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

Time/Date 6.30 pm on TUESDAY, 18 JUNE 2024
Location Forest Room, Stenson House, London Road, Coalville, LE67 3FN
Officer to contact Democratic Services (01530 454512)

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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. CHAIRMAN'S ANNOUNCEMENTS	
4. LEADER'S AND PORTFOLIO HOLDERS' ANNOUNCEMENTS	
Members are reminded that under paragraph 11.1 of part 3 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.	

Item	Pages
5. QUESTION AND ANSWER SESSION	
To receive questions from members of the public under procedure rule no.10. The procedure rule provides that members of the public may ask members of the Cabinet any question on any matter in relation to which the Council has powers or duties which affect the District, provided that three clear days' notice in writing has been given to the Head of Legal and Support Services.	
6. QUESTIONS FROM COUNCILLORS	
To receive members' questions under procedure rule no.11. The procedure rule provides that any member may ask the Chairman of a board or group any question on any matter in relation to which the Council has powers or duties which affect the District, provided that three clear days' notice in writing has been given to the Head of Legal and Support Services.	
7. MOTIONS	
To consider any motions on notice under procedure rule no. 12.	
8. PETITIONS	
To receive petitions in accordance with the Council's Petition Scheme.	
9. MINUTES	
To confirm the minutes of the meeting of the Council held on 7 May 2024	3 - 12
10. EAST MIDLANDS FREEPORT UPDATE	
Report of the Strategic Director (Resources)	13 - 20
11. ANNUAL MEMBER CONDUCT REPORT	
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12. AUDIT AND GOVERNANCE COMMITTEE ANNUAL REPORT 2023/24	
Report of the Strategic Director (Resources)	29 - 46
13. APPOINTMENT OF PARISH REPRESENTATIVES TO THE AUDIT AND GOVERNANCE COMMITTEE	
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Report of the Head of Legal and Support Services and Monitoring Officer	51 - 52
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Guidance for members	

MINUTES of a meeting of the COUNCIL held in the Forest Room, Stenson House, London Road, Coalville, LE67 3FN on TUESDAY, 7 MAY 2024

Present: Councillor R L Morris (Chair)

Councillors K Horn, M Ball, A Barker, C Beck, D Bigby, M Blair-Park, R Blunt, R Boam, 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 Moulton, E Parle, G Rogers, N J Rushton, R Sutton, A C Saffell, C A Sewell, S Sheahan, J G Simmons, N Smith, 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, Mrs A Thomas, Mrs R Wallace and Miss E Warhurst

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. DECLARATION OF INTERESTS

There were no interests declared.

3. APPOINTMENT OF CHAIRMAN

Councillor R Morris said a few words regarding his year as Chairman. He thanked all officers, Members, and his consort for their support, particularly with raising money for his charity. He advised that the total raised was £12,000.

Nominations were sought for the Chairman for the ensuing municipal year.

It was moved by Councillor R Blunt that Councillor K Horn be appointed as Chairman of the Council for 2024/25. The motion was seconded by Councillor M Wyatt.

It was also moved by Councillor S Sheahan that Councillor D Everitt be appointed as Chairman of the Council for 2024/25. The motion was seconded by Councillor J Legrys.

As two nominations had been received, a vote was taken for each nominee in turn, the result of which was tied. Therefore, in accordance with the Council's Constitution, the Chairman exercised his casting vote. It was

RESOLVED THAT:

Councillor K Horn be appointed Chairman of the Council for 2024/25.

Councillor K Horn then took the Chair, received the Chairman's chains and signed the Acceptance of Office. He thanked Members for electing him as Chairman and presented Councillor R Morris with his Past Chairman's badge.

4. APPOINTMENT OF DEPUTY CHAIRMAN

Nominations were sought for the Deputy Chairman for the ensuing year.

It was moved by Councillor R Blunt that Councillor R Morris be appointed as Deputy Chairman of the Council for 2024/25. The motion was seconded by Councillor M Wyatt.

It was also moved by Councillor E Parle that Councillor A Wilson be appointed as Deputy Chairman of the Council for the 2024/25. The motion was seconded by Councillor S Lambeth.

As two nominations had been received, a vote was taken for each nominee in turn, the result of which was tied. Therefore, in accordance with the Council's Constitution, the Chairman exercised his casting vote. It was

RESOLVED THAT:

Councillor R Morris be appointed as Deputy Chairman of the Council for 2024/25.

5. CHAIRMAN'S ANNOUNCEMENTS

The Chairman made the following announcements:

This year marked the 50 years since the formation of North West Leicestershire District Council in February 1974 and the Chairman formally launched the 'year of celebrations' by highlighting the planned events taking place, and introducing the 50th anniversary logo to be used throughout the year. The Chairman concluded the announcement by cutting the anniversary celebration cake.

The Chairman presented to Councillor M Wyatt who had served as a member of the Council for 21 years, a scroll in recognition of his long service.

6. APPOINTMENT OF LEADER

Nominations were sought for the Leader of the Council for the ensuing year.

It was moved by Councillor T Gillard that Councillor R Blunt be appointed as Leader of the Council for 2024/25. The motion was seconded by Councillor N Rushton.

It was also moved by Councillor J Legrys that Councillor S Sheahan be appointed as Leader of the Council for 2024/25. The motion was seconded by Councillor A Morley.

Before a vote was taken, in agreement with the Chairman, Councillor R Sutton addressed the meeting in relation to his priorities for his constituents and the decision on leadership for Members to consider.

As two nominations had been received, a vote was taken for each nominee, the result of which was tied. Therefore, in accordance with the Council's Constitution, the Chairman exercised his second and casting vote. It was

RESOLVED THAT:

Councillor R Blunt be appointed as the Leader of the Council for 2024/25.

Councillor R Blunt thanked Members for his appointment and said a few words regarding his plans for the forthcoming year. He also took the opportunity to welcome the newly elected Councillor Catherine Beck to the Chamber.

7. LEADER'S AND PORTFOLIO HOLDERS' ANNOUNCEMENTS

The Leader of the Council, Councillor R Blunt announced that his appointments and delegations of executive functions for the forthcoming year as follows:

Leader – Councillor R Blunt

Deputy Leader and Community and Climate Change Portfolio – Councillor M Wyatt
 Infrastructure Portfolio - Councillor K Merrie
 Planning Portfolio – Councillor T Saffell
 Corporate Portfolio – Councillor N Rushton
 Housing, Property and Customer Services Portfolio – Councillor A Woodman
 Business and Regeneration Portfolio – Councillor T Gillard

As in previous years, the executive responsibilities were to be delegated to the Cabinet to take decisions collectively.

Councillor S Sheahan, Leader of the Labour Group, announced the Shadow Portfolio Holders as follows:

Leader – Councillor S Sheahan
 Planning, Development Corporation and Freeport Portfolio – Councillor J Legrys
 Community Services Portfolio – Councillor P Moulton
 Environment, Net Zero and Waste Management Portfolio – Councillor D Bigby
 Finance and Corporate Portfolio – Councillor S Lambeth
 Housing and Customer Services Portfolio – Councillor A Morley
 Business and Regeneration Portfolio – Councillor G Rogers

8. QUESTION AND ANSWER SESSION

One question was asked which was circulated in the additional papers and is set out below with the response. The member of the public who asked the question was invited by the Chairman to ask one supplementary question which is also set out together with the response.

Question from Ms S Dillon

‘Whilst visiting flat at Coleorton Moor, which I believe are Council owned, I noticed that they had heat pumps installed. I also noticed a damp patch in the ceiling of the hallway. My understanding is that buildings should be brought up to a certain thermal insulation standard before installing heat pumps, otherwise they have to work too hard to bring the building to appropriate temperatures and, in these circumstances, are not cost efficient either financially or environmentally.

I presume a leaking building would not be at an appropriate standard, therefore rather than benefit the occupants and the environment, the heat pump installation is harmful.

Does NWLDC have a standard to which buildings should attain, and achieved, before installation of heat pumps?’

Response from Councillor A Woodman

‘With regards to a “leaky” building; and any damp and mould, we are not aware of any significant or harmful issues in the building we hold in the vicinity. I would encourage tenants to report anything of concern in the normal way and will be assessed. We are certainly not aware of anything ‘harmful’. Even if a leak has occurred this is likely to have occurred after installing the heat pumps in question.

NWLDC is obliged to abide by Standard Assessment Procedure (SAP) tests and current building regulations. Standards Part L1A (conservation of fuel and power) and Part F (ventilation) for existing dwellings. These standards were amended from 15 June 2023 and works that commenced prior to this date are not held to the improved standard, which is likely in this case.

Generally, heat calculations and a suitability survey are undertaken before any retrofit or heating upgrade is carried out by NWLDC.

This response is generic in its nature as we are not aware of the exact location of the property in question. If Ms Dillion would provide me this after the meeting I can supply a more tailored response if required.'

Supplementary question and response

Ms S Dillon commented that there were concerns that the installation of heat pumps could result in higher energy costs. She felt that more weight should be given to the views of residents when making material changes and therefore asked if any follow up surveys had been undertaken to establish if energy usage had decreased since the installation of heat pumps. Councillor A Woodman explained that a Cross Party Housing Improvement Board had recently been established and the issue of heat pumps will be placed on the next agenda, he would inform Ms S Dillon on the outcomes of the discussions.

9. QUESTIONS FROM COUNCILLORS

There were two questions asked which were circulated in the additional papers and are set out below with the responses. Each Member who asked a question was invited by the Chairman to ask one supplementary question which is also set out together with the response.

Question from Councillor J Legrys

'I asked for regular updates on the continued closure of a Right of Way between London Road and Stephenson Way Coalville at Full Council on the 20 June 2023 & 5 September 2023. Councillor Saffell responded that the case was complex, but he would keep me regularly updated on progress.'

I am disappointed that I need to raise the issue again as no updating on progress has been forthcoming since September 2023.

When will the above Right of Way be re-opened to pedestrians and cyclists?'

Response from Councillor A Saffell

'As previously advised, this is a matter that is being dealt with by Leicestershire County Council and our officers have continued to liaise with colleagues at the Environment and Transport team at the County Council.

I am advised that there is still one wall that needs repairing at the northern end of the footpath and once this has been done, the heras fencing along this section of the footpath can be removed. I understand that the occupier of this property has engaged with a builder and it is anticipated the works will be carried out in the next four weeks.

Unfortunately, there are still properties on the southern section of the footpath between the children's play area and London Road who have not carried out repairs to their walls. The County Council will continue to try and engage with occupiers who have not yet responded to the contact so far. As such, the County Council are still assessing their options for removing the danger so that the right of way can be reopened.

While I am still unable to give a specific date when the footpath will be totally reopened, progress is being made. I have asked officers to continue to liaise with the County Council and to keep you updated at your monthly Shadow Portfolio Holder briefings.'

Supplementary question and response

Councillor J Legrys was disappointed that he was having to ask for information rather than receiving regular updates as promised. He asked for a guarantee that he would receive a monthly update to enable him to keep his constituents informed. Councillor A Saffell explained that it was a difficult situation as it was a Leicestershire County Council matter, however he would continue to ask officers to keep Councillor J Legrys updated.

Question from Councillor D Bigby

'At the last council budget meeting, the Conservative/Lib Dem Alliance removed the maintenance of Closed Churchyards from Special Expenses, spreading the cost across all Council Tax payers in the district, including the residents of my ward in Ashby. This has resulted in my ward residents being subject to double taxation - paying towards the upkeep of closed churchyards across the district plus the full cost of Ashby Town Council maintaining the closed churchyards in Ashby.

Since the budget meeting, Ashby's Town Clerk and Council Leader have approached the Council requesting that maintenance of Ashby's closed churchyards is also added to the General Fund. That request has been denied. I would like to request a list of the other parished areas in the District similarly subject to double taxation.

Can the Portfolio Holder justify this position and indicate what action, such as a Concurrent Grant Scheme, they propose to correct the inequitable treatment of many residents?'

Response from Councillor N Rushton

'Firstly, in responding to the point in respect of Ashby's Town Clerk approaching the Council requesting that closed churchyards is added to the General Fund – the Council responded stating when dealing with the maintenance of closed churchyards, the parochial church council may serve a request on a parish or town council to take over the maintenance of it, serving three months' notice. If the parish/town council resolves to do so, then during that three-month period it can serve written notice on the district council to maintain it rather than the parish/town council. With regards to the two closed churchyards in Ashby, it would appear that no notice was served on NWLDC during that three-month period. Consequently, the district council will not consider taking on the maintenance of them. As Blackfordby Churchyard is still active, then, again, the district council would not take on the maintenance of this.

By way of background:

- The Council is responsible for some closed churchyards in North West Leicestershire due to the operation of the legislation referred to in the Local Government Act 1972, these being:
 - Whitwick
 - Hugglecote
 - Coleorton
 - Snibston
 - Measham
 - Lockington and Hemington
 - Stretton
 - Appleby Magna
- This means it is responsible for the maintenance of the assets.
- The costs to maintain the asset have been considered through necessary surveys revealing boundary wall, fencing and tree works.
- These surveys identified that they required significant works to make/keep them safe and meet our legal obligations.
- The Council was not able to recover the costs of the works needed on specific churchyards needed through the special expenses precept as it would have resulted

in a substantial increase in the precept which is not allowed under the Council Tax Referendum Principles.

- For example, the planned and preventative maintenance costs for Stretton churchyard would have needed a £718.94 increase in the Council Tax Band D amount for its 19 residents.
- Transferring the costs to the general fund and thereby spreading the cost across the district results in an annual increase of 37 pence for a Band D property.
- The Council was unable to increase special expenses without a corresponding decrease in the North West Leicestershire District Council Tax level in line with the Council Tax Referendum Principles.

In summary, the consolidation of churchyard maintenance expenses into the general fund is a measure taken to mitigate financial risks, ensure compliance with maintenance obligations, and maintain fiscal stability across the affected areas.

If a principal authority, such as North West Leicestershire, moves special expenses to the general fund, it does lead to a form of double taxation. This is because the principal authority would still be collecting Council Tax for those special expenses, but the parish would also need to raise funds (likely through an increase in its precept, which is also funded by Council Tax) to cover those same expenses. There are further examples of this within the District such as Kegworth and Castle Donnington. The decision to transfer special expenses to the general fund is a strategic approach to financial management. The impact of double taxation was considered, as well as the principles of referendums. Balancing these factors with the legal obligations to maintain churchyards, the chosen method is sensible financial planning. This ensures that funds are allocated efficiently while upholding the Council's responsibilities.

In terms of a Concurrent Grant Scheme, the Local Government Act 1972, particularly Section 136, indeed provides a framework for principal authorities to support local councils, such as parish or town councils, financially, especially concerning concurrent functions. Concurrent functions are services provided in some parts of the district by the district or county council and in other areas by a parish council.

Such a scheme would support parish and town council net revenue expenditure on a range of agreed concurrent functions. Those local authorities who have implemented such schemes have tended to provide grant funding at an agreed percentage of the net revenue expenditure e.g. 25% of the concurrent function. The parish and town council are then required to submit a claim to the principal council each financial year.

The financial landscape for local governments has shifted significantly in recent years. The rescinding or reduction of these grant arrangements by some authorities, is prevalent in the local government sector, and can be attributed to the broader context of austerity measures and budgetary constraints faced by the local government sector. Should the Council decide to implement this program, it would necessitate the identification of a sustainable funding source, effectively introducing an additional strain on the Council's financial resources.

Considering the Council's goal to bridge its funding shortfall in the coming years, alongside the combined impact of service demands and inflation, and the rationale behind transferring special expenses into the general fund, it seems impractical to implement a grant scheme at this time.

Acknowledging the budgetary constraints, highlighted above, I will ask the Council's Section 151 Officer to meet with Ashby Town Council in the coming months to discuss the issues highlighted by the question.'

Supplementary question and response

Councillor D Bigby asked if it could be confirmed that the concurrent grant scheme was not being used in this instance as the Council could not afford the cost even though it was covering the cost for the Coalville Special Expense area. Councillor N Rushton acknowledged the difficult issue and referred to the detailed response already provided. It was noted that the S151 Officer would be meeting with the parish clerks of the areas affected and would be looking into the matter further.

10. MOTIONS

No motions were received.

11. PETITIONS

No petitions were received.

12. MINUTES

Consideration was given to the minutes of the meeting held on 22 February 2024.

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

RESOLVED THAT:

The minutes of the meeting held on 22 February 2024 be approved and signed by the Chairman as a correct record.

Cllr Sewell left the meeting at the conclusion of the item.

13. APPOINTMENTS TO COMMITTEES AND GROUPS, ELECTION OF CHAIRS AND DEPUTY CHAIRS

Councillor T Gillard, the Business and Regeneration Portfolio Holder, presented the report and directed Members to the nominations as circulated in the additional papers. The recommendations were moved by Councillor T Gillard and seconded by Councillor K Merrie.

As there was more than one nomination for the Chair of the Local Plan Committee, a separate vote on this appointment was required.

The appointment of the Chair of the Local Plan Committee as circulated in the additional papers was put to the vote.

RESOLVED THAT:

Councillor J Simmons be appointed as Chair of the Local Plan Committee.

The appointments for the remaining Committees and Groups were then put to the vote.

RESOLVED THAT:

The appointments for the remaining Committees and Groups as circulated in the additional papers be agreed.

14. SCHEME OF DELEGATION

Councillor R Blunt, the Leader of the Council, presented the report to Members and moved the recommendations. It was seconded by Councillor N Rushton.

RESOLVED THAT:

The Scheme of Delegation in Part 2, Section G of the Council's Constitution be agreed.

15. APPOINTMENT OF REPRESENTATIVES ON OUTSIDE BODIES

Councillor T Gillard, the Business and Regeneration Portfolio Holder, presented the report and directed Members to the nominations as circulated in the additional papers. The recommendations were moved by Councillor T Gillard and seconded by Councillor K Merrie.

As there were three bodies that had received more nominations than seats available, a separate vote was required. However, before the vote was taken, Councillor S Sheahan withdrew the nominations of Councillor A Wilson from the Charnwood Forest Regional Park Steering Group and Councillor A Barker from the Whitwick Quarry Liaison Committee. Therefore, a separate vote was no longer required for those bodies.

As there was still more than one nomination for the Coalville Town Football Club, a separate vote on this appointment was required.

The appointment of the representative for Coalville Town Football Club as circulated in the additional papers was put to the vote.

RESOLVED THAT:

Councillor L Windram be appointed as the Council's representative on the Coalville Town Football Club.

The appointments for the remaining Outside Bodies as circulated in the additional papers were then put to the vote.

RESOLVED THAT:

The representatives be appointed to serve on the Outside Bodies as circulated in the additional papers.

16. SCHEDULE OF MEETINGS 2024 - 2025

Councillor T Gillard, the Business and Regeneration Portfolio Holder, presented the report to Members and moved the recommendations. It was seconded by Councillor R Blunt.

A request was made for an appropriate notice period for any cancellation of meetings to allow Councillors to better manage their time.

RESOLVED THAT:

The Schedule of Meetings for 2024 - 25 be agreed.

17. LOCAL GOVERNMENT BOUNDARY COMMISSION FOR ENGLAND - DRAFT WARDING ARRANGEMENTS

Councillor K Merrie, Infrastructure Portfolio Holder presented the report and moved the recommendations. It was seconded by Councillor A Woodman.

Discussion was had on the process taken to prepare the draft warding arrangements with several comments of disapproval shared in relation to wider Councillor consultation and the debate had at the Working Group. Some Members still felt the proposals were not the best solution with some communities being split. It was acknowledged by the Portfolio Holder that some elements of the process could have been approached differently but it was noted that suggestions made by all Members of the working group, no matter what political group they belonged to, were considered, and mostly incorporated into the proposals. It was also noted that the proposed changes to ward boundaries affected many Councillors from all sides of the Chamber.

The Chairman put the recommendations to the vote.

RESOLVED THAT:

- 1) The 'draft recommendations on the new electoral arrangements for the North West Leicestershire Council' as attached at Appendix B be approved and agreed as the Council's submission to the Local Government Boundary Commission for England's consultation on warding arrangements.
- 2) The submission of the 'draft recommendations on the new electoral arrangements for the North West Leicestershire Council' to the Local Government Boundary Commission for England be delegated to the Chief Executive.
- 3) It be noted that proposals on warding patterns may also be provided to the Local Government Boundary Commission for England by any member of the public, external body, group or organisation wishing to make recommendations by the close of the consultation on 27 May 2024.

18. CAPITAL UPDATE

Councillor R Rushton, Corporate Portfolio Holder, presented the report to Members and moved the recommendations. It was seconded by Councillor A Woodman.

The Chairman referred to an amendment to the motion, which had been circulated in the additional papers. Councillor D Bigby was invited to put forward his amendment.

Councillor D Bigby outlined the amendment as detailed in the additional papers and it was seconded by Councillor A Morley.

A full debate was held both in support and against the proposed amendment before the Chairman put it to the vote.

The amendment was declared LOST.

The Chairman referred Members to the original motion as set out in the agenda.

A further discussion was had on the use grant funding with some Members declaring their intention to abstain from voting as they were unhappy with the perceived lack of ambition to decarbonise the housing stock. The Portfolio Holder addressed the concerns and resolved to look at the timeframe for decarbonising stock with the newly established Cross Party Housing Improvement Board.

The Chairman put the original motion to the vote.

RESOLVED THAT:

- 1) The supplementary estimate of £267,000 in paragraph 3.2 of the report be approved in accordance with the Council's Constitution to ensure that there are sufficient resources to deliver the planned energy efficiency improvements to the Council's hosing stock.
- 2) The updated Housing Revenue Account Capital Programme as detailed at Appendix 1 be approved.

Councillor C Sewell left the meeting at 7.04pm

The meeting commenced at 6.30 pm

The Chairman closed the meeting at 7.54 pm

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

COUNCIL – TUESDAY, 18 JUNE 2024



Title of Report	EAST MIDLANDS FREEPORT UPDATE	
Presented by	Councillor Keith Merrie MBE Portfolio Holder Infrastructure	
Background Papers	East Midlands Freeport Update - Council 10 May 2022	Public Report: Yes
Financial Implications	There are no direct financial implications arising from this report.	
	The Council will allocate incentives through the East Midlands Freeport Business Rates Relief scheme, which will be refunded to the Council subsequently by the Government. The East Midlands Freeport Business Rates Relief Policy is largely technical in terms of operation and application. The Policy closely follows Government Guidance, which has gone through appropriate due diligence, and provides for five years of relief from businesses moving into or expanding (under strict criteria) within the Freeport designated areas.	
	Signed off by the Section 151 Officer: Yes	
Legal Implications	Legal implications are detailed in the report.	
	External legal advice has been provided to the Council (and the other Billing Authorities) by DWF in relation to the establishment of the EMF company and associated governance documents, subsidy control and reports to Council and Cabinet.	
	Signed off by the Monitoring Officer: Yes	
Staffing and Corporate Implications	There are no staffing and corporate implications arising from this 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.	
Recommendations	THAT COUNCIL: <ol style="list-style-type: none"> 1. NOTES THE LATEST POSITION IN RESPECT OF THE EAST MIDLANDS FREEPORT. 2. SUBJECT TO CABINET APPROVING THE FREEPORT BUSINESS RATES RELIEF POLICY, CONFIRMS THE DELEGATION OF THE FINALISATION OF THE MEMBERS' AGREEMENTS, 	

	<p style="text-align: center;">ARTICLES OF ASSOCIATION AND ANY OTHER DOCUMENTS/AGREEMENTS NECESSARY TO FACILITATE THE INCORPORATION OF THE EMF COMPANY TO THE CHIEF EXECUTIVE IN CONSULTATION WITH THE RELEVANT PORTFOLIO HOLDER.</p>
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1.0 BACKGROUND

- 1.1 This report provides an update on the developments of the EMF as overseen by the Council. Significant progress has been made since the last report dated 10 May 2022, with key milestones achieved in governance, infrastructure planning, and strategic partnerships.
- 1.2 The Full Business Case (FBC) was submitted to Government on the 15 April 2022.
- 1.3 At its meeting on 10 May 2022, Council received an update in respect of the EMF at that time. The report highlighted progress made to date, in particular that the Freeport Board had 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 the meeting of 10 May 2022. A decision was made at this meeting to join the EMF company.
- 1.4 Cabinet considered the latest position on the project at its meeting on 26 April 2022. Council was advised that Cabinet and Council have different decisions to make based on their 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 for Infrastructure 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 joins the EMF Company based on 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.
- 1.5 The report outlined the legal implications, governance structure and the process for the Council to join the EMF.
- 1.6 On 10 May 2022, Council approved, in principle, to enter into the Members' Agreement and delegated 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.
- 1.7 The formation of the East Midlands Freeport, like other freeports in the UK, is a complex process that involves various stages, including securing government approval, completing tax and customs designation processes, and receiving approval on business cases.
- 1.8 One of the key aspects of the Freeport initiative is the provision of various financial incentives and subsidies to businesses operating within the Freeport zones. These include measures such as zero rate of secondary National Insurance contributions for Freeport employees, Stamp Duty Land Tax relief, Enhanced Structures and Buildings Allowances, Enhanced Capital Allowances, Business Rates Relief and Seed Funding.

- 1.9 For the billing authorities (North West Leicestershire District Council, South Derbyshire District Council and Rushcliffe Borough Council) to approve the final business rates relief policy, the approval of a subsidy control scheme was a prerequisite, followed by the subsequent agreement on the business rates relief policy.
- 1.10 There has been a delay relating to Subsidy Control which can be attributed to the Government announcing that it would publish guidance which sets out the conditions which apply to the award of Freeport business rates relief. This was published in late April 2024 in the form of government of guidance.
- 1.11 This guidance states that billing authorities, when awarding relief, will need to meet the conditions of the stated legacy subsidy scheme. This operates in a similar manner to other council business rates relief schemes, with Government reimbursing the billing authority for the amount of relief awarded.
- 1.12 The issue of a subsidy scheme has been the subject of legal advice from DWF, which confirms that any legal risk around the establishment process has in theory passed (as the challenge window has now expired, even if that is dated back to April 2024). The Subsidy Control Act 2022, introduces new legal considerations, including legacy subsidy schemes. It is improbable that the Freeport scheme, endorsed by central government as the preferred exemption method, would face legal challenges. If the Council adheres to the scheme's conditions and maintains proper records, the risk of further challenges is minimal.
- 1.13 The confirmation of the Subsidy Control Scheme marks a significant milestone, allowing for the advancement of the EMF governance structure and the establishment of the company's operational framework. Additionally, the Business Rates Relief Policy will be considered by Cabinet on the 25 June 2024.
- 1.14 Further updates to note are:
- In January 2023, Tom Newman-Taylor was appointed as the Chief Executive of EMF. Additionally, Nora Senior CBE was appointed as the non-executive Chairperson of the Board on 21 June 2022.
 - The Council continues to play a strategic role as a board member, collaborating with other councils, business groups, and industry leaders to drive the project forward.
 - The EMF received formal government approval to commence operations on 30 March 2023.
 - The Government announced in November 2023 an extension of the window to claim Freeport tax reliefs by an additional five years.
 - The Business Rates Retention Agreement has been drafted which includes a "no detriment" agreement, this being a pivotal component of the retained business rates retention scheme, ensuring that billing authorities participating in the pilot are not financially disadvantaged compared to their position under the national 50% scheme.
- 1.15 This decision will be made by the Chief Executive, unless the Council chooses a different process. 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.

LEGAL AND GOVERNANCE IMPLICATIONS

- 1.16 The report to Council on 10 May 2022 set out the power of the Council to join the Company. The report also detailed the governance documents which would be required. In summary, it is intended that the EMF will form a company limited by guarantee. This will require members of the company to enter into a Members' Agreement and agree Articles of

Association. A summary of the key matters contained in both documents is attached at Appendix One to this report. A full copy of the draft documents is available to members on request.

1.17 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.

1.18 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.

1.19 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.

Policies and other considerations, as appropriate	
Council Priorities:	<ul style="list-style-type: none"> - Planning and regeneration - A well-run council
Policy Considerations:	None.
Safeguarding:	None.
Equalities/Diversity:	None.
Customer Impact:	None.
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, Climate Change and zero carbon:	None.
Consultation/Community Engagement:	None.
Risks:	As part of its Corporate Governance arrangements, the Council must ensure that Risk management is considered and satisfactorily covered in any report put before elected Members for a decision or action.
Officer Contact	Paul Stone Director of Resources Paul.stone@nwleicestershire.gov.uk

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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 six public sector directors (one from each council that is a member), six 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 three 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 two public sector members and three 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 2031) 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.
- The scheme delivery period extends to 30 September 2031 in two discrete five year delivery periods (22 March 2022 to 30 September 2026 and 1 October 2026 to 30 September 2031) (previous drafting was only to 2026 with a potential to extend). Each party's (including the Council's) liability to other parties under or in connection with the Members' Agreement is capped in aggregate at £750,000 for each five year delivery period. In the event of further five year delivery periods being agreed a similar cap will apply. The cap is not applicable to data protection penalties, death or personal injury or fraud liability, but liability for loss of profit, revenue, savings and indirect loss are excluded. Previous drafting only addressed a cap of £750,000 for the first five year delivery period, so needed to change to reflect both the now extended time period and potential future agreed extensions.
- It is usual to provide for liability caps in commercial arrangements between organisations and the figures involved are intended to be reflective of the scope of financial activities that all parties are engaging in. That said, the scope of Council risk is anticipated to be low as its key activity relates to the application of business rates relief in accordance with its adopted policy relating to the scheme, and the application of that policy is and remains solely at the discretion of the Council.

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL
COUNCIL – TUESDAY, 18 JUNE 2024



Title of Report	ANNUAL MEMBER CONDUCT REPORT	
Presented by	Councillor Keith Merrie MBE Infrastructure Portfolio Holder	
Background Papers	Minutes of the Audit and Governance Committee, 24 April 2024 Agenda pack for the Audit and Governance Committee, 24 April 2024	Public Report: Yes
Financial Implications	There are no financial implications.	
	Signed off by the Section 151 Officer: Yes	
Legal Implications	There are no direct legal implications arising from the report.	
	Signed off by the Monitoring Officer: Yes	
Staffing and Corporate Implications	There are no staffing and corporate implications	
	Signed off by the 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 2023/24.	

1.0 BACKGROUND

- 1.1 It is important that the work of the Audit and Governance Committee should be visible to the Council and wider public. The Annual Report acts as a helpful tool in communicating the work undertaken by the Audit and Governance Committee in relation to Member conduct.
- 1.2 The Annual Report of the Council's Audit and Governance Committee covering the period 1 April 2023 to 31 March 2024 was considered at its meeting on 24 April 2024 and is appended. The minutes of the Audit and Governance Committee are attached as background papers to this report.
- 1.3 Audit and Governance Committee agreed to recommend the report to Council.

Policies and other considerations, as appropriate	
Council Priorities:	A well run Council
Policy Considerations:	Councillors Code of Conduct.
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 has responsibility for the overseeing the conduct of members. It receives quarterly reports and ensures that an annual report is considered by Council.
Officer Contact	Elizabeth Warhurst Head of Legal and Support Services and Monitoring Officer elizabeth.warhurst@nwleicestershire.gov.uk



MEMBER CONDUCT ANNUAL REPORT 2023-24

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 2023 to 31 March 2024.

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

In September 2021, Council adopted the latest version of North West Leicestershire Code of Conduct for Members. The code is based on the Local Government Association Model Code of Conduct and, following collaboration across Leicestershire, the same Code has been adopted by other Leicestershire District and Borough Councils and Leicestershire County Council.

2. Audit and Governance Committee Terms of Reference

Membership: Ten District Councillors

Quorum: Three District Councillors

The Terms of Reference of the Audit and Governance Committee are set out in the Constitution at Section D and can be found via this link:

[Council Constitution](#)

The Committee has responsibility for governance functions. Its scope is to provide independent assurance to those charged with governance on matters such as risk management, the internal control environment, financial reporting, internal and external audit and annual governance processes. It also oversees the work on reviewing the constitution, corporate governance policies, Councillors Code of Conduct and Arrangements for Dealing with Complaints about Councillors and receives the Annual letter from the Local Government and Social Care Ombudsman. Sub-Committees of the Audit and Governance Committee are formed as required to deal with matters relating to complaints about Councillors.

3. Composition

District Councillors

All appointed by Council on 23 May 2023

Chairman: Councillor D Everitt
Deputy Chairman: Councillor P Moulton
Councillor A Barker
Councillor R Boam
Councillor D Cooper
Councillor G Rodgers
Councillor J G Simmons
Councillor N Smith
Councillor R Sutton
Vacancy

Parish Representatives

The following parish councillors were appointed as Parish Representatives for the remainder of the Administration in September 2023:

Councillor R Johnson – Hugglescote and Donington Le Heath Parish Council.
Councillor L Upton - Charley Parish Council

Part of the role of the Audit and Governance Committee is to hold Sub-committees to investigate complaints against Councillors (District and Parish). It is for these Sub-committees that the Parish representatives will form part of a pool from which members will be drawn based on their availability and the requirements of the particular Sub-committee, this will be as and when required. The Parish representatives will not be required to attend the main meetings of the Audit and Governance Committee. The Sub-committees have not been required to call upon the representatives in the last year.

Independent Persons

The legislation requires the Council to appoint at least one Independent Person (IP) 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 IPs were appointed by Full Council on the 25 May 2021 until May 2025.

Work will begin later in 2024 to work with other districts on the recruitment of the new pool of Independent Persons for 2025-29.

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. The work of the sub committees is not programmed as the meetings are called as and when needed.

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 2023/24, there were no applications received for a dispensation from either District or Parish members.

(b) Complaints made to the Monitoring Officer under the Code of Conduct during 2023/24

<u>Qtr</u>	<u>Complaint from</u>	<u>About district/parish councillor</u>	<u>Regarding</u>	<u>status</u>
Q1 23/24	Member of the public	Parish Cllr	Comments on social media	Initial tests not met
	Member of the public	District Cllr	Comments on social media	Resolved informally
	Member of the public	Parish Cllr	Comments on social media	Initial tests not met
Q2 23/24	Member of the public	Parish Cllr	Comments on social media	Initial tests not met
	Member of the public	District Cllr	Comments made at a Committee meeting	Considered by Assessment Sub-committee, one issue referred to Monitoring Officer for further action and one issue no further action
	Member of the public	District Cllr	Comments and concerns regarding phone call	Considered by Assessment Sub-committee, no further action
<u>Q3</u> <u>23/24</u>	Member of the public	Parish Cllr	Various issues – use of IT and conduct at meetings	Considered by Assessment Sub-committee, three issues referred to the Monitoring Officer for further action and one issue, no further action
	Member of the public	Parish Cllr	Various issues – conduct at meetings / with staff, meeting and training attendance	Considered by Assessment Sub-committee, no further action required
	Member of the public	Parish Cllr	Various issues – conduct at meetings / with staff, meeting and training attendance	Considered by Assessment Sub-committee, two issues referred to the Monitoring Officer for further action and two issues, no further action
	Member of the public	Parish Cllr	Conduct at meeting / role of Councillor	One issue, initial tests not met. One issue considered by Assessment Sub-committee, no further action
Q4 23/24	Parish Cllr	Parish Cllr	Various issues – conduct at meetings and email issues	Initial tests not met / withdrawn
	Parish Cllr	Parish Cllr	Various issues – conduct at / outside meetings	Resolved informally / referred to Assessment Sub-committee

(c) Complaints referred to the Standards Assessment Sub Committee

From the above-mentioned complaints: six

(d) Members' Register of Interests

The Democratic Services Officers send regular reminders to members to ensure that the Register of Members' Interests is up to date 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.

Training on the Members' Code of Conduct was provided as part of the Member Induction Programme in May 2023.

Following the District and Parish Elections, that were held in May 2023, three training sessions on the Code of Conduct were held as part on the Member Induction Programme and were opened up to all Parish Councillors. The sessions were a mix of in person, hybrid, and remote sessions, and held at different times throughout the day to enable attendance. A fourth session was then held at a later date for those that were unable to attend the original date. The sessions were led by Beth Evans, an external trainer, and a recording of one of the sessions along with the presentation were made available to all members via the Member Hub. This was also sent to all Town and Parish Council clerks to share with their Councillors.

7. Policies & Procedures

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

- Anti Fraud and Corruption Policy
- Anti Money Laundering Policy
- Confidential Reporting (Whistle Blowing Policy)
- Risk Management Policy
- RIPA Policy
- Information Management Policy
- Data Protection Policy
- ICT and Cyber Security Policy
- Local Code of Corporate Governance

These corporate governance policies are reviewed annually by the Committee before consideration and adopted by Cabinet. The Committee considered the policies at its meeting on 26 July 2023 and Cabinet adopted the policies at its meeting on 19 September 2023.

Councillor Everitt
Chairman of Audit and Governance Committee

Councillor Moul
Deputy Chairman of Audit and Governance Committee

Elizabeth Warhurst
Head of Legal and Support Services and Monitoring Officer

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

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NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

COUNCIL – TUESDAY, 18 JUNE 2024



Title of Report	AUDIT AND GOVERNANCE COMMITTEE ANNUAL REPORT 2023/24	
Presented by	Cllr Moulton, Chair of Audit and Governance Committee	
Background Papers	Audit and Governance Committee 24 April 2024	Public Report: Yes
Financial Implications	There are no financial implications arising from this report.	
	Signed off by the Section 151 Officer: Yes	
Legal Implications	There are no legal implications arising from this report.	
	Signed off by the Monitoring Officer: Yes	
Staffing and Corporate Implications	There are no staffing or corporate implications arising from this report.	
	Signed off by the Head of Paid Service: Yes	
Purpose of Report	To provide Council with a summary of the work undertaken by the Audit and Governance Committee during the 2023/24 financial year	
Recommendations	THAT COUNCIL NOTES THE DETAILS OF THE AUDIT AND GOVERNANCE COMMITTEE ANNUAL REPORT 2023/24.	

1.0 BACKGROUND

- 1.1 The Annual Report of the Audit and Governance Committee 2023/24 is designed to inform the full Council of the Committee's activities during the financial year, and how it has discharged its responsibilities.
- 1.2 The Audit and Governance Committee considered and approved the annual report at its meeting on 24 April 2024.

2.0 ANNUAL REPORT 2023/24

- 2.1 The production of an annual report by the audit committee is considered to be good practice by the Chartered Institute of Public Finance and Accountancy. It is important that the wider membership of the Council is kept informed of the work to ensure sound control and governance. The report to Council is an essential part of this process.
- 2.2 The annual report of the Audit and Governance Committee is shown in Appendix 1. It summarises the activities of the Committee and demonstrates how it has discharged its duties. It highlights the achievements of the Committee and is a useful reminder to the organisation of the role of the Committee in providing assurance about its governance, risk management and financial controls.

2.3 The collaboration between the Director of Resources, Head of Internal Audit, and the Audit and Governance Committee's previous chair and deputy chair, along with other committee members, is a critical process in the drafting of the Annual Report. This cooperative effort ensures that the report is comprehensive, reflecting the organisation's financial health and adherence to regulatory requirements.

Policies and other considerations, as appropriate	
Council Priorities:	- A well-run council
Policy Considerations:	None.
Safeguarding:	None.
Equalities/Diversity:	None.
Customer Impact:	None.
Economic and Social Impact:	None.
Environment, Climate Change and zero carbon:	None.
Consultation/Community Engagement:	Members of the Audit Committee have been widely consulted on the draft report.
Risks:	The Audit and Governance Committee has a leading role to play in ensuring that the Council's governance arrangements are effective and contribute to the mitigation of risks.
Officer Contact	Paul Stone Strategic Director of Finance Paul.stone@nwleicestershire.gov.uk

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

AUDIT AND GOVERNANCE COMMITTEE ANNUAL REPORT

2023/24



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FOREWORD

As Chair of the Audit and Governance Committee, I am pleased to present this Annual Report which sets out the role of the Audit Committee and summarises the work and achievements we have undertaken as a Committee during the financial year 2023/24. Following the Council elections in May 2023, the Committee membership was reviewed. As we embark on the next phase for the Committee, we recognise that we are in a phase of continuous learning and development. We are eager to learn and explore the intricacies of financial reporting, internal controls, risk management and external audit functions.

It is my pleasure to commend the 2023/24 Audit Committee Annual Report.

Thank you to all the officers involved in its production, and in particular Kerry Beavis, Audit Manager, Elizabeth Warhurst, Head of Legal and Support Services, Paul Stone, Director of Resources and Anna Crouch, Head of Finance. I would also like to thank Members and officers who have supported the work of this Committee by presenting, discussing, challenging and debating solutions to the ongoing risk, control and governance environment of the Council. All Members of the Committee bring a balanced, independent and objective approach to business of the Committee and I thank them for the contributions they have made.

The highlight of the report, for me, is recognising the work of the Internal Audit function in providing regular reports in respect of the Council's governance and internal control arrangements. The Committee is made up of new members following the elections in May 2023 and I am grateful to officers for providing appropriate training during the last 12 months.

A working group of Committee members has been established and is an important element of the Committee as we aim to grow and enhance our effectiveness continually.

Effective audit committees build strong relationships, so we intend to collaborate with management, external auditors, and other stakeholders. The relationship with our external auditors, Mazars has been excellent. There have been delays to the publication of our Statement of Accounts which is a national problem, and the issues are well versed. The publication of the 2021/22 Statement of Accounts was delayed due to the ongoing issues with the 2020/21 Accounts which meant the statutory deadline was missed. The Council, like many other authorities within the sector, has struggled with recruitment to key finance posts which has also hindered the process, and this is coupled with capacity issues with external audit firms across the country. However, the strong relationship with Mazars has helped to promote transparency and accountability as the Council is committed to catching up with the timely publication of its Statement of Accounts.

The times in which NWLDC operates remain challenging. However, the professionalism and dedication of Officers, Audit Committee members, and our external auditors, Mazars, have enabled the highest standards of governance to continue to be achieved.



Cllr David Everitt,

Chair, Audit and Governance Committee

April 2024

INTRODUCTION

While there is no statutory obligation to have such an arrangement, Audit Committees are widely recognised as a core component of effective governance and therefore reflect good practice. The CIPFA Position Statement also states that “*Audit Committees are a key component of an authority’s governance framework. Their function is to provide an independent and high-level resource to support good governance strong public financial management.*”

The Audit and Governance Committee is properly constituted and as such is given sufficient authority and resources by the Council. In effect, the Committee has the right to obtain all the information it considers necessary and to consult directly with senior managers. In line with best practice the Audit Committee can report its observations and concerns directly to the Council.

A local authority has a duty to ensure that it is fulfilling its responsibilities for adequate and effective internal control, risk management and governance, as well as the economy, efficiency and effectiveness of its activities. The Audit Committee has a key role in overseeing and assessing the internal control, risk management and corporate governance arrangements and advising the Council on the adequacy and effectiveness of those arrangements.

This role is reflected in the Committee’s Terms of Reference which are shown in Appendix One as set out in the Council’s Constitution. During October 2022 CIPFA (the Chartered Institute of Public Finance and Accountancy) published ‘Audit Committees – Practical guidance for Local Authorities and Police’, an update of previous guidance from 2018. The guidance includes suggested Terms of reference for Audit Committees. These were used as the basis for proposed new Terms of Reference for the Audit Committee, which were agreed at the Full Council meeting on 23 February 2023, with membership of the Committee agreed at the Full Council meeting on 23 May 2023.

The current Audit and Governance Committee had the following attendance during 2023/24. There was a meeting in April 2023, however, this included the previous membership prior to the Council elections in May 2023.

Member	Apr	Jul	Oct	Jan
Cllr Everitt (Chair)		✓	✓	✓
Cllr Moulton (Deputy Chair)		✓	✓	✓
Cllr Barker		✓	✓	✓
Cllr Boam		-	-	-
Cllr Cooper		✓	✓	✓
Cllr Rogers		✓	✓	✓
Cllr Simmons		✓	✓	✓
Cllr Smith		✓	✓	✓
Cllr Sutton		-	✓	✓
Cllr Smith	-			
Cllr Gillard	✓			
Cllr Hay	-			

Cllr Allman	✓			
Cllr Benfield	✓			
Cllr Clarke	✓			
Cllr Morris	✓			
Cllr Richichi	✓			
Cllr Sheahan	✓			
Cllr Wyatt	✓			

HIGHLIGHTS OF THE YEAR

There have been many benefits from the work of the Committee. The main outcomes and improvements include:

- Received and approved the Internal Audit Plan for 2023/24
- Focused on the CIPFA Position Statement to enhance the work of the Committee.
- Received risk register updates at each of its meetings.
- Training received for Audit Committee Members

SUMMARY OF WORK UNDERTAKEN IN 2023/24

The Audit Committee completed the following during 2023/24:

External Audit – Mazars

- Received and considered the audit plan to review the financial statements 2021/22.
- Received and considered the detailed results of the external auditor’s work in relation to the audit of the 2020/21 financial statements of the Council. The Committee was pleased to note that the auditors had given an unqualified audit opinion, however, there is concern from Members that this was delayed, and subsequent years are also delayed. The Chair of the Audit Committee asked for a report to be submitted to Council in March 2024 highlighting both the national and local issues of audit delays.

Internal Audit

- Continued to oversee the internal audit arrangements for the Council. This included approving the review of the Internal Audit Charter which outlines the terms of reference of the Council and is aligned to the Public Sector Internal Audit Standards.
- Received and approved the Internal Audit Annual Report for 2022/23. This included the Annual Audit Opinion on the adequacy and effectiveness of the framework of control, risk management and governance within the Council. As the opinion was one of limited assurance, the Director of Resources also provided a management action plan in response to the audit opinion.
- Received and approved the Internal Audit Plan for 2023/24. The plan ensures that internal audit resources are prioritised towards those systems and areas which are considered to be of high risk, or which contribute most to the achievement of the Council’s corporate objectives. It is designed to enable the Internal Audit Manager to give her opinion at the end of the year but is flexible to ensure it remains relevant throughout the year.

- Monitored the delivery of the Internal Audit Plan for 2023/24 through regular update reports presented by the Audit Manager.
- Received and considered the results of internal audit work performed in respect of each Directorate.
- Monitored the progress made by management during the period to address identified control weaknesses (recommendations).
- Monitored the performance of the Internal Audit team through the regular update reports.

Anti-fraud and Corruption

- Received and approved updates to the Anti-Fraud and Corruption Policy, Confidential Reporting (Whistleblowing) Policy, and the Anti-Money Laundering Policy.

Risk Management

- Continued to oversee the Council's risk management arrangements and Risk Management Policy, including updates to the strategy and Policy.
- Received corporate risk updates including details of the review of risk arrangements undertaken by Zurich and the resulting Action Plan.
- Reviewed the progress made by the Council to identify and address corporate risks. This included consideration of the Strategic Risk Register three times during the year.

Corporate Governance

- Considered the CIPFA Position Statement: Audit Committees in Local Authorities and Police 2022 and received regular updates.
- Considered the draft Member Conduct Annual Report recognising it acts as a helpful tool in communicating the work undertaken by the Audit and Governance Committee to the public and to Members.
- Received and considered quarterly reports Standards and Ethics reports detailing both the figures for the Ethical Indicators and the figures for the Local Determination of Complaints process.
- Received and considered at each meeting its own work plan for the year ahead, ensuring that all relevant areas are covered during the year.
- Considered the management response to the Annual Internal Audit Opinion 2022/23 and received regular updates on progress against the action plan at each of its meetings.
- Considered a report in respect of the Council's review of its Constitution and recommended changes to Council on 22 February 2024
- Reviewed Corporate Governance Policies including:
 - Anti Fraud and Corruption Policy
 - Anti Money Laundering Policy
 - Confidential Reporting (Whistleblowing) Policy

- Risk Management Policy
- RIPA and IPA Policy
- Agreed to appoint an Independent Member of the Audit Committee, however, the Council has been unsuccessful at making an appointment, but the position is being advertised again.

Finance

- Considered the Accounting Policies and Materiality 2022/23
- Received and considered reports on Treasury Management Stewardship
- Continued to review the Council's Treasury Management arrangements. This included reviewing the Treasury Management Activity Report 2023/24 – Quarter 1 and Mid-year which included the actual and proposed treasury management activity.

Other

- Received details of the Local Government and Social Care Ombudsman's review letter for 2022/23 in accordance with its guidance on Effective Handling of Complaints

TRAINING AND DEVELOPMENT

- There were new Committee Members following the elections in May.
- Members have completed a self-assessment against CIPFA Guidance for Local Authority Audit Committees. This will be used to inform an ongoing training programme for Members.
- Members have received training in respect of Internal Audit, Risk, Standards and Ethics, Statement of Accounts and completion of the Audit and Governance Committee Annual Report
- A programme of training for Committee members has been produced and will be mandatory for all Audit and Governance Committee Members.
- Training manual to be developed for Audit and Governance Committee Members.

LOOKING FORWARD

The Committee has approved the work programme for the 2024/25 financial year setting out the receipt of regular update reports and annual assurance reports.

The Committee will continue to closely monitor the delays to publishing the Council's Statement of Accounts and the Government's proposals for addressing the backlogs across the sector.

Continued training and development of Members in line with the CIPFA Position Statement.

Close monitoring of the Council's Corporate Risk Register and scrutiny of key areas of concern such as, but not limited to, safeguarding, housing and value for money.

SECTION D7 - AUDIT AND GOVERNANCE COMMITTEE

1 COMMITTEE FORM AND STRUCTURE

Committee scope

- 1.1 The **Audit and Governance Committee** has specific responsibility for governance issues, including audit functions.
- 1.2 The Committee's scope is to:
- 1.2.1 provide independent assurance to those charged with governance of the adequacy of the risk management framework and the internal control environment.
 - 1.2.2 provide independent review of the **Council's** governance, risk management and control frameworks and oversee the financial reporting and annual governance process.
 - 1.2.3 oversee internal audit and external audit arrangements, helping to ensure efficient and effective assurance mechanisms are in place.
- 1.3 The success of the **Audit and Governance Committee** in exercising its audit functions depends upon its ability to remain apolitical. It must adopt a nonpolitical approach to its meetings and discussions at all times. Remaining apolitical also places a duty on **Councillors** not to make inappropriate use of information provided to the Committee for other purposes.

Composition

- 1.4 The **Audit and Governance Committee** will comprise 10 Councillors in **Political Balance**.
- 1.5 Members of the **Committee** should not be members of **Cabinet** or **Scrutiny**.
- 1.6 The Chair will be appointed by **Full Council** annually.
- 1.7 Two **Independent Persons** may be co-opted as required to the Audit and Governance Committee to advise on finance matters or to a **Sub-Committee** of the Audit and Governance Committee in relation to standards matters but will not be entitled to vote at meetings.
- 1.8 At least one parish councillor may be present when matters relating to parish councils, or their Councillors are being considered. Parish councillors are coopted to the Audit and Governance Committee as required and will not be entitled to vote at meetings.

Quorum

The **Audit and Governance Committee Quorum** will be three **Councillors**.

2 MATTERS RESERVED FOR THE AUDIT AND GOVERNANCE COMMITTEE

Governance, Risk and Controls

- 2.1 The Committee has the right to access all the information it considers necessary to undertake the work of the Committee and may receive reports and refer matters to internal and external auditors.
- 2.2 To review the Council's corporate governance arrangements against the good governance framework, including the ethical framework and consider the local code of governance.
- 2.3 To review and approve the **Annual Governance Statement** 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.
- 2.4 To consider the **Council's** arrangements to secure value for money and to review and scrutinise assurances and assessments on the effectiveness of these arrangements.
- 2.5 To consider the **Council's** framework of assurance and ensure that it adequately addresses the risks and priorities of the Council.
- 2.6 To monitor the effective development and operation of risk management in the **Council**.
- 2.7 To monitor progress in addressing risk related issues reported to the **Committee** such as the [Corporate Risk Register](#).
- 2.8 To consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions.
- 2.9 To review the assessment of fraud risks and potential harm to the **Council** from fraud and corruption.

- 2.10 To monitor the Anti-Fraud and Corruption Strategy, actions and resources.
- 2.11 To review the governance and assurance arrangements for significant partnerships or collaborations.
- 2.12 To review and monitor the Council's compliance with public sector financial and audit standards and guidance, in accordance with the CIPFA Codes and Accounts and Audit Regulations.
- 2.13 To review and monitor the Council's Treasury Management arrangements in accordance with the CIPFA Treasury Management Code of Practice.

3 INTERNAL AUDIT

- 3.1 To approve the internal audit charter.
- 3.2 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.
- 3.3 To approve significant interim changes to the risk-based internal audit plan and resource requirements.
- 3.4 To make appropriate enquiries of both management and the Head of Internal Audit (currently the Audit Manager) to determine if there are any inappropriate scope or resource limitations.
- 3.5 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.
- 3.6 To consider reports from the Head of Internal Audit on internal audit's performance during the year.
- 3.7 To consider internal audit's annual report:
 - 3.7.1 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 – these will indicate the reliability of the conclusions of internal audit;
 - 3.7.2 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**.

- 3.8 To consider summaries of specific internal audit reports in accordance with agreed protocols.
- 3.9 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 Council or there are concerns about progress with the implementation of agreed actions.
- 3.10 To contribute to the Quality Assurance and Improvement Programme and in particular, to the external quality assessment of internal audit that takes place at least once every five years.
- 3.11 To provide free and unfettered access to the **Audit and Governance Committee** Chair for internal audit, including the opportunity for a private meeting with the Committee.

4 EXTERNAL AUDIT

- 4.1 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.
- 4.2 To consider the external auditor's annual audit letter, relevant reports and the report to those charged with governance.
- 4.3 To consider specific reports as agreed with the external auditor.
- 4.4 To comment on the scope and depth of external audit work and to ensure it gives value for money.
- 4.5 To advise and recommend on the effectiveness of relationships between external and internal audit and other inspection agencies or relevant bodies.

5 FINANCIAL REPORTING

- 5.1 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 **Full Council**.
- 5.2 To consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.
- 5.3 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.

6 ACCOUNTABILITY ARRANGEMENTS

- 6.1 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.
- 6.2 To report to **Full Council**, as required, on the Committee's performance in relation to the terms of reference and the effectiveness of the Committee in meeting its purpose.
- 6.3 To publish an annual report on the work of the Committee.

7 RELATED FUNCTIONS

- 7.1 Subject to the requirements set out below, to consider all findings of the Local Government and Social Care Ombudsman, including reports resulting in a finding of maladministration against the **Council**, and to make recommendations as to actions that may be necessary in connection with the Ombudsman's findings.

There are statutory obligations which will, in some circumstances, require reports to be taken to **Cabinet** or **Full Council**.

The Ombudsman operates protocols in relation to the timing of the publication of findings. The Council would have to give consideration to those protocols when determining how to manage the **Audit and Governance Committee's Agenda**.

- 7.2 To review any issue referred to it by the **Chief Executive, S151 Officer, Monitoring Officer** or any **Council** body.

8 STANDARDS FUNCTIONS

- 8.1 To assist the Council in fulfilling its duty under the Localism Act 2011 to promote and maintain high standards of conduct by **Councillors** and **co-opted Councillors** of district and parish councils.
- 8.2 To advise the Council on the adoption or revision of its **Councillors' Code of Conduct** in **Part 4**.
- 8.3 To monitor and advise the Council about the operation of its **Councillors' Code of Conduct** in **Part 4** in light of best practice and any changes in the law.
- 8.4 Advising, training or arranging to train councillors and co-opted members on matters relating to the **Councillors' Code of Conduct** in **Part 4**.
- 8.5 Dealing with any report from the **Monitoring Officer** on any matter concerning governance.

- 8.6 To establish **Sub-Committees** for the assessment or determination of matters concerning allegations in relation to Councillor conduct.
- 8.7 To grant dispensations to **Councillors** who require such dispensations for more than one meeting or on more than one occasion from requirements relating to interests set out in the **Councillors' Code of Conduct** in **Part 4** as appropriate.
- 8.8 To advise the Council on, and review as necessary, the arrangements for dealing with complaints or any local protocols regulating the conduct of **Councillors** and to deal with allegations of breach of any such protocol.
- 8.9 To consider and make recommendations to **Full Council** on any other matter

that may be referred to the **Audit and Governance Committee** relating to the conduct and training of Councillors.

- 8.10 To consider amendments to the **Constitution** and recommend proposals to **Full Council** for approval, except where specifically delegated to the **Monitoring Officer**.
- 8.11 To undertake an annual review of the **Corporate Governance Policies** and make recommendations to **Cabinet**.

Local Assessment of Complaints About Councillor Conduct

- 8.12 **Sub-Committees** of the **Audit and Governance Committee** are formed on an ad hoc basis to deal with local assessment of **Councillor** conduct complaints.
- 8.13 All **Audit and Governance Committee** members will form a pool from which members will be drawn based on their availability and the requirements of the particular **Sub-Committee** as and when required.
- 8.14 The **Sub-Committee** may co-opt at least one parish councillor when decisions are taken concerning a parish matter.
- 8.15 The **Sub-Committee** may co-opt at least one **Independent Person** as appropriate.
- 8.16 No member who considered a complaint at the initial **Assessment/ Determination Sub-Committee** may consider the same complaint at the **Review Sub-Committee**.
- 8.17 The **Quorum** of the **Sub-Committees** is 3 **Councillors**.
- 8.18 The **Chair** of each **Sub-Committee** will be a **Councillor**.
- 8.19 The **Sub-Committees** and their functions are set out below:

Assessment Sub-Committee

Assessment of complaints in accordance with the **Council's Councillors' Code of Conduct** in **Part 4** and to either:

- Accept the **Monitoring Officer's** recommendation of no failure to comply with the **Councillor's Code of Conduct**; • Refer the matter for full investigation; or • Refer the matter for other action.

Review Sub-Committee

Consideration of requests for a review in accordance with the **Council's Councillors' Code of Conduct** in **Part 4**.

Determinations Sub-Committee

To receive reports from the **Monitoring Officer** or his/her appointed investigating officer and to decide either:

- to determine finding of no failure to comply with the **Councillors' Code of Conduct** in **Part 4**;
- to determine finding of failure to comply with the **Councillors' Code of Conduct** in **Part 4** and impose relevant sanctions; or
- Refer the matter for other action; in accordance with the **Council's Councillors' Code of Conduct** in **Part 4**.

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NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

COUNCIL – TUESDAY, 18 JUNE 2024



Title of Report	APPOINTMENT OF PARISH REPRESENTATIVES TO THE AUDIT AND GOVERNANCE COMMITTEE	
Presented by	Councillor K Merrie Infrastructure Portfolio Holder	
Background Papers	Council report dated November 2023 Localism Act 2011	Public Report: Yes
Financial Implications	None.	
	Signed off by the Section 151 Officer: Yes	
Legal Implications	None	
	Signed off by the Monitoring Officer: Yes	
Staffing and Corporate Implications	None	
	Signed off by the Head of Paid Service: Yes	
Purpose of Report	To seek Council's approval to the proposed nominations of parish representatives for the Audit and Governance Committee to sit on sub-committees as and when required.	
Recommendations	THAT COUNCIL APPROVES THE APPOINTMENTS OF PARISH REPRESENTATIVES AS DETAILED AT PARAGRAPH 2.4 OF THE REPORT.	

1.0 BACKGROUND

- 1.1 Members will be aware the Audit and Governance Committee can establish sub-committees to determine matters concerning allegations of both District and Parish member conduct. The sub-committee may co-opt at least one Parish Council Member when decisions are taken concerning a parish matter.
- 1.2 It was agreed at the Council meeting in June 2012, that a pool of four parish representatives be appointed to sit on such sub-committees. Appointments to the pool would be sought following each Parish election or as when required.
- 1.3 The Town and Parish Council elections were held in May 2023 and therefore the process for appointing to the seats originally commenced in July 2023. During this round of recruitment only two nominations were received, therefore a further round of recruitment commenced in September 2023 and no nominations were received.

1.4 In November 2023, Council formally approved the appointment of Parish Councillors Russell Johnson and Lorraine Upton as Parish Representatives to the Audit and Governance Committee and noted the next steps to fill the remaining seats by seeking nominations once again from all Town and Parish Council's.

2.0 NOMINATIONS AND BALLOT

2.1 Nominations were sought in January 2024, and this resulted in four nominations. As more nominations were received than seats available, the process required a ballot to be held. Each candidate was advised of the ballot and given the opportunity to submit a statement as to why they were suitable for the role. Democratic Services then sent each Town and Parish Council a ballot pack asking them to vote for no more than two candidates.

2.2 13 ballot papers were received, and the count was held on 4 June in the presence of Councillor P Moulton, Chair of the Audit and Governance Committee and Elizabeth Warhurst, Monitoring Officer.

2.3 The results were as follows:

Parish Councillor Nicholas Antill-Holmes: 3
Parish Councillor Mark Kitchener: 2
Parish Councillor Mike McIntyre: 11
Parish Councillor Ray Woodward: 3

2.4 As Councillors Nick Antill-Holmes and Ray Woodward had an equal number of votes for second place, the Chairman and the Monitoring Officer agreed to determine the outcome by the fairest way possible, in this case, the toss of a coin.

2.5 Therefore, Council is asked to approve that the following Parish Councillors are appointed as Parish Representatives to the Audit and Governance Committee:

Parish Councillor Mike McIntyre
Parish Councillor Ray Woodward

Policies and other considerations, as appropriate	
Council Priorities:	A well-run council
Policy Considerations:	Localism Act 2011 Council's Constitution
Safeguarding:	None
Equalities/Diversity:	Nominations were invited from all Town and Parish Councillors and ballot packs were sent to all Town and Parish Councils.
Customer Impact:	None
Economic and Social Impact:	None
Environment, Climate Change and zero carbon:	None
Consultation/Community Engagement:	All Town and Parish Councils
Risks:	The Council's governance arrangements are a fundamental part of the Authority's management of risk and contribute towards good corporate governance.
Officer Contact	Elizabeth Warhurst Head of Legal and Support Services / Monitoring Officer elizabeth.warhurst@nwleicestershire.gov.uk

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Title of Report	APPOINTMENT OF REPRESENTATIVES ON OUTSIDE BODIES	
Presented by	Councillor Keith Merrie Infrastructure Portfolio Holder	
Background Papers	Correspondence from Outside Bodies requesting nominations held on Member Services files electronically	Public Report: Yes
Financial Implications	There are no direct financial implications	
	Signed off by the Section 151 Officer: Yes	
Legal Implications	To comply with the Constitution	
	Signed off by the Monitoring Officer: Yes	
Staffing and Corporate Implications	There are no direct implications	
	Signed off by the Head of Paid Service: Yes	
Purpose of Report	To appoint a representative to a vacancy on an outside body	
Recommendations	<ol style="list-style-type: none"> 1. THAT COUNCILLOR R BLUNT BE APPOINTED TO REPRESENT THE COUNCIL ON EAST MIDLANDS COUNCIL; 2. THAT COUNCILLOR K MERRIE BE NOMINATED TO SUBMIT AN EXPRESSION OF INTEREST IN BEING A MEMBER OF THE REGIONAL EMPLOYER'S BOARD; 3. THAT COUNCILLOR A WOODMAN BE NOMINATED TO SUBMIT AN EXPRESSION OF INTEREST IN BEING A MEMBER OF THE REGIONAL MIGRATION BOARD. 	

1.0 BACKGROUND

- 1.1 Members will recall that appointments to outside bodies were made at the Annual meeting of the Council in May 2024. Following the meeting, the Council received a request from East Midlands Councils (EMC) to nominate Lead Members (Portfolio Holders) to represent the Authority on EMC and two of its boards.

2.0 EAST MIDLANDS COUNCIL NOMINATIONS

- 2.1 It is proposed that Councillor R Blunt, as Leader, be appointed to represent the Council on East Midlands Councils.
- 2.2 There are two regional boards that the Council has been asked to put nominations forward for. These are the Employer's Board and the Migration Board. It is proposed that Councillor K Merrie be nominated for a seat on the Employer's Board, as the relevant Portfolio Holder and that Councillor A Woodman be nominated for a seat on the Migration Board.

- 2.3 Additional correspondence from EMC has been sent out to all political group leaders and independent members inviting any expressions of interest to be submitted for the additional places, worked out on political balance across the East Midlands Region, on both EMC and the two boards. Political groups are required to submit any expression of interest to EMC, as directed on the correspondence.
- 2.4 All expressions of interest will be considered after the closing date and the members who have been successful for representation on EMC will be advised prior to the AGM on 12 July 2024. Representation on the Boards will be considered by EMC Political Group Leaders at the AGM.

Policies and other considerations, as appropriate	
Council Priorities:	A Well-Run Council
Policy Considerations:	Constitution
Safeguarding:	Terms of Reference of the Outside Bodies.
Equalities/Diversity:	Terms of Reference of the Outside Bodies.
Customer Impact:	None
Economic and Social Impact:	None
Environment and Climate Change:	None
Consultation/Community/Tenant Engagement:	The Leader of the Council
Risks:	To ensure appropriate representation to East Midlands Councils
Officer Contact	Elizabeth Warhurst Head of Legal and Support Services elizabeth.warhurst@nwleicestershire.gov.uk

Council Procedure Rules – Motions and Amendments

What members can do

- When seconding a motion, a member may reserve their speech until later in the debate (rule 14.3).
- Members may only speak once on a motion or amendment whilst it is being debated (rule 14.5, 14.5(a)).
- Members may also move a further amendment if the motion has been amended since they last spoke (rule 14.5(b)).
- Members can exercise a right of reply, raise a point of order or make a personal explanation during debate (rule 14.5(d), (e) and (f)).
- Members can speak on the main issues if their first speech was on an amendment (rule 14.5(c)).
- The mover of a motion has a right of reply at the close of debate on the motion, before it is put to the vote (rule 14.9.1).
- The mover of a motion has a right of reply at the close of debate on any amendment (rule 14.9.2).

What members can't do

- Members cannot make a speech until a motion has been seconded (rule 14.1).
- Members cannot speak again whilst a motion is being debated, except to exercise a right of reply, raise a point of order or make a personal explanation (rule 14.5, 14.5(a) to (f)).
- Members cannot speak for more than 5 minutes without the consent of the Chairman (rule 14.4).
- The mover of a motion may not speak on an amendment, other than to exercise his right of reply (rule 14.9.2).
- The mover of an amendment has no right of reply at the close of debate (rule 14.9.3).

Motions and Amendments – Flowchart

