

MINUTES of a meeting of the COUNCIL held in the Council Chamber, Council Offices, Coalville on TUESDAY, 11 SEPTEMBER 2018

Present: Councillor J Clarke (Chairman)

Councillors R Adams, G A Allman, R Ashman, R D Bayliss, R Blunt, R Boam, J Bridges, R Canny, N Clarke, J Cotterill, J G Coxon, D Everitt, T Eynon, F Fenning, J Geary, S Gillard, T Gillard, L Goacher, D Harrison, G Houlst, J Houlst, G Jones, J Legrys, S McKendrick, K Merrie MBE, T J Pendleton, P Purver, V Richichi, N J Rushton, A C Saffell, S Sheahan, N Smith, A V Smith MBE, M Specht, D J Stevenson and M B Wyatt

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

19. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor R Johnson.

20. DECLARATION OF INTERESTS

In accordance with the Code of Conduct, members declared the following interests:

Item 7 – Motions

Non-pecuniary interest as members of Leicestershire County Council – Councillors R Blunt, J G Coxon, T Eynon, T Gillard, D Harrison, T J Pendleton, N J Rushton, S Sheahan and M B Wyatt

Item 11 – Review of Pensions Discretions

Non-pecuniary interest as members of the Leicestershire County Council Pension Scheme - Councillors R Adams, J G Coxon, D Everitt, J Geary, J Legrys, T J Pendleton, N J Rushton and N Smith

Non-pecuniary interest as members of GMB union - Councillors J Geary and J Legrys

Non-pecuniary interest as members of Unison - Councillors R Adams, D Everitt, and S Sheahan

Item 12 – Update on County Council’s Intention to Consider Unitary Proposals and a Strategic Alliance for the East Midlands

Non-pecuniary interest as members of Leicestershire County Council – Councillors R Blunt, J G Coxon, T Eynon, T Gillard, D Harrison, T J Pendleton, N J Rushton, S Sheahan and M B Wyatt

Non-pecuniary interest due to working with other councils in Leicestershire – Councillor R Ashman

Being pre-disposed, but not pre-determined – Councillors J G Coxon, D Harrison, T J Pendleton, N J Rushton

21. CHAIRMAN'S ANNOUNCEMENTS

The Chairman referred to the numerous events he had attended recently, including Music in the Park, Picnic in the Park and Coalville by the Sea. He congratulated the staff involved in the organisation of these events.

Chairman's initials

The Chairman reminded members of the forthcoming Remembrance Day Service and events taking place on Sunday, 11 November, marking 100 years since the end of WW1.

The Chairman made reference to his recent experiences in France regarding the absence of litter and unused food from supermarkets being given to the needy.

22. LEADER'S AND PORTFOLIO HOLDERS' ANNOUNCEMENTS

Councillor R Blunt announced that the council was hosting the Good Design for North West Leicestershire awards at the Radisson Blu hotel on 21 September. He added that this was a fitting venue to celebrate good design, as it was the greenest hotel in the UK. Awards would be presented to 22 schemes across Leicestershire. He urged members to attend.

Councillor R Blunt advised that the council was working closely with market traders to develop plans for the new indoor and outdoor market. He stated that he considered the current market traders to be committed entrepreneurs and he considered it the council's responsibility to find good outcomes. He highlighted the support being provided by officers for traders who wished to move into retail premises such as Mmm Bread which had recently opened on Hotel Street having had a successful market stall for a number of years. He thanked the members who had been supportive of the proposals.

Councillor R Blunt provided an update on progress with the former bus depot at Ashby Road. He advised that work was continuing and was on track to be completed by the end of the year. He looked forward to this key site being brought back into use as a classic car business.

Councillor A V Smith announced that the RSPCA had awarded the council a gold footprint award for the high quality manner in which it dealt with stray dogs. As the council had held this award for five years continuously, and in recognition of the tenth anniversary of the awards, the council had now received a platinum footprint award. This was the highest achievable accolade and recognised the initiatives that were in place to deal with stray dogs and to improve the service.

Councillor A V Smith announced that Ashby de la Zouch had been successful in its renewal accreditation for the Purple Flag in recognition of the excellent, vibrant and safe nightlife in Ashby. She stated that the award was testament to the joint partnership work on the accreditation process. A weekend of celebration would be taking place on 20 October 2018.

23. QUESTION AND ANSWER SESSION

There were no questions received.

24. QUESTIONS FROM COUNCILLORS

Councillor S Sheahan put the following question to Councillor R Blunt:

"Can the Leader set out what contingency plans the Council is preparing in the event of a no-deal Brexit?"

Councillor R Blunt gave the following response:

"I can confirm that as negotiations on the UK's future relationship with the EU progress, the Government will clarify the approach to Border Inspection Posts, and we will consider any implications for East Midlands Airport.

The Chief Executive sits on the Border Control Local Authority Steering group and is working in partnership with East Midlands airport and key stakeholders to ensure all border related changes are identified and planned for in the event of a no deal scenario.

In addition we are supporting our businesses through our business focus team to ensure that we share widely the government's recently published technical notices to business, to enable them to consider and prepare for a no deal Brexit. We are also working with the Chamber of Commerce who have developed a business Brexit checklist to help businesses consider the changes that Brexit may bring to their business.

The Corporate Risk Register will be updated over the coming weeks and will be presented to the next Audit and Governance Committee".

Councillor R Adams put the following question to Councillor R D Bayliss:

"The Portfolio holder will be aware regarding Planning Applications that in exceptional circumstances (such as site specific constraints or demonstrable viability issues) the Local Authority may accept a sum of money (referred to as a commuted sum) to make provision for affordable housing on another site(s).

Could the Portfolio holder tell me how much this Council holds in Affordable Housing Commuted Sums up to the end of August 2018 and what is the total outstanding in unpaid Affordable Housing Contributions up to the end of August 2018?"

Councillor R D Bayliss gave the following response:

"At the end of August 2018 the Council held £2,443,362.79 for affordable housing. Commuted sums have recently been used to support the Council's new build programme at Smedley Close and Staley Avenue, Ashby. We will also be looking to use commuted sums to support future phases.

Commitments have also been made to spend commuted sums on supporting the development (by east midlands homes) of 14 affordable rented homes at Scotlands Road, Coalville and 65 apartments at the district's first ever extra care scheme at Burton Road, Ashby.

In addition, there is about £1,532,000 which is attached to development which have either not started or yet to reach the necessary trigger for payment. This figure may increase as a number of agreements on sites where development has yet to start allow for the possibility of either on-site provision or an off-site commuted sum".

As a supplementary question, Councillor R Adams asked how recently the commuted sums referred to in the first paragraph of the reply had been used to support the new build programme, and how much had been spent. He also sought clarification on the trigger for payment referred to in the last paragraph.

Councillor R D Bayliss agreed to provide a response after the meeting.

Councillor A C Saffell put the following question to Councillor T J Pendleton:

"NWLDC are responsible for making sure that the East Midlands Gateway Planning Permission is carried out satisfactorily in conjunction with the Highway Authority. There is quite obviously something disastrously wrong with the way this is being implemented. Please see the attached shot taken from Google Maps Traffic at 16.50 on a typical weekday, you will see that most of the roads are coloured red meaning that either the traffic is stationary or moving very slowly i.e. walking pace. This situation applies most of the daylight hours and is even worse at peak times. This is having a serious impact on

Chairman's initials

local businesses for a number of reasons including staff unable to get to work, deliveries not arriving and sales stock unable to be delivered. This all massively increases costs for local businesses to the point of strangulation. We are therefore generating jobs for the region at the expense of local jobs.

The area is being strangled by all the traffic chaos. There have also been many "accidents" caused by frustrated drivers taking risks. Not to mention all the pollution caused by so much congestion. Our AQMA (Bondgate) must by now be way over the European safety limits and is where many of our school children have to walk daily on their way to and from school.

Someone must take responsibility for this disaster.

I ask the portfolio holder, is the development order being implemented correctly, and if not, are there problems with the development order?"

Councillor T J Pendleton gave the following response:

"Officers have discussed the traffic problems raised with Leicestershire County Council (responsible for the highway network) and updates from the County are included within my response.

In summary, the significant infrastructure projects near to Castle Donington and ongoing Smart motorways project being delivered by Highways England have both contributed to increased pressure on local roads. The County has been engaging with Highways England although has limited ability to influence their works and the resulting traffic through Castle Donington, which is seeking to avoid incidents and delays on the trunk road network.

I fully appreciate the impact of development on the residents for Castle Donington and both the District and County Council will continue to use their influence to mitigate as best as possible the overwhelming impacts for the last year and the road network, which at times has not coped. A summary of the key issues raised and the current situation which is improving is set out below.

Bondgate Traffic Signals and Castle Donington Village

Changes have been made to Bondgate traffic signals following consultation with Castle Donington Parish Council and other local representatives. One of the main issues raised by all parties was the blocking back through the junction and the safety of the pedestrians especially the school children. It was made clear by the Highway Authority that the proposals would have a slightly detrimental effect on the side road. This was a compromise to ensure the safety of the pedestrians. The County Council can adjust the times on the main road to the detriment of the side roads and vice versa or revert back to the previous staging but as previously advised there is too much traffic trying to traverse through this junction and at this point.

I can also confirm from discussions with the County Council that whilst there have been four personal injury accidents recorded on Bond Gate within the past five years, none of these accidents have been attributable to HGV's, which is a good indication that drivers are aware of the prevailing conditions and are driving accordingly.

The traffic management arrangements in place have also caused some difficulties with satellite navigation systems erroneously guiding drivers through Castle Donington. The Police are aware of this matter and where resources permit have tasked officers to pay additional attention to drivers violating the existing weight restrictions. The contractors delivering the highway schemes have also agreed to provide additional signage advising

of the satellite navigation error and re-enforcing the message regarding 'No HGV access through Castle Donington'.

M1 Smart Motorway

The M1 smart motorway works are due to finish at the end of 2018, so there are approximately 4 months left to go. Delays have reduced considerably north bound since the opening of the A453/A50 J24 dedicated slip road and the new M1 southbound slip road opened at the end of July ending the long delays that traffic has experienced on the A50 and diverting through Castle Donington. However, if a vehicle breaks down or there is an accident delays still occur, but on the whole the situation is much better now.

Castle Donington Relief Road

Work on the new relief road has now started and the Developer has confirmed that this will be completed within 12 months. A draft project plan has been prepared and the Contractor has confirmed a willingness to keep the Parish Council and Ward Members updated on the work.

Air Quality

The exceedance of the Nitrogen Dioxide level (primarily from vehicle emissions) means that this area has already been declared an Air Quality Management Area (AQMA Bondgate). As a result of the declaration a management plan is in place to ensure a reduction in these levels is achieved.

Therefore as this is a declared AQMA, ongoing monitoring continues by the District Council to ascertain the annual levels. The European legislation is also clear that changes as a result of temporary road works have to be discounted even when the construction works are of a substantive nature. It also provides definitions for the annual mean Air Quality Order which sets out that short term exposure whilst walking to work or school cannot be considered.

The Castle Donington relief road described above is a key initiative for Castle Donington, which in turn should encourage non village traffic onto the relief road to improve the air quality. The District Council will continue to monitor the air quality levels and review the need for the AQMA based on the data recorded.

Development Order

The responsibility of ensuring that the off-site highway works approved as part of the East Midlands Gateway Strategic Rail Freight Interchange lies with both Highways England for the M1, A50 and A453 and Leicestershire County Council for the A6 and Kegworth by pass. Officers have contacted both organisations to seek clarification that they are satisfied that the works approved as part of this National Strategic Infrastructure Project are being carried out in accordance with the approved details so that the impacts on the local highway network will be acceptable once the development is completed. A further update will be provided to you once this is received".

Councillor A C Saffell felt that a lot of issues had been glossed over, the whole area had suffered from the chaos caused and the design was not fit for purpose. As a supplementary question, he asked who would be made responsible for this.

Councillor T J Pendleton referred to the significant infrastructure project planning meeting which he and Councillor A C Saffell had attended and the discussions which had taken place with consideration being given to accelerating work on the Kegworth bypass and Castle Donington bypass. He explained that both infrastructure projects were led by commercial entities and as such the timetables were not within the council's control. He added that work on the Castle Donington bypass had now started and would be completed in 12 months and work on the Kegworth bypass and motorway improvements was nearing completion.

Councillor J Legrys put the following question to Councillor A V Smith:

“At its meeting on the 12th September 2017 I asked to the Portfolio Holder about enforcing a tidy up around the Mantle Lane Rail Bridge Coalville.

A copy of the Portfolio Holders response can be found at: <https://minutes-1.nwleics.gov.uk/documents/g1576/Printed%20minutes%2012th-Sep-2017%2018.30%20Council.pdf?T=1>

My question: “Clearly no work has been undertaken since the Portfolio Holders reply in 2017 and I would be grateful if she can update me on any action NWLDC has taken ‘behind the scenes’ to improve the outlook of Mantle Lane surrounding the Rail Overbridge?”

Councillor A V Smith gave the following response:

“There are a number of work streams that are currently business as usual regarding Mantle Lane Bridge.

Firstly the Street Cleansing Team have an ongoing regime for this area as follows:-

1. Barrow man litter picks – 3 days a week. He now has a new barrow with a suction hose to also pick up small litter and detritus.
2. Mini sweeper covers footways once a day Monday to Friday.
3. Channel sweep 2 x weekly, and when required (gully alongside the kerb of the road).
4. Street Scene Team Leader monitors this area very closely to ensure this area is kept to a high standard as possible.

Secondly the Environmental Protection Team have been endeavouring to encourage Network Rail to resolve the impact and problem of pigeons and will continue to do so.

Street Environment Officers continue to include the bridge and the area around it in the annual Big Tidy Up.

However, it is acknowledged that to improve the appearance of the bridge itself that a project is required and this will be scoped out in the next two months. We have previously advised that there is Litter Innovation Funds that are available to groups who may be interested in accessing this money to tackle areas such as this.

There is also potential, subject to agreement with Network Rail, for the appearance to be improved utilising artwork.

This will be investigated as part of wider work on developing a vision and masterplan in Coalville and presents a significant opportunity to enhance this important entrance to the town”.

As a supplementary question, Councillor J Legrys sought clarification why an untidy land notice had not been issued by the Environmental Protection team.

Councillor A V Smith responded that she felt the area was not untidy enough for such a notice to be issued as it was being cleaned on a regular basis. She added that the council would continue to persevere and work with Network Rail.

25. MOTIONS

Councillor S Sheahan moved the following motion:

“This council notes that:

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1. Last year, 90 young people in Leicestershire (aged 16 or over) left the care of the County Council and began the difficult transition out of care and into adulthood. A proportion of these young people came to live in North West Leicestershire.
2. A 2016 report by The Children's Society found that when care leavers move into independent accommodation they begin to manage their own budget fully for the first time. The report showed that care leavers can find this extremely challenging and with no family to support them and insufficient financial education, are falling into debt and financial difficulty.
3. Research from The Centre for Social Justice found that over half (57%) of young people leaving care have difficulty managing their money and avoiding debt when leaving care.
4. Whilst the County Council has statutory corporate parenting responsibilities towards young people who have left care up until the age of 25, the Children and Social Work Act 2017 placed corporate parenting responsibilities on district councils for the first time, requiring them to have regard to children in care and care leavers when carrying out their functions.

This council believes that:

1. To ensure that the transition from care to adult life is as smooth as possible, and to mitigate the chances of care leavers falling into debt as they begin to manage their own finances, they should be exempt from paying council tax until they are 25.
2. Care leavers are a particularly vulnerable group for council tax debt.

This council, therefore, resolves:

1. To recommend to Cabinet that the Council Tax Support Scheme be amended so that care leavers in North West Leicestershire be exempted from council tax.
2. To work with Leicestershire County Council and all council tax collecting authorities within the county area to exempt all care leavers in the county from council tax up to the age of 25.

Councillor Sheahan spoke to the motion and stated that care leavers were one of the most vulnerable groups in society and were more likely to have abrupt transitions into adulthood than their peers. He added that when they turned 18, care leavers became liable for paying Council Tax, most of which went to the council which was responsible for their care. He highlighted research undertaken by the Children's Society which showed that many care leavers experienced difficulties with managing a budget. He also referred to the government's care leavers strategy which encouraged councils to consider the role of the corporate parent and encouraged local authorities to consider exempting care leavers from paying Council Tax. He added that the latest data showed that 83 top tier authorities had introduced exemptions from Council Tax for care leavers and if passed, this motion would support the process. He stated that he could not emphasise enough how much this would help a vulnerable group.

Councillor R Blunt seconded the motion and confirmed that as part of a county-wide initiative, the council wished to support reducing the liability of care leavers to zero. He advised that Policy Development Group would receive a report on this matter at its meeting on 19 September, prior to consideration by Cabinet.

In response to a question from Councillor R D Bayliss, the Section 151 Officer confirmed that it was not currently the council's policy to provide exemptions from Council Tax for care leavers, however changes to this were currently being discussed across Leicestershire.

Members expressed support for the motion.

The motion was then put to the vote and declared CARRIED.

26. PETITIONS

No petitions were received.

27. MINUTES

Consideration was given to the minutes of the meeting held on 15 May 2018.

Councillor S Sheahan requested that the minutes be amended to reflect the shadow portfolios as follows:

Business – Councillor S Sheahan
Coalville Project – Councillor J Geary

It was moved by Councillor J Clarke, seconded by Councillor M Specht and

RESOLVED THAT:

Subject to the above amendment, the minutes of the meeting held on 15 May 2018 be approved and signed by the Chairman as a correct record.

28. LEISURE VAT IMPLICATIONS

Councillor N J Rushton presented the report to members, highlighting the comments from Policy Development Group and the savings that could be made if the exemption was applied for, including backdating over up to four years.

Councillor S Sheahan stated that the Labour Group were instrumental in bringing this to the attention of the council and he was pleased to see the potential £1 million windfall. He felt that these funds should remain allocated to leisure services if possible and he would like to see some of the other leisure centre in the district benefit from the savings.

Councillor N J Rushton assured members that the funds would be utilised in the leisure sector across the district.

It was moved by Councillor N J Rushton, seconded by Councillor A V Smith and

RESOLVED THAT:

- a) The contents of the report and the comments of Policy Development Group and Cabinet be noted;
- b) The recommendation to proceed with an application to HMRC for VAT exemption in respect of sporting services provided by the Council be approved.

29. REVIEW OF PENSIONS DISCRETIONS

Councillor R Blunt presented the report to members.

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It was moved by Councillor R Blunt, seconded by Councillor N J Rushton and

RESOLVED THAT:

The proposed revisions to the pensions discretions as detailed in Appendix 1 be adopted with effect from 19 September 2018.

30. UPDATE ON COUNTY COUNCIL'S INTENTION TO CONSIDER UNITARY PROPOSALS AND A STRATEGIC ALLIANCE FOR THE EAST MIDLANDS

The Chief Executive presented the report to members, highlighting the information received from Leicestershire County Council and the current response from North West Leicestershire. She explained that the details of the proposals had not yet been shared however it had been clarified that there would be a period of engagement following publication of the proposals, dependent upon the decision at the County Council meeting in December.

Councillor R Blunt emphasised the importance of open and fair discussions relating to the proposals. He intended to have a free vote at Council when a recommendation was made and believed that Cabinet should support the decision taken by Council.

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

RESOLVED THAT:

The County Council's intention to develop proposals for unitary government and an East Midlands Strategic Alliance be noted.

31. INTERIM REVIEW OF POLLING DISTRICTS AND POLLING PLACES

Councillor N J Rushton presented the report to members, explaining the reasons for the interim review and the consultation process which had taken place. He advised that all consultation responses had been considered by the Electoral Review Working Party and schools had not been utilised for polling stations where possible.

Councillor S Sheahan stated that he was happy to support the recommendations and welcomed the outcomes particularly in respect of disabled access.

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

RESOLVED THAT:

- a) The consultation responses made in respect of the review of polling districts and polling places for North West Leicestershire be noted;
- b) The final proposals in respect of the review be approved, as set out in Appendix A to the report;
- c) Authority be delegated to the Returning Officer to make, where necessary, alterations to the designation of any polling place prior to the next full review in consultation with ward members and group leaders.

The meeting commenced at 6.30 pm

The Chairman closed the meeting at 7.19 pm

Chairman's signature