

MINUTES of a meeting of the COUNCIL held in the Council Chamber, Council Offices, Coalville on TUESDAY, 25 FEBRUARY 2014

Present: Councillor G Jones (Chairman)

Councillors R Adams, G A Allman, R D Bayliss, R Blunt, A Bridges, J Bridges, N Clarke, J Cotterill, D De Lacy, D Everitt, J Geary, T Gillard, J Houlton, D Howe, P Hyde, R Johnson, C Large, J Legrys, L Massey, C Meynell, T Neilson, T J Pendleton, V Richichi, N J Rushton, A C Saffell, S Sheahan, N Smith, A V Smith MBE, M Specht, L Spence, D J Stevenson, R Woodward and M B Wyatt

Officers: Mr S Bambrick, Mr R Bowmer, Ms C E Fisher, Mr D Hughes, Mr C Lambert, Mrs M Phillips, Mr J Richardson, Mrs R Wallace and Ms E Warhurst

69. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors P Clayfield, J G Coxon, R Holland and J Ruff.

70. DECLARATION OF INTERESTS

Councillor J Legrys declared a disclosable non pecuniary interest in item 10 – Budget and Council Tax 2014/15 due to his association with Hermitage FM.

71. CHAIRMAN'S ANNOUNCEMENTS

The Chairman made the following announcements:

The Civic Service was taking place on Sunday, 16 March 2014 at St Helen's Church in Ashby; the Chairman encouraged everyone to attend.

The Annual Green Footprint Award Dinner was taking place on Friday, 4 April 2014 at the Radisson Blu Hotel; the Chairman informed Members that tickets were available and that the proceeds would be going to his chosen charity, the Breast Care Unit at Burton Hospital.

72. LEADER'S AND PORTFOLIO HOLDERS' ANNOUNCEMENTS

Councillor R Blunt made the following announcements:

- The Boundary Commission had now released the results of the recent boundary review of the District. This meant that the District Elections in 2015 would be based on the new ward structure.
- Another successful budget proposal was to be considered by Members, in particular, council tax had been frozen for the fifth year in a row, car parking charges had been frozen for the seventh year in a row and there were no charges for green waste collections. As part of the budget process, provisions had been made to support the Living Wage for the Council's lower paid staff; this was to help the lowest paid staff during the difficult economic climate. It was acknowledged that the Labour group had also been working on the issue and it was pleasing to see them join the debate by introducing the motion which was on the agenda. Unfortunately, Councillor R Blunt advised that the Conservative group could not support the motion in its entirety as it could have a negative impact on local businesses and potentially increase tender prices for the Council.

Chairman's initials

- Provision was being made to provide financial support to spruce up town centres, support existing and new businesses, and increase affordable housing.

Councillor T Gillard announced that plans for the new Formula E at Donington Race Track were going well and he would give a more detailed update at the next meeting.

Councillor T J Pendleton announced that the eight children's centres within the District had recently been inspected by OFSTED and all had been classified as good, this was a great success for the District.

Councillor T Neilson stated that he welcomed the changes that had been made to the budget proposals during the budget process and he was glad the Labour group had had some impact. He reminded Members that he had strongly opposed the boundary review as the Labour group believed it was unnecessary, however they took part fully in the consultation process and were pleased to see some of their suggestions in the final results. He thanked the Council Officers and the Boundary Commission for the work they had undertaken.

Councillor S Sheahan stated that he was pleased with the outcome of the OFSTED inspection on the children's centres and thanked the staff for the great work that they do day to day with the children.

Councillor D De Lacy asked for an update on the issue that was raised under Questions from Councillors at the previous meeting regarding 45 people within the District who according to tenancy records could be entitled to 'Bedroom Tax' refunds. He explained that he expected to see it on the agenda as the Portfolio Holder had promised to provide an update at the previous meeting. Councillor R D Bayliss reported that the reason an update had not been given was that it was still a work in progress but was happy explain the current position. He explained that the refund applied to anyone who has had a continuous tenancy and received benefits since 1996 and information dating back to this period was no longer kept on file, therefore a particular process had to be followed to identify those people. The people that had been identified were being written to and the correct process was being followed. Councillor R D Bayliss agreed to provide another update when he had more to information to report.

73. QUESTION AND ANSWER SESSION

There were no questions received.

74. QUESTIONS FROM COUNCILLORS

There were no questions received.

75. MOTIONS

Councillor N Clarke moved the following motion:

"Council notes:

That a growing number of local authorities are now paying the Living Wage.

That the Living Wage is a level of pay which is based on the principle of decency that work should pay at least enough to provide the essentials of life.

That the Living Wage has been independently set nationally at £7.95 and £8.80 for London per hour.

Therefore this Council:

- Supports the introduction of the Living Wage for all its employees with effect from April 2014.
- Works towards accreditation as a Living Wage Employer.
- Seeks to ensure its contractors and suppliers of goods and services do likewise.
- Uses its influence to encourage all employers within the District to also implement the Living Wage for their employees.”

Councillor N Clarke stated that he was delighted that the Council was adopting the living wage for its employees, he then urged Members to fully commit and support the motion. He explained that it was proven that adopting the Living Wage improved the standard of work as it motivated employees, this in turn would improve the service. He stressed the importance of encouraging others to adopt the Living Wage and since employers had no pressure to do so, the Council should be applying the necessary pressure. He concluded that this would improve the local economy, lift people out of poverty and restore people’s dignity.

The motion was seconded by Councillor D De Lacy.

Councillor J Bridges stated that he could not support the motion due to the way it was worded as administering it for contractors would be impossible. He stressed that there should have been some cross party discussion before the motion was submitted to get it right. Councillor P Hyde stressed that it was possible as other Councils and contractors already worked in that way.

Councillor D Everitt reiterated the comments from Councillor P Hyde and explained that he understood it was possible from his past working experience. He added that he was disappointed that the Conservative group could not support the motion as they were missing a good opportunity.

Councillor T J Pendleton reported that the Living Wage was receiving support from many employers and was pleased that the Council was committed to it also. He believed that it was wrong to tell employers what they should be paying their employees and the Council was setting an example by adopting the Living Wage.

Councillor L Spence stated that he was proud that the Council had adopted the Living Wage but was disappointed that the Conservative group would not support the motion in its entirety. He believed that the Council should act as an ambassador as it has done in the past on other initiatives and asked for further discussions on the topic outside of the meeting. Councillor J Legrys agreed with these comments.

Councillor J Legrys reported that approximately £24 billion was spent nationally on housing benefit and this was a burden on the tax payer. He commented that although the Council’s staff would be paid the Living Wage, there was a high amount of agency workers at the Council that would not be, in his opinion that was immoral. He concluded that he was bitterly disappointed that the Conservative group were choosing not to support the motion.

Councillor D De Lacy commented that the point of paying the Living Wage was to provide the basic essentials in life and it was the moral thing to do as an employer. He believed the Council could be proud of paying the Living Wage and the main thrust of the motion was to demonstrate to others what to do. The Council was already doing what was needed for the accreditation; the only thing left to do was to check if indirect staff were also receiving the Living Wage. He finally asked Members to consider if they were paying their staff the Living Wage and whether it should be declared before moving to the vote.

Using his right of reply, Councillor N Clarke stated that since publishing the motion on the agenda, the Conservative group could have discussed the matter with him before the meeting to come to an agreement but they did not. Also the Conservative group had the opportunity to submit an amendment to the motion but they did not.

At this point the Chairman reminded Members of their obligation to declare an interest under the code of conduct and invited Members to make any declarations if necessary. No declarations were made.

The motion was put to the vote and declared LOST.

76. PETITIONS

There were no petitions received.

77. MINUTES

Consideration was given to the minutes of the meeting held on 21 January 2014.

It was moved by Councillor G Jones, seconded by Councillor G A Allman and

RESOLVED THAT:

The minutes of the meeting held on 21 January 2014 be approved and signed by the Chairman as a correct record.

78. BUDGET AND COUNCIL TAX 2014/15

Councillor N J Rushton presented the report to Members, outlining the General Fund and Special Expenses revenue budgets for 2014/15 which included over £11 million net expenditure which enabled the Council to continue to deliver front line services without the need to increase Council Tax. He referred to the Housing Revenue Account budget for 2014/15 which was in accordance with the rent convergence policy introduced in 2002. He explained that this would result in an average rent increase of £4.30 per week in rent for tenants but in return they were seeing a massive investment in improvements to their homes. He added that the rent increase would also ensure that the Council would be in a position to repay its HRA debt as agreed in the 30 year Housing Business Plan. He explained that garage rents would increase by 3.2% and there would be a 1.02% increase in service charges.

Councillor N J Rushton outlined the proposals in the General Fund Capital Programme and the Coalville Special Expenses Programme for 2014/15. He referred to the Housing Revenue Account Capital Programme and reported that the Council was still on target for all properties to achieve decent homes status by 31 March 2015.

Councillor N J Rushton concluded by thanking the Chief Executive, Head of Finance and all staff who had been involved in preparing the budget and to all the staff who continue to deliver the services so well within the agreed budgets.

The recommendations within the report were moved by Councillor N J Rushton and seconded by Councillor R Blunt.

Councillor R Blunt commented that he hoped to have cross party support as all could be proud of the budget proposals. He explained that he had been involved in discussions with other Councillors about what they would have liked to have seen in the budget proposals but due to the timescales of the budget process, were unable to accommodate.

He urged Members to have these discussions in plenty of time so that it could be considered for next year's budget proposals.

Councillor P Hyde thanked all staff for their work on the budget process. He was pleased to see that certain proposals had been removed but was disappointed that there was nothing included to assist in getting people out of poverty.

Councillor S Sheahan commented that he was pleased that the green waste collection charge had been removed but was disappointed that there had been no consideration of the cumulative impact on Council tenants due to another increase in rent. He concluded that he could not support the budget proposals due to this as it was attacking people that could not afford it.

Councillor D J Stevenson commented that if the Labour group had major issues with the budget proposals then they should have submitted an alternative budget proposal for Members to consider.

Councillor N Smith thanked Officers for fantastic budget proposals. He added that he was aware that the Labour group were asking for an increase in Council Tax which in his opinion would not be helping people.

Councillor A C Saffell explained that his main issue with the budget proposals was how the New Homes Bonus was being spent, as promises had not been kept. He stated that there had been 50% more housing built in Castle Donington and therefore more of the New Homes Bonus should have been spent there. He added that upon asking a large number of his constituents, no one was against an increase in Council Tax as it was expected. Therefore he believed that there should be an increase in Council Tax to ease the burden on the poorest people of the District.

Councillor T Neilson expressed strong opposition to the budget proposals. He commented that the freeze on Council Tax would only benefit the people who were on the highest banding points; add this to the current decrease in benefits and the budget proposals do not help at all. He added that the Council was over relying on the New Homes Bonus and more income was needed. He concluded that the budget proposals were unfair to the poorest people of the District.

Councillor R D Bayliss referred to Councillor S Sheahan's comments regarding the rent increase and stated that it was necessary to provide decent homes. The cumulative impact of being a low rental authority meant that in the past 70% of the council stock was not decent. He added that he believed it was appropriate to charge a decent rent for decent homes.

Councillor J Legrys felt that the budget proposals were not fair or transparent and therefore he could not support it. He commented that the poorest people in the District would suffer and he predicted that there would be more introductions of charges and then the removal of them in the future for political gain. He commented that he was pleased that money was being spent on Linden Way Depot's recycling units but as Leicestershire County Council were looking at cutting recycling grants, he was not sure if it was a good use of money. He concluded by referring to the provision to 'spruce up Coalville' mentioned by the Leader and reminded Members of a document produced by the Conservative group when they came into power about the promised vision of Coalville. In his opinion this was a waste of money which could have been used elsewhere. He thanked the Democratic and Support Services Team Manager for responding to the request to provide the document.

Councillor C Large agreed that there were elements missing from the budget proposals and as recommended by the Leader, she would be discussing this with him further, but

unfortunately as there were no alternative budget proposals to consider she would reluctantly be voting in favour.

Councillor D De Lacy commented that the budget proposals were an improvement to earlier in the process, and he welcomed the freeze in car park charges and the removal of the green waste collection charge. He made a point that a cynical person might have said that unpopular proposals had been included only to be removed when the finances were not as expected; he added that he was not a cynical person. He felt that the Council tenants were the people that would suffer due to the Bedroom Tax, rent increases and the benefit cuts. He did not agree with the level of unfairness and therefore could not support the budget proposals.

Councillor N J Rushton concluded the debate and reiterated that the Council was dealing with the economic climate well whilst still delivering front line services.

As a recorded vote was required in accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, the voting was as follows:

For the motion:

Councillors G Allman, R D Bayliss, R Blunt, A Bridges, J Bridges, J Cotterill, T Gillard, J Hault, G Jones, C Large, C Meynell, T Pendleton, V Richichi, N J Rushton, A Smith, N Smith, M Specht and D J Stevenson (18).

Against the motion:

Councillors R Adams, N Clarke, D De Lacy, D Everitt, J Geary, D Howe, P Hyde, R Johnson, J Legrys, L Massey, T Neilson, A C Saffell, S Sheahan, L Spence, R Woodward and M B Wyatt (16).

Abstentions:

None (0).

The motion was CARRIED.

RESOLVED THAT:

- 1) The Section 151 Officer's comments on the robustness of the estimates and adequacy of reserves be noted.
- 2) The District Council Tax for 2014/15 be frozen.
- 3) The transfer of the surplus income over expenditure in 2014/15 to the General Fund balance at 31 March 2015 be approved.
- 4) The Housing Revenue Account rent increase for 2014/15 be approved.
- 5) The increase in the rent for garages for 2014/15 be approved.
- 6) The increase in the Housing Revenue Account service charges for 2014/15 be approved.
- 7) The ground rent increase at Appleby Magna Caravan Site be approved.
- 8) The increases in lifeline charges be approved.
- 9) The General Fund and Housing Revenue Account budgets for 2014/15 be approved.
- 10) The Coalville Special Expenses budget for 2014/15 be approved.

Chairman's initials

- 11) The other special expenses precepts for 2014/15 be approved.
- 12) The proposed Coalville Special Expenses and Housing Revenue Account Capital Programmes for 2014/15 and planned financing be approved.
- 13) The capital expenditure in 2014/15 and capital expenditure in 2015/16 for the vehicle replacement programme only, be approved.
- 14) The remainder of the Capital Programmes 2015/16 to 2017/18 be approved as indicative only at this stage.
- 15) The following amounts for the year 2014/15 be approved in accordance with Section 31B of the Local Government Finance Act 1992 as amended:
 - i) 29,074 being the amount calculated by the Council, in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, as its council tax base for the year.
 - ii) The amounts specified in table 1 of the report being the amounts calculated by the Council, in accordance with Section 34 of the Local Government Finance Act 1992, as the amounts its Council Tax Base for the year for dwellings in those parts of its area to which one or more special items relate.
- 16) Council approve that the following amounts be now calculated by the Council for the year 2014/15 in accordance with Sections 31A and 31B of the Local Government Finance Act 1992 as amended:
 - i. District / Parish Gross Expenditure
£68,024,807 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act.
 - ii. Income
£61,488,126 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
 - iii. District / Parish NeT Expenditure
£6,536,681 being the amount by which the aggregate at 16(1) above exceeds the aggregate at 16(2) above, calculated by the Council in accordance with Section 31A(4) of the Act as its council tax requirement for the year.
 - iv. Basic Amount of Tax (Including Average Parish Precepts)
£224.83 being the amount at 16(3) above, divided by the amount stated as the council tax base in parts of the Council's area, calculated by the Council in accordance with section 31B of the Act as the basic amount of its council tax for the year.
 - v. Parish Precepts / Special Expenses
£1,926,126 being the aggregate amount of all special items referred to in Section 35(1) of the Act.
 - vi. Basic Amount of Tax (Basic Council Tax – District)
£158.58 being the amount at 16(4) above less the result given by dividing the amount at 16(5) above by the amount as stated as the council tax base for the whole of the Council area, calculated by the Council in accordance with Section 34(2) of the Act, as the basic amount of its council tax for dwellings in those parts of its area to which no special item relates.

vii. Basic Amount of Tax (Parished Areas)

The amounts listed in column 5 of table 2 to this report, being the amounts given by adding to the amount at 16(6) above, the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned, divided in each case by the amount stated as the council tax base in parts of the Council area, calculated by the Council in accordance with Section 34(3) of the Act as the basic amounts of its council tax for the year for dwellings in those parts of its area to which one or more special items relate.

viii. District / Parish Council Tax Rates

The amounts set out in table 3 to this report being the amounts given by multiplying the amounts at 16(6) and 16(7) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the council in accordance with Section 36(1) of the act as the amounts to be taken into account for the year in respect of categories of dwelling listed in different valuation bands.

17) Major Precepting Authorities

That it be noted that the amounts set out in table 4 to this report are the amounts notified by Leicestershire County Council, Leicestershire Police and Crime Commissioner and the combined Fire Authority in accordance with Section 40 of the Local Government Finance Act 1992 as their precepts for 2014/15 for each of the categories of dwellings listed.

18) Council Tax Rates – All Bands

That, having calculated the aggregate in each case of the amounts at 16(8) (table 3) and 17 (table 4) above, the Council in accordance with Section 30(2) of the Local Government Finance Act 1992 hereby sets the amounts of council tax for the Council's area for the year 2014/15 for each of the categories of dwellings as shown in table 5.

19) Referendums relating to Council Tax Increases

To note that the relevant basic amount of council tax for 2014/15 is not excessive.

20) Treasury Management Strategy

The Treasury Management Strategy Statement 2014/15, Prudential Indicators 2013/14 (Revised) and 2014/15 - 2016/17, and Annual Minimum Revenue Provision Statement 2014/15 be approved.

79. LOCAL PLAN ADVISORY COMMITTEE

Councillor N J Rushton presented the report to Members and referred them to the nominations detailed within the additional papers booklet.

Both Councillor J Legrys and J Bridges thanked the Chief Executive and the Director of Services for the work undertaken in reaching the current stage in the process as it had not been an easy task. Both Councillors also stressed the importance of cross party working for success.

Councillor J Legrys added that he welcomed that the group would report directly to Council and that there would be an opportunity for public involvement. He concluded that it was important to gain trust between the political parties as it was currently low.

It was moved by Councillor N J Rushton, seconded by Councillor T J Pendleton and

Chairman's initials

RESOLVED THAT:

- a) A Cross Party Advisory Committee to work with Planning Officers on the Local Plan be established and the terms of reference as set out in appendix A of the report be approved.
- b) The following Members be appointed to the Advisory Committee for the remainder of the civic year:

Councillor R D Bayliss
Councillor J Bridges
Councillor D De Lacy
Councillor C Large
Councillor J Legrys
Councillor V Richichi
Councillor S Sheahan

Substitutes:

Councillor R Adams
Councillor A Bridges
Councillor A Smith
Councillor R Woodward

- c) The authority to make any consequential changes to the constitution as set out in appendix B of the report, be delegated to the Monitoring Officer.

80. NOTIFICATION OF AN URGENT DECISION - BUSINESS RATES POOL

Councillor R Blunt presented the report to Members.

It was moved by Councillor R Blunt, seconded by Councillor A V Smith and

RESOLVED THAT:

The report be noted.

The meeting commenced at 6.30 pm

The Chairman closed the meeting at 7.50 pm