a response outside of the meeting.

## 37. MOTIONS

The following motion was received from Councillor S Sheahan:

'This Council calls upon Andrew Bridgen to resign as the MP for North West Leicestershire.

Whether or not they supported Mr Bridgen in the 2019 General Election, people generally knew what they were voting for, and it was clear that Mr Bridgen won the support of the largest body of opinion in the North West Leicestershire Constituency, as measured by the votes cast.

This was his democratic mandate, and it was that which gave him the credibility accorded an MP in the eyes of those he would be representing, those he would be making representations to and those he would be working in partnership with, such as this Council.

However, in May of this year, Mr Bridgen joined Reclaim, turning his back on the mandate he was elected on. Soon after, he announced that he would not be standing down to enable a by-election to take place. We believe that this is an affront to democracy and places the people of North West Leicestershire at a real disadvantage, when it comes to influencing important decisions.

Clearly we need a representative with a valid mandate who will restore credibility to the position of our Member of Parliament. Although he has hitherto rejected calls to resign his seat in order to trigger a by-election, we trust Mr Bridgen has had time to properly reflect on the difficulties he has placed himself and his constituents in.

Therefore, we call on him now – don't obstruct democracy; do the right thing for the people of North West Leicestershire.'

Councillor S Sheahan spoke to and then formally moved the motion. It was seconded by Councillor J Legrys.

A discussion ensued on the recent behaviours of the North West Leicestershire Member of Parliament and comments were made both in support and against the motion. Acknowledgement was given to the Member of Parliament's change of political allegiance and some public opinion that a by-election was the right way forward, however it was also noted that constituents were represented irrespective of political preference and Parliament had its own rules to deal with behaviour.

The motion was put to the vote. A recorded vote having been requested; the voting was as detailed below.

The result of the vote was tied, therefore in accordance with the Council's Constitution, the Chair exercised his second and casting vote.

The motion was LOST.

[Recorded vote to be added once minutes finalised]

<b>Motion to call upon Andrew Bridgen to to resign as MP for North West Leicestershire (Motion)</b>	
Councillor Ray Morris	Against
Councillor Kenny Horn	Against
Councillor Mike Ball	Against
Councillor Anthony Barker	For
Councillor Russell Boam	Against
Councillor Dave Bigby	For
Councillor Murrae Blair-Park	For
Councillor Richard Blunt	Against

Councillor Morgan Burke	Against
Councillor Rachel Canny	Against
Councillor Doug Cooper	For
Councillor David Everitt	For
Councillor Dr Terri Eynon	For
Councillor Marie French	Against
Councillor John Geary	For
Councillor Tony Gillard	Against
Councillor Russell Johnson	For
Councillor Simon Lambeth	For
Councillor Paul Lees	Against
Councillor John Legrys	For
Councillor Keith Merrie MBE	Against
Councillor Alison Morley	For
Councillor Peter Mout	For
Councillor June Page	For
Councillor Elizabeth Parle	For
Councillor Guy Rogers	For
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 Ray Sutton	For
Councillor Avril Wilson	For
Councillor Jake Windram	Against
Councillor Lee Windram	Against
Councillor Andrew Woodman	Against
Councillor Michael Wyatt	Against
Councillor Ray Morris	Against (Casting Vote)
<b>Rejected</b>	

**38. PETITIONS**

No petitions were received.

**39. MINUTES**

Consideration was given to the minutes of the meeting held on 20 June 2023.

It was moved by Councillor R Morris, seconded by Councillor Horn and

RESOLVED THAT:

The minutes of the meeting held on 20 June 2023 be approved and signed by the Chair as a correct record.

**40. CAPITAL PROGRAMME UPDATE**

Councillor N J Rushton presented the report to Members.

Objections were raised by a Member regarding the inclusion of a charge for the use of public toilet facilities, the cashless method of payment and the lengthy amount of time it would take to recoup the system installation cost. Following advice from the Deputy Monitoring Officer on how the recommendations could be amended to reflect this objection, Councillor S Lambeth moved the following amendment to recommendation 2:

‘That Council approve the updated Capital Programme as detailed in appendix 1, including the new schemes as set out in paragraphs 3.2 and 3.3, provided that £23,000 provided for public conveniences.’

It was seconded by Councillor S Sheahan. The Chair opened the debate on the proposed amendment.

A debate ensued and strong views were shared against charging members of the public to use public conveniences and the lack of consultation on the proposal. A comment was made that the report had previously been considered by Corporate Scrutiny Committee and therefore comments should have been raised then, however it was noted that the detail on the proposed use of the funds was not included in the report.

Further discussions were had on process in relation to notice periods for amendments to motions. It was confirmed by the Deputy Monitoring Officer that the amendment had been proposed in accordance with the Council’s Constitution.

The amendment was put to the vote. A recorded vote having been requested; the voting was as detailed below.

The result of the vote was tied, therefore in accordance with the Council’s Constitution, the Chair exercised his second and casting vote.

The amendment was LOST.

The Chair re-opened the debate on the recommendations within the report as previously moved by Councillor N J Rushton. It was seconded by Councillor R Blunt.

No further comments were made.

RESOLVED THAT:

- 1) The supplementary estimates detailed in paragraph 2.2 which were above £250,000 and externally funded be approved.
- 2) The updated Capital Programme as detailed in appendix 1, including new schemes as set out in paragraphs 3.2 and 3.3 be approved.

[Recorded vote to be added once minutes finalised]

<b>Amendment to motion from Councillor S Lambeth (Amendment)</b>	
Councillor Ray Morris	Against
Councillor Kenny Horn	Against
Councillor Mike Ball	Against
Councillor Anthony Barker	For
Councillor Russell Boam	Against
Councillor Dave Bigby	For
Councillor Murrae Blair-Park	For
Councillor Richard Blunt	Against
Councillor Morgan Burke	Against
Councillor Rachel Canny	Against

Councillor Doug Cooper	For
Councillor David Everitt	For
Councillor Dr Terri Eynon	For
Councillor Marie French	Against
Councillor John Geary	For
Councillor Tony Gillard	Against
Councillor Russell Johnson	For
Councillor Simon Lambeth	For
Councillor Paul Lees	Against
Councillor John Legrys	For
Councillor Keith Merrie MBE	Against
Councillor Alison Morley	For
Councillor Peter Mout	For
Councillor June Page	For
Councillor Elizabeth Parle	For
Councillor Guy Rogers	For
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 Ray Sutton	For
Councillor Avril Wilson	For
Councillor Jake Windram	Against
Councillor Lee Windram	Against
Councillor Andrew Woodman	Against
Councillor Michael Wyatt	Against
Councillor Ray Morris	Against (Casting Vote)
<b>Rejected</b>	

#### **41. SCRUTINY ANNUAL REPORT**

Councillor K Merrie presented the report to Members.

It was seconded by Councillor K Horn.

A comment was received on the format of the report and the discussions already had on the improvements that could be made moving forward to engage with the public.

RESOLVED THAT:

The Annual Scrutiny Report be noted.

#### **42. APPOINTMENTS TO COMMITTEES AND COMMUNITY BODIES**

Councillor K Merrie presented the report to Members.

It was seconded by Councillor R Blunt.

Comments were made that although Members were appointed to Community Bodies, the Council did not receive any reports or feedback of the work being undertaken. A request was made to receive regular reports in future. The Portfolio Holder agreed to discuss this further with officers to ascertain the best approach to take with this matter.

RESOLVED THAT:

- 1) Councillor M Wyatt be appointed to the Employee Joint Consultative Committee.
- 2) Councillor L Windram be appointed to the vacant substitute seat on the Employee joint Consultative Committee.
- 3) Councillor A Woodman be appointed as the Council's representative on the Leicester, Leicestershire and Rutland Police and Crime Panel.
- 4) Councillor T Gillard be appointed as Councillor A Woodman's substitute on the Leicester, Leicestershire and Rutland Police and Crime Panel.

**Councillor R Canny entered the meeting at 6.35pm**

The meeting commenced at 6.30 pm

The Chairman closed the meeting at 8.23 pm