

MINUTES of a meeting of the COUNCIL held in the Council Chamber, Council Offices, Coalville on TUESDAY, 19 NOVEMBER 2019

Present: Councillor J Bridges (Chairman)

Councillors V Richichi, E G C Allman, R Ashman, R D Bayliss, C C Benfield, D Bigby, A S Black, R Blunt, R Boam, A J Bridgen, R Canny, J Clarke, D Everitt, T Eynon, M French, J Geary, L A Gillard, S Gillard, T Gillard, D Harrison, B Harrison-Rushton, M D Hay, G Hault, J Hault, J Legrys, K Merrie MBE, N J Rushton, A C Saffell, C A Sewell, S Sheahan, N Smith, D E J Tebbutt, J Windram, A C Woodman and M B Wyatt

Officers: Mr J Arnold, Mrs T Bingham, Mrs M Long, Mrs B Smith, Miss E Warhurst and Mrs C Hammond

#### **45. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors R Johnson.

#### **46. DECLARATION OF INTERESTS**

There were no interests declared.

#### **47. CHAIRMAN'S ANNOUNCEMENTS**

The Chairman made the following announcements:

He advised Members that the Christmas Carol Service was being held at 7pm on Thursday, 19 December at Christ Church and that it would be wonderful to see all Members there.

He advised that Members would be aware of the deeply sad passing of Councillor David Stevenson and gave Members the opportunity to say a few words after a minute's silence that was observed in memory of one of the authority's dear fellow councillors.

Councillor T Gillard commented that David was the longest serving member of the council, having first been elected for the Valley ward in 1973 when North West Leicestershire District Council was first created. The ward later became known as the Worthington and Breedon ward and he was re-elected to it every four years leading to an unbroken service of over 46 years, which was quite remarkable. He was also a parish councillor for Worthington for a great number of years.

One of the reasons he was re-elected every term was the enormous respect he earned from his constituents. David cared about his communities and each and every day he showed passion and commitment to make a difference to people's lives.

He remembered that David was known and loved by every one of all political persuasions. David was a much-respected Chairman of the Planning Committee between May 2007 and May 2018 and this was a role he really enjoyed. He was a great speaker in the Council Chamber and his points were always of great merit. Councillor Gillard summed up by stating that David Stevenson would be sadly missed, particularly in the Chamber having taken his seat by his side over many years. He added that it would be very difficult for him and his colleagues to come to terms with his absence and that they had kept his seat for him at this meeting.

David is now at peace as he joins Joyce but he will never be forgotten in the Chamber.

Chairman's initials

David's funeral will be held at 11.45am on Thursday at Worthington Parish Church. It is a small church but there will be a marquee and speakers outside to accommodate more attendees and you are all welcome.

As a mark of respect, the flag at the Council Offices will fly at half-mast on Thursday.

Councillor S Sheahan commented that David had shown great dedication to the role of district councillor over the past 46 years and standing in 13 elections. Making such a commitment required great fortitude; an understanding family and a willingness help the residents of his ward. David has given great service to this Council and both he and his vast experience will be missed.

Councillor R Boam shared his first memory of David when they had met in 1981 when he was 10 years old and David had visited his home on the campaign trail, and the a few days later when out with friends, a very smartly dressed David had driven up to them and started chatting away to them. He was sure that David was just checking that they were behaving themselves. He stated that he knew he would like to be just like David, a well-respected member of the community and that he looked up to him. Councillor R Boam commented that he went to school with David's daughter and had got to know the family well and in later years turned to David for Planning advice. He was pleased to have been elected 5 years ago as it gave him the opportunity to work alongside David, who always had great advice, always listened, made site visits enjoyable and was always able to share a joke. He was a much-respected man. He recalled when Councillor N Smith and himself went round to David's house to discuss chairing Planning Committee, David got out his best bottle of red wine to be shared. He stated that David had made a lasting impression on him and area, and that he would never forget him or his advice. In his honour, he would go home after the meeting, open bottle of red and drink a toast to David.

Councillor N Smith remembered that Councillor N J Rushton and his self were first elected to the Council in 1987 when David was the party leader. He commented that nothing was ever too much trouble for David and he would help any fellow Councillor no matter what their political beliefs. His passions other than his family were the Council and fishing and shooting. He remembered Alison tripping over two ducks that "Steveo" had left by the back door for them. He was a great guy who would be sadly missed.

Councillor J Hoult commented that he remembered David from their first meeting at group when he was feeling lost; David sat next him and told him what to say. David had got him two tractors and two barn engines, but sadly never got all the pigeons, with reference to David's dislike of pigeons which he would always comment about on the Planning Site visits. If he was stuck and asked, a question David would always know the answer. He was proud to have known him and he would be missed.

Councillor D Harrison advised that Members spoke in tribute to David at the previous Council meeting and was pleased to have said there and then, what he wanted to say how much he appreciated David. He stated that David was unique and remembered the occasion that he had been asked to check on David's canvassing as they were not getting reports and when he went out with David, it became obvious, as everyone David met, he would know and speak to. He was a proper man of the people.

Councillor R Bayliss recollected that David was well established at the leader of the group when he was first elected in 1983 and had done the hard yards as the opposition. However, the crucial thing about David's character was when the group chose a different leader after the May 2007 election. David did not ride off in to the sunset in a huff but fully co-operated supported the new leader and that was the measure of the man. He would always abide by a democratic decision. He stated that David was probably not the most articulate speaker in the Chamber but you knew what was said was meant in full force and sincerity, which was how he gained so much respect. He had known David for over 40

years, and he may not have been a bosom friend but he was a part of the furniture. Anyone would be diminished by a loss and this was certainly the case with the loss of David.

Councillor D Everitt remembered going on the Planning site visits and David always having interesting facts about the countryside, and that after the committee meetings they would always meet up in Morrisons when shopping and discuss the meeting in a good natured way. He stated that when Joyce first became ill his wife visited in her nursing role. David had made her very welcome and she was pleased to have known them both.

Councillor R Blunt commented that all knew David was ill but he had still been very shocked when he got the call to say David had passed away. He felt that it was symbolic that the Council had met so soon after his death and before his funeral as the Council meant so much to David and he always tried to be at the meetings. He noted that David had been the founding father of the Council along with Frank Straw, whom he fought tooth and nail with but always worked together for what was best for the District. He remembered that he had first meet David, who was his Ward Member when he had returned from London and urged him to stand for election. From that moment onwards, he was incredibly kind, through private and shy and made him his Deputy. This came a surprise and they had worked together on the committee to appoint Christine. David had supported him in becoming the spokesperson for Planning and then likewise when he had become leader David took the role of Chair of Planning Committee and remained very loyal. He described David as the true epitome of a public servant who was devoted to the job and cared about politics. David had set an example to all.

Councillor J Bridges remembered when the Leader had asked him to become the Deputy Chair of Planning to assist David, but was advised that David may not ask or need help, however he was pleased to say that the Leader was wrong. He stated that David did share and asked questions and through that a friendship had formed. He stated that David was an honourable man and if you really did want to get to know David, you needed to have gone out and done the canvass. It took a long time, not just because of the distance but because everyone knew David and wanted to talk to him. He advised that anyone who wanted to be a councillor needed to be respected and known by the residents, as David was. He was a wonderful man who he could call his friend.

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

There were announcements.

#### **49. QUESTION AND ANSWER SESSION**

There were no questions received.

#### **50. QUESTIONS FROM COUNCILLORS**

Two questions had been received.

The Chairman invited Councillor J Geary to ask his question addressed to Councillor R Ashman.

#### **Travellers Site within our District**

“I would like to refer you to the return of the travellers who were located in Coalville, firstly on the town centre car park until the Police moved them on. They then decided to set up home on the old Snibston Discovery Park site on Ashby Road, allegedly destroying part of the fencing to enable them to gain access, at yet another cost to the Local Government taxpayer.

Chairman's initials

This will be the third time I have tabled a question at a Council meeting asking just what we are doing to address this problem and when will we have a Warden Controlled Site within our District.

I ask this question of Officers just to be told that they are still looking at sites and how many they have considered to date. Well maybe it's now time for me to say just looking at sites is no longer sufficient, we have been looking at sites for three years or more, we now need to identify and establish a traveller site as a priority so we are able to take some control of this ongoing problem.

Would the Portfolio Holder respond to the points I have made?"

The Chairman invited Councillor R Ashman to respond.

"The identification of suitable sites is a matter for the Local Plan Committee as part of the Substantive Review of the Local Plan.

In March 2018 officers had prepared a draft allocations document which identified a potential site for transit purposes at Ashby de la Zouch. However, members and the local community expressed significant concerns about this and so the plan was not taken forward. The plan had also identified a potential site for travelling showpeople on the former Measham Mine site. A planning application was subsequently submitted on this site for travelling showpeople but due to a change in the circumstances of ownership, this was withdrawn. Additional consultancy resource has recently been taken on to undertake a further search for potential sites.

The outcome of this will be a matter for the Local plan Committee in due course as part of the Substantive Review. It is anticipated that a draft plan will be published in 2020 which will identify potential sites."

The Chairman invited Councillor J Geary to ask a supplementary question.

Councillor J Geary's supplementary question was "As Portfolio Holder, can you guarantee that a site will be found in 2020 and planning permission applied for?"

Councillor R Ashman thanked Councillor J Geary for the question and stated that he could not guarantee, however he said that it would be dealt with and viable sites would be put before the Local Plan Committee in 2020. He stated that whatever route was taken it would have to be dealt with very carefully. Anything put before the Local Plan Committee would be for a temporary site.

The Chairman invited Councillor C Sewell to ask her question addressed to Councillor A Woodman.

a) What consideration has the Council given to the safety of glyphosate?

b) What would be the cost to the Council of -

- (1) an immediate cessation of its use of glyphosate
- (2) phasing it out over two years
- (3) Minimising its use?

The Chairman invited Councillor A Woodman to respond.

"Glyphosate is used and, as with all chemicals, usage is strictly controlled and kept to an absolute minimum. All the recommended safety precautions are adhered to, including the use of appropriate PPE, the delivery of regular training, and we are in close contact with

Chairman's initials

our suppliers for any health and safety updates that are released so we can modify our approach. In addition, we do proactively attempt to reduce chemical usage, an example of this being a steam machine that was recently purchased that can be used to kill weeds. We keep abreast of developments within the industry and are made aware of new products and methods coming onto the market that are safer and more environmentally friendly to use.

We are aware of the concerns around Glyphosate and the fact that it's been banned in some countries and that some local authorities in this country are also reviewing the use of it. This needs to be balanced against the fact that the US Environmental Protection Agency have stated it's unlikely to cause cancer in humans, the German pharmaceutical company Bayer have stated that Glyphosate based products can be used safely and that it is not carcinogenic, and that the EU has a 5 year licence to use Glyphosate until the end of 2022. Currently there are no comparable effective alternatives to Glyphosate that control weeds and their roots. Using steam, manual removal, or any alternative methods to kill weeds is far more time consuming, not as effective, and would prove extremely problematic on some of the more difficult areas that need treatment.

Our intention is to continue keeping its use to an absolute minimum with a view to stop using it totally when there is an equally effective alternative. To know the cost of ceasing its use immediately or phasing it out over 2 years is a complex piece of work and more time would be needed to assess this - not using Glyphosate and retaining the same levels of service would require additional manpower, equipment and vehicles"

The Chairman invited Councillor C Sewell to ask a supplementary question.

Councillor C Sewell's supplementary question was "Would the Portfolio Holder commit to providing a costing in a reasonable timescale?"

Councillor A Woodman stated that he would be happy to discuss with officers, adding that Colchester phased out usage with a cost £80K. He would see if the costings could be found and provided to Councillor C Sewell.

## **51. MOTIONS**

No motions were received.

## **52. PETITIONS**

No petitions were received.

## **53. MINUTES**

Consideration was given to the minutes of the meeting held on 10 September 2019

It was moved by Councillor J Bridges, seconded by Councillor V Richichi and

RESOLVED THAT:

The minutes of the meeting held on 10 September 2019 be approved and signed by the Chairman as a correct record.

Chairman's initials

#### **54. NOTIFICATION OF AN URGENT DECISION - NORTH WEST LEICESTERSHIRE LOCAL PLAN - PARTIAL REVIEW**

Cllr Ashman presented the report. He advised that at its meeting on the 16 July 2019 Cabinet agreed to undertake the preparation of both a Partial Review and a Substantive Review of the Local Plan. He stated that the Partial Review would focus solely upon the wording of Policy S1 in the adopted Local Plan with the only change being a revised date by which a wider, substantive review would be submitted.

He informed Members that the Local Plan Committee considered a report at its meeting on 2 October 2019, which sought approval to begin consultation on that basis. The committee passed an amendment to the recommendations, which also sought to make changes to policies S3 and Ec2(2).

He advised that the Local Plan Committee did not have the authority to make changes to documents and that instead, it is required to instruct Cabinet, as the Executive, to reconsider documents. That was done at the meeting of Cabinet on 29 November 2019 where it was decided to not agree to the amendment supported by the Local Plan Committee. He highlighted that the Partial Review must be submitted by 20 February 2020 to ensure that the plan does not become out-of-date, adding that it was a tight timetable and so it was not possible for the matter to be considered by Scrutiny, as well as then undertaking consultation and considering any comments received. He noted that therefore, the Chairman of the Council agreed to waive the Council's normal call-in process for Cabinet decisions.

Councillor R Ashman informed the Council that if the plan were to become out-of-date, it would prejudice the Council's ability to resist planning applications, which it would have otherwise regarded as being inappropriate, and that it was important that the authority retains control over planning in the district. He added that he knew members did not want the plan to be regarded as being out-of-date as the Council had been there before. He stated that it was for that reason that the steps had to be taken.

It was noted that the Local Plan Committee had met again on 13 November 2019 and that they supported the recommendation to begin consultation on the partial review, which started on 20 November 2019 and will run until 8 January 2020.

Councillor D Bigby stated that as the mover of amendment at Local Plan Committee that led to the current situation, a short explanation was required. He advised that the amendment was carried by 5 votes to 2 cross party. He advised that there were 2 parts to the amendment, the first sought to delete or modify policy EC2 part 2, in order to avoid further erosion of countryside. This followed the HEADNA report identifying a shortfall in employment land and, rather than designating sites, the policy opened the floodgates to allow employment anywhere in countryside. He highlighted the requirement that had been stated and advised that the requirement would be met with applications that had been or were due to be submitted. He stated that given the urgency of review, it was accepted that the review must proceed, however, it was essential that the employment land issue was addressed as part of full review and that the Council must obtain new and accurate figures and find suitable site.

Councillor M Hay stated that as a ward member for Castle Donington and a resident, planning was a big subject there. He stated that he would be supporting the review but only as he had been backed into a corner to do so. He felt that the debate had come late and was not going to the correct meetings. He urged Members not to accept the report before them as business as usual and that was not to happen again.

Councillor J Legrys accepted that the issue had been debated at Local Plan twice and again debated when he had spoken at Cabinet. In relation to the procedural issues before

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them items 2 and 3 talk about the urgency of the issue and that the Monitoring Officer had treated it as an urgent matter with the waiver of call-in. He stated that the authority had a team professional planners working through the plan with their hands tied and that Councillor R Ashman had already spoken about the uncertainty of what could be achieved in the year, along with the uncertainty of the County's economic strategy. He informed Members that colleagues would accept the paper, however they had been put between a rock and a hard place as, if the review was not carried out the Council would be in a far worse position with an out of date Local Plan. He felt that there should be better cross party working to enable the best outcomes for the residents of the District and that lessons should be learnt so that a decent Local Plan could be delivered for North West Leicestershire.

Councillor R Ashman noted the comments made by Members and was pleased to hear the support.

It was moved by Councillor R Ashman, seconded by Councillor R Blunt and

RESOLVED THAT:

The report be noted

## **55. REVIEW OF POLLING DISTRICTS AND POLLING PLACES**

The Deputy Leader presented the report and advised Members that any changes to polling places would take effect from 2020 and not for the General Election.

Councillor R Blunt stated the parties had sat down and worked together to come up with the best compromise for polling places.

It was moved by Councillor R Ashman, seconded by Councillor R Blunt and

RESOLVED THAT:

1. The final proposals in respect of review, as set out in appendix a to the report be approved;
2. 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 7.08 pm