

MINUTES of a meeting of the COUNCIL held in the Council Chamber, Council Offices, Coalville on TUESDAY, 1 JULY 2014

Present: Councillor G A Allman (Chairman)

Councillors R Adams, R D Bayliss, R Blunt, N Clarke, P Clayfield, J Cotterill, J G Coxon, D De Lacy, D Everitt, J Geary, T Gillard, R Holland, J Houlton, D Howe, P Hyde, R Johnson, G Jones, 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, Mr L Brewster, Ms C E Fisher, Mrs M Meredith and Miss E Warhurst

#### **17. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors A Bridges, J Bridges and J Ruff, who was having difficulties being released by her employer.

#### **18. DECLARATION OF INTERESTS**

Councillor J Legrys declared a Disclosable Non-Pecuniary interest in item 7 – Motions (2), due to his association with Friends of Snibston.

Councillors S Sheahan and M B Wyatt declared a Disclosable Non-Pecuniary interest in item 7 – Motions (2), as Members of Leicestershire County Council.

#### **19. CHAIRMAN'S ANNOUNCEMENTS**

The Chairman announced that the Deputy Chairman had attended several events, as had he and his Consort. He reported that he had a busy diary of events over the summer.

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

Councillor R Blunt spoke in recognition of the end of an era for Moira fire station. He noted that a number of Members had campaigned in support of the fire station, however it would sadly close on 31 July. He wished to place on record his thanks to the on-call crew who had shown such commitment and dedication in serving the people of the District.

Councillor S Sheahan echoed Councillor R Blunt's comments, adding that it was a great shame to see the fire station close. He stated that it was only through the efforts of David Taylor and others that the date of closure had been extended until the premises were available at Castle Donington. He added that premises had now been leased. He expressed great sadness at the closure and reported that a service was being held at a local church on 29 July to commemorate the fire station.

On behalf of himself and Councillor A V Smith, Councillor T J Pendleton commented on the District Council's contribution towards the Download Festival which was the largest event in the District and attracted 80,000 – 100,000 people each year. He acknowledged that as with every event of this size and scale, there were impacts upon local communities, both positive and negative. He stated that the District Council had invested a significant amount of resource into the planning of the event and he thanked all staff across the environmental health, community safety, stronger safer and waste teams for their contribution to the best ever Download Festival in terms of community impact. He reported that this year had seen a huge 70% reduction in crime and disorder, which was in no small part due to the hard work of the community safety team led by Sarah Favell. He reported that for the first time in his recollection, there had been no complaints

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received by the District or Parish Council in respect of noise, which was a testament to our officers' work on pre-event planning and on-site noise management. He stated that the aim was to repeat this next year, adding that work would continue with partners as there was always room for improvement. He expressed thanks to all staff involved, commenting that their hard work had paid off.

Councillor T J Pendleton stated that since 2007, the Council had been investing in the quality of new developments and had employed an Urban Designer to help fulfil the Council's vision that North West Leicestershire would be a place where people and businesses felt they belong and were proud to call home. He added that this had led to much more well-considered developments being built. He reminded Members that the Council had won the Urban Design Group's first ever Urban Design Awards and were a leading authority on Built for Life. He added that the standard of what was being built was improving all the time and was heading in the right direction. He announced that in April the Council were awarded 2 design awards for developments in the District and had been personally commended by Nick Boles MP who had also visited the developments.

The Chairman advised Councillor T J Pendleton that he had spoken for 5 minutes in total.

Councillor N Clarke echoed the thanks to officers involved with the Download Festival. He commented on the success of the event as there had been no complaints and a reduction in crime. He added that this was a very important event for the District and he hoped this would continue.

Councillor J Legrys thanked the staff involved for their work and effort on the Download Festival and Picnic in the Park. In respect of Built for Life he commented that no one could criticise the effort of the team on this project, however he felt it could be said that the standards did not go far enough in terms of the living space people were now receiving, and he felt it was a pity that this could not be put into the equation. He concluded that the work had to be praised, however he would like to see far more rigorous investment in raising standards for future developments up to 2031.

Councillor A C Saffell echoed the congratulations to officers on the manner in which noise had been handled at the Download Festival. He commented that the main stage never caused a problem, and the main issues usually arose with the fairground after officers had gone home. He was particularly pleased that this had not occurred this year. He added a note of caution for future years in that the wind direction would have carried any noise away from Castle Donington and the level of attendance was significantly reduced at approximately 50,000 people. He referred to the upcoming Festivals in the District which usually caused more noise complaints. He also reported that the Music in the Park event was taking place in Castle Donington on 3 July and was a free event.

The Chairman reminded Councillor A C Saffell to confine his comments to the subject of the announcement.

Councillor D De Lacy congratulated staff on the success of the Download Festival, and added that he looked forward to the same results at Strawberry Fields. He also congratulated staff on the design awards for De Lacy Court in Castle Donington which was obviously well deserved.

## **21. QUESTION AND ANSWER SESSION**

There were no questions received.

## 22. QUESTIONS FROM COUNCILLORS

The Chairman reported that nine questions from Members had been received for the meeting this evening, and in view of the number received, each question would be limited to 3 minutes in total, including the response and any supplementary question. He explained that this would ensure fairness to all members, given that the overall time limit for dealing with questions was 30 minutes. He reminded Members that should the 3 minutes elapse before the relevant Portfolio Holder was able to respond to a supplementary question, a written response would be provided after the meeting.

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

### **“Memorial Square Coalville**

Most of the land surrounding the Clock Tower at Memorial Square Coalville is owned by the County Council as ‘Highway’.

Can the Lead Member please:

- Tell me what powers NWLDC has to close the square to enable events to take place on County Council land?
- The formal process of closing the square to traffic – including a list of Consultees?
- Are event organisers required to keep a vehicular corridor free to enable Emergency Service vehicles to be driven through the square in the event of an emergency elsewhere?”

Councillor A V Smith gave the following response:

“The District Council does not own any land in Memorial Square, it is all owned by the County Council.

The District Council has powers under The Town Police Clauses Act 1847 (Section 21) (TPCA) to close roads i.e. highway land to enable certain events such as public processions, rejoicings and illuminations to take place. These powers have limited application for Memorial Square in that they can be used to close the square but they cannot be used to impose or suspend waiting restrictions or any other Traffic Regulation Order which is a function of the County Highway Authority. The District Council currently only uses the TPCA in Coalville for the annual Remembrance Day parade.

In the main, when the District Council receives any requests to temporarily close or restrict access to a highway (such as Memorial Square) or to amend an existing Traffic Regulation Order applicants are directed to the County Council ([roadclosures@leics.gov.uk](mailto:roadclosures@leics.gov.uk)).

As part of the County Council’s procedure the Emergency Services, Public Transport, District and Parish Councils and the respective County Council Member(s) are advised of the application on initial submission and again two weeks in advance of the event/restrictions taking place.

When the traffic movements around the clock tower were consolidated to one side of the Square, Leicestershire Fire & Rescue requested that provision be incorporated into the design allowing a fire engine to travel through the square in the event of the roads being congested. Therefore a route through the Square is required to be maintained when events are held and organisers are made aware of this requirement”.

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Councillor J Legrys acknowledged the time spent by staff and stated that he was pleased to receive an answer. As a supplementary question, he expressed concern that the land the memorial was standing on was not in the ownership of the District Council and asked whether this needed to be rectified.

Councillor A V Smith responded that this was more of a statement than a question and she felt sure that this could be looked into in due course.

Councillor R Woodward put the following question to Councillor T Gillard:

“There is a lot of confusion, and some rumours circulating about the charter of Coalville Market and some members have been contacted by the public about this. There is a strong belief by some, that this medieval charter belongs either to an individual, or is allocated to a non council owned property.

As Coalville, as a settlement, did not exist when market (and fairs) charters were being distributed could the lead member please clarify the situation”.

Councillor T Gillard gave the following response:

“To clarify the situation regarding the market charter:

- Charters were gifts in the discretion of the crown awarded to individuals. As such the charters could be bought, sold or transferred by the individual.
- A charter for a Tuesday market in Whitwick Manor was granted in 1290 and transferred to Sir Henry Hastings and Henry Cutler in 1612. Market rights at Whitwick appear to have been transferred in 1860 to the Whitwick Local Board and then in the 1890's to a successor local board which at that time included Coalville. Such rights would have devolved to the Coalville Urban District Council and then to NWLDC as the successor to the Urban District Council. The rights therefore currently rest with NWLDC”.

As a supplementary question, Councillor R Woodward asked the Portfolio Holder to describe what he meant when he said that the rights ‘appear’ to have been transferred, and to explain exactly what the Charter meant.

Councillor T Gillard stated that he could not answer at present and agreed to provide a response after the meeting. He added that the Council had recently consulted on a rival market policy and these issues would be considered in due course.

Councillor R Woodward attempted to ask a further question. In accordance with Council Procedure Rule 11.8, the Chairman reminded Councillor R Woodward that his contribution should be confined to a supplementary question only.

Councillor R Johnson put the following question to Councillor N J Rushton:

“Recently Derbyshire County Council has set a policy that all councillors should declare that they are members of the Society of Freemasons. Would you agree that this Council should also have a similar policy, in declaring that all councillors declare if they belong to the Freemasons, so that residents of North West Leicestershire will have confidence in their representatives being honest, transparent and above board?”

Councillor N J Rushton gave the following response:

“In replying to the question from Cllr Johnson I have taken advice from the Council’s Monitoring Officer and I have been advised of the following:

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The reference above is in relation to a decision taken by Derbyshire County Council to amend and extend the locally agreed Disclosable Non Pecuniary Interests in their members Code of Conduct. The full wording of that amendment being as follows:

*“Any trade union of which you are a member and membership of pressure groups, the Freemasons or other influential bodies of which you are a member.”* (With the amendments being in Italics).

I am advised by the Monitoring Officer that Member’s have been given advice during previous training sessions that the Freemasons is a body directed to charitable purposes and that membership of the Freemasons (or other similar organisations) is a registrable interest under the Code of Conduct under Section 11 of the Register. The Monitoring Officer or her Deputy are always available to give advice to individual Members should they have concerns about registering interests.

In preparing the new Code of Conduct as a result of the changes brought about by the Localism Act 2011 Members will recall a cross party working group was established to make recommendations to Council which were subsequently adopted. If Members feel that it would be appropriate to review and /or amend the locally agreed Disclosable Non Pecuniary Interests then Council can request that be done”.

Councillor R Johnson thanked Councillor N J Rushton for the comprehensive reply. He stated however that he could not recall attending any training sessions that had referred to what action Members take if they were a member of the Freemasons. He commented that clearly it was not felt that a policy was needed. As a supplementary question, he asked what disciplinary action would be taken if a Member did not make a declaration as appropriate.

Councillor N J Rushton responded that under the Code of Conduct, Members were obliged to declare membership of such organisations and it was a matter for them if they decided not to do so. He advised that he would ask the Monitoring Officer to respond in writing setting out the possible recourse; however he felt this would not be significant.

Councillor D De Lacy put the following question to Councillor A V Smith:

“The County Council have taken a decision to reduce or remove some recycling credits to District and Borough Councils with effect from April 2015. If this decision is implemented it will have a substantial detrimental impact on the finances of North West Leics District Council. I understand this could mean a loss in income of between £200,000 and £250,000.

Could the Portfolio Holder confirm this is the case and what is this Council doing to oppose the implementation of this measure?”

Councillor A V Smith gave the following response:

“The District Council is aware through the County Council’s budget report (19 February 2014) and through Leicestershire Waste Partnership meetings that the County Council are seeking efficiency savings through a revised payment mechanism on Recycling Credits. The savings are profiled as £1,480,000 in 2015/16, £1,665,000 in 2016/17 and £1,850,000 in 2017/18.

The District Council received £625,000 in recycling credits from the County Council in 2013/14 this comprised £269,000 from the collection of garden waste tonnage and £356,000 from the collection of (paper, card, plastics, glass and cans).

The District Council has not yet received any formal notification from the County Council on its proposals for achieving their targeted savings through a revised payment mechanism.

However, the District Council is working with other District and Borough Councils and is seeking legal advice in order to consider its position in advance of any formal notification of changes to current arrangements”.

Councillor D De Lacy thanked Councillor A V Smith for her reply, however he commented that he was not certain that this covered his estimated cost to the District Council of £200,000-£250,000 and he sought clarification on this point. He welcomed the last paragraph which indicated that the Council was taking legal advice on the bad decision made by the County Council. He stated that he perceived a problem in that the Corporate Portfolio Holder was also the Leader of Leicestershire County Council. As a supplementary question, he sought assurances that there would be no input on this matter from the Members who held senior positions at Leicestershire County Council to ensure that there was no conflict of interests. He also sought assurances that the matter would be referred back to full Council before the decision was implemented.

Councillor A V Smith responded that it was clear from the response that work was ongoing with others in respect of the legal advice. She added that once the advice was received it would be acted upon and discussed with the Shadow Portfolio Holder before a decision was made on what steps would be taken. She stated that she was unable to provide an answer until the requisite legal advice was forthcoming.

Councillor S Sheahan put the following question to Councillor A V Smith:

“Can the Portfolio Holder place on record a full report of meetings held with AB Produce to deal with the many complaints of offensive odours reported by Measham residents, identifying key actions and detailing the discussions involving the Environment Agency and Natural England.”

Councillor A V Smith gave the following response:

“The District Council has received a number of complaints from residents regarding odours from a variety of sources in Measham including AB Produce.

The District Council is investigating all complaints that are made but as this remains an open investigation detailed case information will not be released (as is standard practice) in order not to jeopardise any future action which may or may not be considered.

However, whilst investigations continue the District Council is seeking to improve outcomes for residents and has facilitated three meetings in 2014 (13 January, 8 May, 24 June) with AB Produce, Parish, District and County Council elected members, a campaign group and the Environment Agency to discuss the odour related issues.

The records of these meetings are confidential to the attendees (of which Cllr Sheahan is party to) in order to facilitate open discussion. The latest meeting held on 24 June identified a number of key actions that are either in progress or are being considered by AB Produce.

A provisional date (19 August) has been agreed for the next meeting where feedback and progress updates are expected from all partners including Natural England and the Environment Agency”.

Councillor S Sheahan commented that he hoped the Portfolio Holder shared his disappointment that such a limited answer could be given. As a supplementary question,

and given that there were calls for a public meeting on this matter, he urged her to reconsider that decision and to reflect on how she intended to persuade the public that the Council was acting in their best interests.

Councillor A V Smith responded that this matter was subject to an ongoing investigation as Councillor S Sheahan was aware, and as such this could not be discussed in an open meeting. She added that she was happy to discuss this matter with him outside of the meeting.

Councillor N Smith put the following question to Councillor N J Rushton:

“Chairman, I accept that the Constitution allows meetings such as this to take place, however I would suggest that as one of the Council’s priorities is value for money, could the Chairman please explain to this Council how a meeting consisting primarily of questions and motions that could have waited until the next full Council meeting is value for money and could he please confirm the cost involved in holding tonight’s meeting.”

As a similar question had been received from Councillor M Specht, the Chairman invited him to put his question to enable Councillor N J Rushton to respond to both questions concurrently.

Councillor M Specht put the following question to Councillor N J Rushton:

“I would like to put forward a question for next week’s meeting. This relates to the cost of rescheduling this meeting which The Chairman had previously decided would not take place in July, due to there being no business to bring to Council”.

Councillor N J Rushton gave the following response:

“The purpose of Council is twofold:

- a) To consider and make decisions on reports presented by officers through the relevant port folio holders; and
- b) To consider other matters which arise through the democratic process such as deputations, questions and motions.

The Constitution sets out the basis on which a motion can be refused which is that it is illegal, scurrilous, improper or out of order. Whether or not a motion can or should wait until the next meeting is not relevant to determining whether the motion is accepted for inclusion on an agenda.

The cost of the Council meeting includes time spent on agenda preparation, printing and dispatch, administration of the meeting and all officer time including time spent on legal advice, meeting attendance and motions and questions received. The estimated cost of tonight’s meeting is £2462.32”.

Councillor N Smith declined to ask a supplementary question.

Councillor M Specht sought to ask a supplementary question of the Chairman, and sought assurances that when the decision was taken to cancel the meeting, there was no essential business that could not wait until the next meeting of the Council.

The Chairman advised that the supplementary question should be addressed to the same member as the original question.

Councillor R Woodward sought to raise a point of order in that the question from Councillor M Specht referred to next week's meeting and the Council had agreed a schedule of meetings.

Councillor N J Rushton responded that calling a meeting was at the Chairman's discretion and it was not for Members to question his integrity.

Councillor D Everitt put the following question to Councillor R Blunt:

"NWLDC website provides emergency phone numbers to be used when the council offices are closed, for emergency repairs and when public safety is at risk. How often has this service been used in the last twelve months and how often have calls resulted in action being taken?"

Councillor R Blunt gave the following response:

"The emergency phone number receives a variety of calls, including emergency repairs, lifeline/pullcord alarms, reporting stray animals, reporting dangerous buildings and day to day calls from officers and contractors. Calls to the service are voice recorded and are logged as an 'incident' on the Piper Network Communication (PNC) system.

As the service is operational 24 hours a day, 7 days a week, the out of hours calls are not logged separately to those received during working hours. However, I can confirm that a total of 2290 incidents were logged in 2013/14. 982 of these incidents resulted in immediate action being taken.

Examples of actions taken by the operative includes:

- Notifying Councils in-house repairs operatives to attend and make safe
- Contacting the relevant contractors to attend and address the issue
- Notifying the relevant on call duty officer of issues
- Contacting key holders to make them aware of the issues
- Contacting emergency services

Scenarios that do not require immediate action include;

- Calls for action that are not classed as an emergency and do not require an immediate response (e.g. non urgent repairs, pest control etc.)

Residents that call to leave messages for services that do not have a dedicated out of hours service (e.g. planning advice)".

Councillor D Everitt thanked Councillor R Blunt for his reply and stated however that his experience was somewhat different. He reported that on 17 May he was contacted by a member of the public to inform him that two bags of asbestos waste had been left outside on the Woodside estate. He stated that he had called the number on the Council's website to contact the housing maintenance team and received a recorded message to say that someone should get back to him. That evening he had visited the estate to satisfy himself that it was still safe. On the Sunday he had found the out of hours number on the website, however he reported that the response he had received was even more disheartening, in that the operator seemed intent on persuading him that a response on Monday would be sufficient. He stated that therefore he had decided to deal with the matter himself.

The Chairman reminded Councillor D Everitt to confine his contribution to a supplementary question only.



As a supplementary question, Councillor D Everitt asked if Councillor R Blunt was aware that this does happen to people. He advised that he had resolved the issue himself by finding the firm responsible and receiving a response from them which he should have received from the Council, and the waste had subsequently been removed within two hours. He stated vehemently that the response was not an accurate reflection of the situation and to date he had received no reply from the Council. He commented that if such poor service was being received by Councillors, what were the public experiencing?

Councillor R Blunt made reference to the number of people who contacted the Council and highlighted the ICE programme which sought to create a system that dealt with every contact made in the best possible way. He acknowledged that things would occasionally go wrong but he believed that the service was moving in the right direction. He agreed to provide a detailed response in writing after the meeting.

Councillor N Clarke put the following question to Councillor A V Smith:

“Meadow Lane crossroads in Coalville has been identified by this Council as a "Hotspot" for parking offences, and Officers have attempted to improve the appalling situation for residents and businesses in and around that location.

However, there appears to be no reduction in the amount of parking offences committed and the situation seems to be going from bad to worse.

Can the Portfolio Holder please advise me what this Council intend to do to help address this matter? ”

Councillor A V Smith gave the following response:

“The District Council receives regular requests to increase on-street enforcement patrols in various areas of the District and this has included the Meadow Lane crossroads in Coalville.

As members will be aware the District Council is contracted by the County Council to undertake on-street enforcement services on its behalf.

All requests by residents and members for increased enforcement are therefore forwarded to the County Council for their consideration. The County Council do not offer an "on demand" service but all requests are considered to assess the appropriateness of any enforcement.

As such this request, with the District Councils support, will be forwarded to the County Council for their consideration and response”.

As a supplementary question, Councillor N Clarke asked the Leader of Leicestershire County Council to use his influence to ensure a response was received as a matter of urgency.

Councillor A V Smith responded that the question was addressed to her, not Councillor N J Rushton. She reiterated that the request had been forwarded to the County Council and would be chased up if a response was not forthcoming. She added that this was all she was prepared to say on the matter at present.

## **23. MOTIONS**

The Chairman encouraged all Members to make their submissions on the motions received in a timely manner.

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## Motion (1)

Councillor T Neilson moved the following motion:

“Our tenants should not be made prisoners in their own homes. When they need extra work to be done on their house so that they can more easily look after themselves then we should be make that as easy as possible. This council believes that 14 months to get an adaptation to a council house is too long. We therefore will introduce a service level agreement with our tenants to ensure that the vast majority (say 90%) of adaptations are done within a maximum of 10 months for routine adaptations and 6 months for more urgent adaptations.

This will of course be subject to the same budgetary restrictions and caveats relating to planning applications as the current policy”.

Councillor T Neilson stated that the motion originated from some of the experiences Members had been hearing about when knocking on doors. He added that more and more casework related to adaptations, and the issues to be discussed were dignity and quality of life. He stated that to ask people to wait more than a year to have their needs addressed was poor in the 21<sup>st</sup> century, and completion timescales varied. He believed that through implementing challenging targets, the Council could start to show disabled tenants it was working for them.

The motion was seconded by Councillor J Legrys who reserved his comments.

Councillor R D Bayliss urged Members to reject the motion as he believed it was badly drafted, would be difficult to implement, was not costed in terms of the consequences and was ill-informed as to the present policy. He acknowledged that there were occasional regrettable failures in performance but felt that this did not detract from the policy itself. He reminded Members that the starting point had been a no star, poor performance service with uncertain prospects, and therefore Members would understand why he was not prepared to listen to lectures on the quality of the policy or the service. He also reminded Members that the present policy had been adopted by the Council in May 2008 and had succeeded in the audit. He explained that minor adaptations were implemented within 28 days, fast track adaptations within 5 months or less, and other adaptations were completed within 8 months if they were relatively urgent. Routine adaptations could take upto 14 months and some could take longer. He outlined some of the factors that could impact upon timescales, such as reports from occupational therapy, planning permissions, procurement issues and contracting for works, which demonstrated that the process could not simply be sped up. That said, he advised that the policy was currently under review and would be reported to Cabinet before the end of the calendar year. He reminded Members that they could call the issue in or refer it to Policy Development Group if they were so minded.

The Chairman advised Councillor R D Bayliss that he had spoken for almost 5 minutes in total and asked him to conclude.

Councillor R D Bayliss stated that improvements had been made upon what had been inherited, however he urged Members to reject the motion and await the outcome of the review.

Councillor J Legrys stated that he was obviously disappointed with the response from Councillor R D Bayliss. He stated that the Conservative Group had been in control of the Council for 8 years and it was about time this titanic was turned around. He expressed disappointment for the council tenants who were having to wait so long for the adaptations they required. He accepted that there was a fast track process and he welcomed this. However he expressed disappointment that officers were working in silos and there was

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no agreement from the planning department to overcome these issues. He concluded that there were a lot of elderly tenants who were waiting too long to be able to have a bath, a wash or a shower independently, and this was appalling in 2014. He stated that the situation must be avoided where someone in later life waits so long for an adaptation that they never receive it.

Councillor T Neilson exercised his right of reply and stated that he was not sure why he was being accused of not understanding the policy given that his allegation regarding the timescales was correct. He added that he was very happy to hear that a review was ongoing and he imagined that the Labour Group would want to provide some input. He stated that he believed the Council should be demonstrating to tenants that it was listening and understood that what might be considered a minor adaptation could have a huge impact upon their quality of life. He commented that he had included a caveat in respect of costs in the motion and so he did not accept the argument that the motion could not be supported as it had not been costed. He also felt that the planning issues could be overcome. He urged Members to support the motion.

Having been moved and seconded, the motion was then put to the vote and was declared LOST.

Councillor D J Stevenson attempted to speak.

Councillor J Legrys raised a point of order that Councillor D J Stevenson was speaking out of turn.

The Chairman called for order at this point.

Motion (2)

Councillor J Legrys moved the following motion:

**“Motion of Economic Impact of the Closure of Snibston Exhibition Hall**

This Council’s Constitution requires the Cabinet/Executive to:

*“To carry out the Authority’s responsibilities for improving the economic, social and environmental well-being of the District and increasing the availability and equality of access to employment”. (Article 16 page 41)”.*

**Motion:**

In light of Leicestershire County Council’s consideration to close the Exhibition Hall at Snibston Discovery Museum this Council will undertake an Economic Impact Assessment to examine the affect of such a closure on Coalville and the wider District.

The Economic Impact Assessment(EIA) will be an assessment of different options for the future of Snibston including an appraisal of the economic impact of:-

1. Maintaining the Exhibition Hall and current collections intact at the current location at Snibston Discovery Museum and continuing towards increased commercialisation as described in the Business Plan detailed in the Black Radley Ltd report dated 15<sup>th</sup> March 2011.
2. Closing & demolishing the Exhibition Hall, redistributing collections away from Coalville with a view to building new housing or employment on the vacant site.

3. Transferring control of Snibston Discovery Museum, including the Scheduled Ancient Monument, Gallery, Park and Century Theatre and all associated land and artifacts into a charitable trust with a view to increasing footfall and private sector investment as referred to in the Black Radley Ltd report on pages 23 and 24.
4. A 'low key' weekend/holiday only opening of the Scheduled Monument with no Main Gallery attraction".

Councillor J Legrys stated that the Council had a duty to assess the economic impact of large-scale significant employers, which was a possibility given Leicestershire County Council's proposals. He added that the motion was focussing on the economic impact of the current consultation, and not the rights and wrongs of the decision. He highlighted the Black Radley report which had been circulated to Members in the additional papers and which he had specifically referred to in the motion. He emphasised the economic impact of the current offer on Coalville alone. He felt that it was necessary to provide a professionally prepared economic impact assessment before the next meeting in September. He stated that he was pleased that the Cabinet at its meeting last week had agreed to undertake various assessments regarding Roxhill and urged Members to support the motion.

The motion was seconded by Councillor L Spence who reserved his comments.

Councillor A V Smith stated that unfortunately she could not support the motion for very good reasons. She reiterated the Council's dedication to the regeneration of Coalville and appreciated that Leicestershire County Council's proposed plans for Snibston had been thought through and had the potential to be very positive for Coalville. She pointed out that the plans included demolishing the existing museum, which required significant investment to make it sound, however they also included the introduction of a smaller museum, focussed on Coalville's rich coal mining heritage. She added that a local museum for Coalville had been championed for some time by the Coalville Heritage Society. She would support the development of such a facility on the Snibston site if this was possible. She believed that with the correct focus and continued investment, a museum like this would be an excellent community facility for local people, as well as an opportunity to showcase our heritage. She highlighted that the proposals also included investment in the country park and continued support for the Century Theatre, both of which were much loved community assets.

Councillor T Neilson sought to raise a point of order as Councillor A V Smith's speech did not relate to the motion.

Councillor A V Smith stated that an economic impact assessment would incur a significant cost to the Council and the results would not be available prior to the decision being made by Leicestershire County Council, and as such she encouraged Members to work closely with Leicestershire County Council to enhance what was offered in Coalville for local residents, schools and visitors. She added that an economic impact assessment was too little, too late. She also requested that the minutes of this meeting and the decision on this motion be made available to Leicestershire County Council.

Councillor J Legrys sought to raise a point of order in that Councillor A V Smith's speech had determined the outcome of Leicestershire County Council's decision.

Councillor N Clarke stated that if Snibston was to close, it would have a significant impact and the public had the right to know what effect this would have on the economy.

Councillor T Neilson stated that he wished to propose an amendment to the motion. As his proposal was a significant amendment to the motion, the meeting was adjourned to enable officers to give advice and to circulate the amendment.

The meeting was adjourned at 7.30pm and reconvened at 7.40pm.

Councillor T Neilson moved the following amendment:

**“Motion of Economic Impact of the Closure of Snibston Exhibition Hall**

This Council’s Constitution requires the Cabinet/Executive to:

*“To carry out the Authority’s responsibilities for improving the economic, social and environmental well-being of the District and increasing the availability and equality of access to employment”. (Article 16 page 41)”.*

**Motion:**

In light of the Black Radley Ltd report and Leicestershire County Council’s consideration to close the Exhibition Hall at Snibston Discovery Museum this Council will undertake an Economic Impact Assessment to examine the affect of such a closure on Coalville and the wider District.

The Economic Impact Assessment(EIA) will be an assessment of different options for the future of Snibston including an appraisal of the economic impact to the area of closing & demolishing the Exhibition Hall, redistributing collections away from Coalville with a view to building new housing or employment on the vacant site”.

The motion was seconded by Councillor J Geary who reserved his comments.

Councillor D De Lacy spoke in support of the amendment. He stated that thousands of people had signed a petition about the closure of Snibston and for that reason alone, tonight’s meeting needed to take place. He added that Coalville was the most populated area in North West Leicestershire and if the Council’s plans took place there would be a lot more people living here in future. He commented that Snibston was the jewel in the crown.

The Chairman reminded Councillor D De Lacy to confine his contributions to the subject of the amendment.

Councillor D De Lacy commented that he hoped the Chairman would allow him as much license as he had allowed the Portfolio Holder.

The Chairman asked Councillor D De Lacy if he was suggesting that he was not being allowed the requisite amount of time to speak. Councillor D De Lacy confirmed that this was not what he was suggesting.

Councillor D De Lacy stated that he felt it would be a massive mistake to close the biggest attraction in Coalville, which was why he supported the motion. He commented that he had not received an answer to his earlier question, however there was a growing perception outside the Chamber that the District Council was becoming the ‘poodle’ of the County Council and he questioned the morality of senior Councillors at Leicestershire County Council taking this decision without the benefit of the economic impact assessment. He stated that he felt these Councillors were conflicted on the subject of this motion. He called for District Councillors to start representing the District. He added that many people felt that any decision to close Snibston would be a detriment to the area, and for that reason the economic impact assessment should be completed as soon as

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possible. He stated that he felt County Councillors should not be voting on this amendment.

Councillor A V Smith stated that she still could not support the amendment. She added that she could not say what Leicestershire County Council was going to decide, and the District Council needed to work on its own agenda. She reiterated that supporting the mining museum could make a huge difference to Coalville.

Councillor J Legrys sought clarification that, as the mover of the original motion, he was entitled to speak to the amendment. The Chairman confirmed that he was able to speak again to the amendment.

Councillor J Legrys spoke in support of the amendment and felt that it simplified the proposed action on the economic impact assessment. He accepted that no decision had been made on the outcome of the consultation, however he felt the Council should act to meet the needs of the District, and he expressed bitter disappointment at the statements made by Members of the Conservative Group on a much-loved feature. He urged Members to agree that the Council should conduct an economic impact assessment in the same way it had on the closure of other significant employers.

Councillor J Geary made reference to the fact that Leicestershire County Council needed to make cuts and the museum service was not statutory and would therefore be in the firing line. He stated that without an economic impact assessment it could not be known what Coalville would lose if Snibston closed. He added that there would be job losses and it was unknown whether town centre footfall would be affected. He stated that if Members were committed to the regeneration of Coalville, they should be looking at the damage the closure of Snibston would cause to the regeneration. He added that information was wanted to ensure the right decision could be made.

Councillor D De Lacy commented that if this issue was considered by so many to be such an important matter, there should have been an item of business on this agenda.

Councillor T Neilson requested a recorded vote. The motion was then put to the vote and the voting was as follows:

For the motion:

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

Against the motion:

Councillors G A Allman, R D Bayliss, R Blunt, J Cotterill, J G Coxon, T Gillard, R Holland, J Hault, G Jones, C Large, C Meynell, T J Pendleton, V Richichi, N J Rushton, A C Saffell, A Smith, N Smith, M Specht and D J Stevenson (19).

Abstentions:

None (0).

The motion was declared LOST.

The motion having failed, the Chairman referred Members to the substantive motion.

As Councillor L Spence had reserved his comments, the Chairman invited him to speak. He declined to make any further comments.

Councillor J Legrys exercised his right of reply and stated that he was disappointed with the response from the Members opposite and commented that with the press in

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attendance at the meeting, the comments would be reported outside of the Chamber. He expressed sadness that Coalville Councillors were voting against conducting a professional study on the impact of Leicestershire County Council's proposals. He concluded that an external body would be needed to undertake this work and added that he was aware of the cost of doing this, however he felt this would be well supported by the people of Coalville.

Councillor J Legrys requested a recorded vote. The motion was then put to the vote and the voting was as follows:

For the motion:

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

Against the motion:

Councillors G A Allman, R D Bayliss, R Blunt, J Cotterill, J G Coxon, T Gillard, R Holland, J Houlton, G Jones, C Large, C Meynell, T J Pendleton, V Richichi, N J Rushton, A C Saffell, A Smith, N Smith, M Specht and D J Stevenson (19).

Abstentions:

None (0).

The motion was declared LOST.

Motion (3)

Councillor J Legrys moved the following motion:

**“Minimum Size of Vehicular Garages on New Developments**

Elected Members are receiving complaints from residents that many garages on new developments are so small that it is impossible to be used for vehicular parking. The re-visit of the Local Plan will provide an opportunity to examine current policy and practice.

**Motion**

This Council will deliver a new policy to insist that developers provide minimum internal garage dimensions that will:

Provide Garage door width that will enable most cars to enter/leave the garage and allow most drivers of an average (model) sized vehicle to open the vehicle door(s) and to enter/exit the vehicle freely without effort.

Consider the implications of the Disability Discrimination Act on the internal design of all new garages.

Garage parking space should be considered as supplementary to the required Parking Provision calculation for any development”.

Councillor J Legrys commented that it was ironic that a meeting with no business had lasted longer than a meeting with business. He expressed disappointment that he felt it necessary to bring this motion to Council, however he reported that the Members Planning Forum was cancelled more often than not, and as such there was no other vehicle for him to raise this matter. He reported that he and Councillor P Clayfield were receiving complaints from residents of an estate which had an allocation of 1.5 parking spaces per dwelling, and unfortunately the garages doors were 2m in width. He pointed

out that these garages were so narrow that residents simply could not physically access them. He accepted that many people chose to use their garages for junk rather than cars, however with developments becoming more compact, parking space was becoming a premium. He called upon the Council to deliver a policy that insisted upon developers providing a minimum sized garage space. He stated that the Authority could not continue giving planning permission for parking spaces that could not be used. He added that people should have the ability to park in a space that they are able to get out of. He stated that the Council's planning policy and the Disability Discrimination Act were not being taken into account.

Councillor T Gillard interjected that people should buy a house with a bigger garage.

The Chairman called for order at this point in the meeting.

Councillor J Legrys raised a point of order that Councillor T Gillard had spoken out of turn.

Councillor J Legrys stated that he was disappointed with the attitude to this issue.

The Chairman advised Councillor J Legrys that he had spoken for almost 5 minutes in total and asked him to conclude.

Councillor J Legrys stated that as a Planning Authority, the Council had done some good work to improve the standard of homes. He requested a policy renewal that would benefit those people who wanted to park their car in their garage.

The motion was seconded by Councillor P Clayfield who reserved her comments.

Councillor M Specht stated that he took on board the comments about disabled people accessing garages. He added that the majority of people did not use their garage to park their car and referred to the amount applications received for planning permission to convert the garage to ancillary accommodation. He commented that most average sized vehicles should fit through a garage door that was 2m wide and he suggested that people who could not manoeuvre a car through a garage door should not have a driving licence.

The Chairman called for order at this point in the meeting.

Councillor L Spence stated that many homes had garages which were far too small to be useful. He added that it was not for the Council to dictate how people should use their garages, however the Council should ensure that people could use them for the purpose for which they were intended. He referred to a particular case which was recently reported in the Daily Mail. He commented that it was becoming more commonplace that adult children could not afford to move out of their parents' homes and there were more 3 or 4 car families. He concluded that the Council needed to ensure garages were practical for their intended purpose. He added however that there was a fine balance to be struck as a reduction in living space or an increase in costs should be avoided. He urged all Members to support the motion.

Councillor J Geary concurred that anyone with a full driving licence should be able to aim a car into a 2m wide entrance. He added that the problem was opening the car door once the vehicle was inside the garage, which was why he supported this motion. He stated that the Members Planning Forum was surely the appropriate place to debate this issue. He asked officers to relax their attitude to the Members Planning Forum meetings as it currently consisted mainly of presentations from developers.

Councillor D J Stevenson stated that he would welcome the chance to visit these properties with the Ward Members. He added that with the exception of disabled people, 6' 6" was sufficient space to get in and out of a car and referred to the size of the parking



spaces on the car park. He stated that he had previously fitted garage doors and he had only ever received requests to increase the height of the door. He added that people should not buy a house if the garage was not going to be big enough. He commented that women often chose a house and men often paid for it, and the last thing taken into consideration was the garage door.

The Chairman called for order at this point in the meeting.

Councillor D J Stevenson requested the names and addresses pertaining to the complaints received.

The Chairman reminded Members that it was not appropriate to give names and addresses in a public meeting and called for order.

Councillor T J Pendleton stated that this was the wrong forum to discuss this matter and suggested that Councillor J Legrys raise it at the Members Planning Forum. He added that this was a complicated issue and needed due consideration. He advised Members that 19 September was the final date for including items of consideration for the supplementary planning document. He added that he was not prepared to deal with planning 'on the hoof'. He commented that it was the Labour government who had passed the current policy. He referred to the superb improvements made by the Council's Urban Designer. He concluded that this was simply not the place to debate this fully and once again urged Councillor J Legrys to raise the matter at the Members Planning Forum.

Councillor J Legrys interjected that the Leader was calling for Councillor T J Pendleton to conclude.

The Chairman called for order at this point in the meeting.

Councillor T J Pendleton urged Members to vote against the motion and stated he would bring the matter forward for consideration in the supplementary planning document.

Councillor T Neilson expressed disbelief that a motion on garage doors had become a political foray. He commented that the motion was not seeking to accommodate the 'dinosaurs' driven by some Members opposite.

The Chairman called for order at this point in the meeting.

Councillor T Neilson concluded that the Portfolio Holder had indicated he would bring this forward for consideration in the supplementary planning document and therefore he could not understand why Members would vote against the motion. He reiterated the importance of this issue for some residents and added that it was a shame the subject had become a political football.

Councillor A C Saffell commented that this issue had become very political but it simply needed to be sensibly sorted out. He added that this was not the right forum to discuss it. He stated that he had just looked up the dimensions of his car, which was considered to be a medium-sized car, and it was 6' 9" wide and would not go through a door which was 2m wide. He concurred that garages were too small. He added that if 1.5 parking spaces per dwelling was specified, and the garage was one of those spaces, it should accommodate a car. He concluded that this was wrong and a common sense approach needed to be adopted.

Councillor N Smith commented that John Prescott had introduced the policy which specified 1.5 parking spaces per dwelling. He recalled a previous planning application which had provided 1 garage for 7 flats, and Members were advised that they could not

object on this basis. He disagreed with Councillor M Specht's comments as both his Bentleys were more than 2m wide.

Councillor J Legrys called for the Chairman to move to the vote.

The Chairman then put the motion to the vote and it was declared LOST.

The Chairman called for order at this point.

#### **24. PETITIONS**

No petitions were received.

#### **25. MINUTES**

Consideration was given to the minutes of the meeting held on 13 May 2014.

It was moved by Councillor G A Allman, seconded by Councillor T Gillard and

RESOLVED THAT:

The minutes of the meeting held on 13 May 2014 be approved and signed by the Chairman as a correct record.

Councillor C Large left the meeting at 7.04pm during the discussion on item 6 – Questions from Councillors, and returned to the meeting at 7.09pm.

The meeting commenced at 6.30 pm

The Chairman closed the meeting at 8.24 pm