

MINUTES of a meeting of the COUNCIL held in the Council Chamber, Council Offices, Coalville on TUESDAY, 17 NOVEMBER 2015

Present: Councillor J Bridges (Chairman)

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

Officers: Mr S Bambrick, Mr S Barrett, Mr R Bowmer, Ms C E Fisher, Mr G Jones, Mrs M Meredith, Mrs M Phillips and Miss E Warhurst

40. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors G A Allman, J Geary, N Smith and D J Stevenson.

Councillor R Johnson advised that Councillor T Eynon was a doctor on call and would be leaving the meeting at 7.00pm.

Councillor R Johnson expressed displeasure at the change of date of the Council meeting as councillors planned their holidays around full Council.

Councillor J Legrys understood that Councillors D J Stevenson and G A Allman were unwell. He expressed best wishes for a fast recovery and requested that a letter be sent to them on behalf of the Council.

41. DECLARATION OF INTERESTS

The Chairman explained that the Director of Housing had advised that he had an interest in item 14 – Senior Management Structure, and therefore he would leave the room when it was considered.

Councillors J G Coxon, N J Rushton and M B Wyatt declared a personal interest in item 7 – Motions, as members of the Leicestershire Combined Fire Authority.

42. CHAIRMAN'S ANNOUNCEMENTS

The Chairman made the following announcements:

The Chairman made reference to the numerous events attended by himself and the Deputy Chairman. He advised that there were still some tickets available for his charity event on 10 December.

The Chairman alluded to the series of terrorist attacks which took place on Friday, 13 November in Paris, France, which claimed at least 129 lives and resulted in widespread casualties. In remembrance of those who lost their lives, and as a mark of respect and expression of solidarity, he invited members to join him in observing a minute's silence.

The Chairman referred to the current reports in the media concerning the missing teenager, Kayleigh Haywood. He stated that the Council was working very closely with the police and other partners to assist with the investigation. He advised that any information that could assist the police with their enquiries should be directed immediately to the Leicestershire Police incident hotline.

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The Chairman welcomed Steve Barrett, who had recently joined the Council as the interim Director of Resources. He hoped that all members would support the Director of Resources in his role.

43. LEADER'S AND PORTFOLIO HOLDERS' ANNOUNCEMENTS

Councillor R Blunt updated members on the amendments made to the portfolio areas of Councillor T J Pendleton and Councillor A V Smith as outlined in the additional papers. He advised that Councillor T J Pendleton would continue to lead on community safety, including CCTV, and Councillor A V Smith would lead on community engagement.

Councillor R Blunt gave an update on the Coalville project which was being led by the Chief Executive. He advised that work was underway on building confidence and meetings with key partners and members would be taking place next month. He hoped that members would continue to support the Coalville project.

Councillor R Blunt referred to the continuing investment from the local growth fund, which had recently provided a new tree top course at Conkers.

Councillor R Blunt referred to the event last Wednesday which saw the raising of the union flag on Stenson Square for the first time. He thanked Councillor M B Wyatt and the members of the Coalville Special Expenses Working Party for supporting the idea of installing a new flagpole, and the Head of Community Services for completing the project quickly.

Councillor A V Smith made reference to the free tree scheme, which had exceeded expectations this year with 18,000 trees having been ordered by residents and community groups. She advised that the scheme would see the planting of native trees and hedgerows, and was funded by the National Forest company and the District Council. She reported that this year was the most successful to date, which was testimony to the work undertaken. She advised that trees would be available this Sunday and she looked forward to the district becoming greener.

Councillor R D Bayliss gave an update on the position in respect of building new council houses. He reminded members that 9 years ago, the District Council had a poor, no star housing service with uncertain prospects. He added that we had now achieved 100% decency in homes with a 30 year plan to ensure they remained decent. He thanked the Head of Housing and the officers who had made that possible. He advised that the service was now in a position to embark upon a modest programme of building new housing. He outlined the three sites which had been identified and selected to reflect current demand from home seekers. He commented that this project would not only provide rented houses, of the type for which there was demand from tenants, but it would also regenerate run down sties, demonstrating the Council's confidence in the future, and showing the commitment to the Coalville project. He added that this would be something that had not been undertaken for a generation and he was very proud to be in a position to announce the new plans. He advised that the new builds would be financed from the Council's own resources and would incur no new borrowing.

Councillor R Adams welcomed the news in respect of new build homes. He asked Councillor R D Bayliss if he could confirm whether it would be legitimate to impose an age restriction on the prospective tenants of these new properties.

Councillor R D Bayliss advised that at present there was no intention to place an age restriction on prospective tenants of the new properties.

Councillor S McKendrick welcomed the new build homes and expressed full support for additional housing across the district.

44. QUESTION AND ANSWER SESSION

There were no questions received.

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45. QUESTIONS FROM COUNCILLORS

Councillor R Johnson put the following question to Councillor T J Pendleton:

“Because of recent allegations by some members of this authority that there could be political bias in the way planning applications are decided, do you consider it would in any way be beneficial with a recorded vote on all applications brought to the Planning Committee?”

Councillor T J Pendleton gave the following response:

“Planning applications are determined on their individual merits and I am not aware of any evidence to the contrary in any recent decisions made by this Council. If any Councillor does have evidence to the contrary then they should bring it to the attention of the Director and of course it will be properly investigated.

The legislation does not require any particular form of voting and it is open for the Council to specify the voting process in its procedure rules.

The current procedure rules reflect the norm as follows;

‘Unless a recorded vote is demanded the Chairman will take the vote by a show of hands, or if there is no dissent, by the affirmation of the meeting’.

I see no reason why the Council should alter this procedure rule which clearly provides the option of recorded votes should a member of the committee choose to request it.”

Councillor R Johnson made reference to political leaflets distributed in the run up to the elections and the subsequent applications which had been permitted. As a supplementary question, he asked Councillor T J Pendleton whether he felt this demonstrated political bias.

Councillor T J Pendleton responded that he did not feel that this demonstrated any bias, however he advised Councillor R Johnson to take the appropriate recourse if he felt he had evidence to suggest this.

Councillor R Johnson commented that the evidence was there and a recorded vote should be required for all planning applications.

Councillor J Clarke put the following question to Councillor T J Pendleton:

“What is the legal position for the Council with regard to providing sites for the travelling community?”

Councillor T J Pendleton gave the following response:

“Section 225 of the Housing Act 2004 requires that every local housing authority must, when undertaking a review of housing needs in their district under section 8 of the Housing Act 1985, carry out an assessment of the accommodation needs of Gypsies and Travellers residing in or resorting to their district.

The National Planning Policy Framework (NPPF) (March 2012) requires local planning authorities to assess and meet the housing need of its communities, including gypsies, travellers and travelling showpeople.

This is developed further in ‘Planning Policy for Traveller Sites’ issued by DCLG in August 2015. This states that “Local planning authorities should set pitch targets for gypsies and

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travellers [as defined in Annex 1] and plot targets for travelling showpeople [as defined in Annex 1] which address their permanent and transit site accommodation needs of travellers in their area , working collaboratively with neighbouring local planning authorities”.

It goes on to require that as part of their Local Plans local planning authorities should “identify and update annually, a supply of specific deliverable sites sufficient to provide 5 years’ worth of sites against their locally set targets”.

Councillor J Clarke declined to ask a supplementary question.

Councillor T Eynon put the following question to Councillor N J Rushton:

“At the end of October Individual Electoral Registration stood at 82% of households in the District.

How can this Council achieve its target of 95% registration by the deadline for the Boundary Commission review, where are the challenges and how can Councillors help?”

Councillor N J Rushton gave the following response:

“This year, as with previous years, the Council will comply with its statutory duties and best practice in the production of the electoral register. As such, we have sent a Household Enquiry Form, and where necessary a first and second reminder form, to every property in the District in order to ensure that we are aware of every resident that is eligible to be included on the register. Furthermore, we are currently in the process of undertaking a doorstep visit to each non-responding property. We are required to visit each household once, however, we have instructed our canvassers to make at least two visits in order to maximise response levels. We have also undertaken additional telephone canvassing where possible in order to ascertain who is eligible to be registered. As a consequence of this work, we have continually reached our target response rate in previous years and our current response rate this year exceeds that of other authorities in Leicestershire.

The challenges that we face in our District are in line with those seen nationally. Fundamentally, home movement is the most important factor that detracts from the completeness of the register. As such, the challenge that we face is in ensuring that the demographics that are associated with home movement such as young people, private renters, recent home movers and European Union citizens register themselves accordingly. It is for this reason that, in addition to our statutory duties, we also liaise directly with several external partners to maximise registration amongst these hard to reach groups. For example, we have forged links with residential care homes and site offices at new housing developments.

We would encourage every Member to take an interest in the electoral register for the area that they represent and to promote registration amongst their constituents. We are already working with some Members in providing them with resources such as registration forms and posters and would be keen to work with other Members in promoting registration in their Wards.

At the time of printing these papers the response rate was at 89%, and work will continue as we endeavour to achieve the target of 95% by 1 December 2015”.

Councillor T Eynon thanked Councillor N J Rushton and the officers for a very comprehensive reply and she commented that she was extremely pleased to see the improvement in the return rate which was testament to the work of the Democratic Services team. She stated that home movement was an important factor and advised that

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while she was out delivering posters and engaging with letting agents, one offered to write a clause into his contract with lessees to encourage registration. As a supplementary question, she asked if there was something the Council could be doing to encourage such behaviour.

Councillor N J Rushton responded that he was unable to answer at present but would provide a written response to Councillor T Eynon.

Councillor R Adams put the following question to Councillor A V Smith:

“Collections currently stored at the Snibston Discovery Centre hold great heritage value and help tell the story of the area's history. Some artefacts are already earmarked for return to the area's from where they originate.

It's essential that we now secure those collections and artefacts that have a significant heritage value to North West Leicestershire: The Palitoy collection, the Whitwick Hearse, the Belmont Butty boat and the Fish and Chip collection to mention a few from the extensive list of collections.

Given the significant heritage importance to local people, what support will the council provide to ensure the local collections are retained within the district for the benefit of future generations of residents and visitors?”

Councillor A V Smith gave the following response:

“Thank you for your timely question, with the legal challenges concluded, now is the time to look to the future of the collection and the site.

In reply to your question the County Council were asked to outline their approach to the relocation of the collections and their response is as follows:

“The items mentioned in the question are all accessioned as part of the Leicestershire County Council Museum Service Collections. This means that as an accredited museum service, the County Council has responsibility for the long term care and preservation of those collections, which it holds in trust for the people of Leicestershire.

Following the closure of Snibston Museum, the County Council has been clear that it intends to uphold its responsibilities in relation to the collections formerly displayed there. The County Council has said that it will continue to respond positively to approaches from accredited museums and other appropriate organisations who wish to loan items from the Leicestershire collections, in order to make them accessible to the public through display or exhibition.”

From this council's point of view we will reaffirm our interest in supporting the County's approach to Snibston including its collection and wherever possible we will encourage local organisations and accredited museums to engage with the County regarding items of local interest. I will be writing to the County Council to reaffirm our position on this matter and I hope I have cross party support to do so”.

Councillor R Adams commented that it was encouraging to hear that there was a commitment to preserving artefacts, however it would be better to ensure that they remained in the area. As a supplementary question, he asked if the Leader would commit funding in the budget to make sure that this happened.

Councillor A V Smith responded that at the present time she was not in a position to make any commitments, as Leicestershire County Council's plans were currently unknown.

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Councillor J Legrys put the following question to Councillor T J Pendleton:

“As Shadow Planning Lead, I have regular briefings with the Director of Services. I understand that the Portfolio Holder is considering a review of this Council’s Planning Committee process.

Will the Portfolio Holder consider a short all-Member ‘Task and Finish’ Group with the remit of examining exemplars of best practice in other Planning Authorities and the aim of producing for Members, the public and objectors an accessible, open and transparent explanation of the planning process?”

Councillor T J Pendleton gave the following response:

“I can assure the Council that I take my responsibilities as Cabinet Member for planning and regeneration extremely seriously, and work tirelessly with officers and others to improve the services that I am responsible for delivering.

The Planning department, according to its measurable indicators such as determining applications on time, continues to get better, and I am pleased to say it continues to meet all of its targets. It is right however, that I and officers now focus on improving how we deliver this high performing service to make it more transparent, predictable and accessible.

As well as meeting all of our targets for determining planning applications on time, I am proud to say that customer satisfaction is also consistently high at 90%. This is especially good when you take into account that some people have their applications turned down. All of this has been achieved by hard work and dedication, and also of course focus.

I am not proposing a review of the committee process but like all aspects of the Council’s services I am always looking for ways in which we can improve and in doing so will of course take on board good practice from elsewhere, which may involve visits to examine how others operate. However I see no reason why we would establish a formal task and finish group when that examination can be achieved through more informal routes.

I re-iterate however that going forward, openness, predictability of outcome, and ease of access by the public are non-negotiable requirements for this Council’s Planning Committee”.

Councillor J Legrys thanked Councillor T J Pendleton for his comprehensive and frank reply. As a supplementary question, he asked whether it was worthwhile having elected members on the Planning Committee at all and whether it was worthwhile consulting anybody outside of the ruling political group.

Councillor T J Pendleton responded that he always appreciated taking into account all views in the spirit of openness and he felt that having a Planning Committee which reflected all views was imperative. He added that he would continue to look at sound exemplars elsewhere.

Councillor D Everitt put the following question to Councillor A V Smith

“From time to time, sadly people die without leaving any funds whatsoever, and no relatives or friends are able to help. It is not generally known that when this happens it falls on the council to arrange funeral and burial arrangements. Will the Portfolio Holder please state how many times the council has carried out these duties in the last five years giving figures for each year. Can she also tell us something about how this important service is provided”.

Councillor A V Smith gave the following response:

“The Council has a duty under the Public Health Act 1984 to make arrangements for the burial or cremation of any deceased residents on the following grounds;

- if the deceased have no remaining family
- If their family cannot be traced (the Council is required to make reasonable enquiries to trace relatives)
- if their family do not have the financial means to provide for a funeral

Where no relatives are found or if they do not have any financial means to pay for the funeral the Council will arrange and fund what is termed a Welfare funeral. The average cost of a Welfare Funeral in North West Leicestershire is £900. Wherever possible the Council seeks to recover these costs from the deceased estate.

The duty to manage Welfare Funerals falls to the Council’s Environmental Health Officers in conjunction with Burials Officers both within the Street Action Team.

The number of welfare funerals provided over the last 5 years are as follows:

2011/12 - 1
 2012/13 - 1
 2013/14 - 2
 2014/15 - 2
 2015/16 - 1”

46. MOTIONS

Councillor J Legrys moved the following motion:

“It has recently been announced that the Leicester, Leicestershire and Rutland Combined Fire Authority (CFA) are to consult on proposals for reductions to Leicestershire’s Fire and Rescue Service in Coalville and North West Leicestershire.

The North West Leicestershire draft Local Plan which calls for additional increase in housing, employment and retail in the plan period to the following numbers:

Minimum of 10,700 new homes

Additional 96 hectares of employment land

7,300 m2 of retail

Approximately half of the draft Local Plan growth will be served or supported by Coalville Fire Station.

In its response to the CFA consultation this Council will:-

outline its proposed housing and economic growth to 2031 and state that it would be inappropriate to downgrade or reduce services from Coalville & Ashby and any other Fire and Rescue Station serving North West Leicestershire Communities.”

Councillor J Legrys spoke to the motion, referring to the recent events in Paris which demonstrated how vital and important the emergency services were. He stated that the motion was simply asking the council to comment and write to the Fire Authority explaining how the Local Plan would increase housing and retail within the district, and that it would therefore be inappropriate to downgrade fire services. He added that the district would grow quite significantly in the next 20 years and the emergency services needed to be able to deal with that. He stated that he was not convinced the Fire Authority would be able to provide a response if it was downgraded as expected. He stated that the community needed to be convinced that what was being proposed would provide the service that was expected. He referred to a recent fire in a derelict building in Coalville, which required 5 fire fighters to put the fire out. He felt that had the fire service been cut, the response would have taken a lot longer. He added that fortunately there was no human loss last weekend. He expressed concerns about the reductions not only in Coalville, but also in Loughborough and Hinckley, which would result in the fire service having to cover a much wider area. He expressed concerns that with the growth in the Local Plan, people would have to take out private fire insurance, just like in Victorian times.

The motion was seconded by Councillor D Everitt.

Councillor N Clarke expressed support for the motion. He made reference to the continuing cuts made by the government and added that difficult decisions needed to be made in respect of funding. He commented that fire fighters would have to make even more difficult decisions if the proposals became reality. He urged the Fire Authority follow David Cameron's advice.

Councillor D Harrison stated that the whole concept of fire brigades and the work they did had to be taken into consideration. He commented that there had been a dramatic reduction in emergency fires due to advances in modern day house building and therefore the demand upon the fire service had reduced. He added that people and service would not be lost as a result of the proposals and he referred to the lack of interest from the general public at the open day. He stated that he opposed the motion.

Councillor M Specht commented that he was pleased to see there had been approximately a 25% reduction in emergency calls in the last 5 years. He added that hopefully in the coming years as the population grew and debt reduced, there would be more revenue coming in and services could be adjusted as appropriate.

Councillor R Johnson commented that the first duty of the government was the protection of the realm in today's volatile society. He referred to the number of major accidents on our motorways and expressed anger at the proposals to cut the number of fire fighters, as they were relied upon to protect all people. He commented that the fire and emergency services ought to be expanded because they were relied upon.

Councillor R Blunt referred to the 42% reduction in the number of instances of fire in the last 10 years. He commented that the world had changed in 10 years and the fire service had to change with it. He added that the proposals were led by the chief fire officer which he would be opposing the motion. He stated that he believed that a disservice had been done to the country by retaining this level of protection, and the system now needed to catch up.

Councillor D Everitt commented that the motion is about ensuring the safety of the community, both now and in future.

Councillor T J Pendleton raised a point of order, as Councillor D Everitt had not reserved his comments and he would like to make a statement.

The Chairman agreed that Councillor T J Pendleton could address the meeting after Councillor D Everitt had concluded his comments.

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Councillor D Everitt accepted the argument that fires were not as frequent, however he did not believe this was the case in respect of accidents on motorways and other services that were not fire related. He added that the fire service was also undertaking a lot of prevention and training. He added that when you have a fire, a quick response was wanted. He added that the fire service was an insurance policy and the fact that there was less demand for the service did not diminish its importance. He stated that 30 years ago he was a retained fire fighter at Hinckley and he knew speed was essential to stop fires, and a skilled fire service was needed to go where others couldn't. He stated that the fire service was crucial, and cutting fire stations when there was a massive growth in front of us was ridiculous. He urged members to think again, for safety's sake.

Councillor T J Pendleton stated that he wanted to address the motion before members which dealt with fire cover in North West Leicestershire. He referred to the consultation which had been undertaken and the plan laid out by the chief fire officer which gave a guaranteed response time. He acknowledged that this was an emotive area. He advised that the review undertaken by the chief fire officer had taken into account the 42% reduction over 10 years, and therefore replacing 1 of the 2 fire tenders at Coalville fire station with a tactical response vehicle, he felt was a prudent response. He added that additional cover had been provided at Castle Donington, which had been placed specifically to support the M1, A50 and A42. He felt that with this additional cover, response times would be maintained, and this assurance had indeed been given. He urged members not to condemn the chief fire officer's plan, but to support it. He added that he would be voting against the motion.

Councillor J Legrys exercised his right of reply and made expressed displeasure with regards to Councillor D Harrison's comments.

Councillor D Harrison objected strongly to Councillor J Legrys' comments. The Chairman directed Councillor J Legrys to direct his comments to the right of reply.

Councillor J Legrys stated that he felt the issue was simple. He asked that the community be convinced that this district will be covered in the event of a fire. He requested a recorded vote.

The Chairman then put the motion to the vote.

A recorded vote having been requested, the voting was as follows:

For the motion:

Councillors R Adams, R Canny, N Clarke, D Everitt, F Fenning, R Johnson, J Legrys, S McKendrick, T Neilson and M B Wyatt (10).

Against the motion:

Councillors R Ashman, R D Bayliss, R Blunt, J Bridges, R Boam, J Clarke, J Cotterill, J G Coxon, S Gillard, T Gillard, L Goacher, D Harrison, G Hault, J Hault, G Jones, K Merrie, T J Pendleton, P Purver, V Richichi, N J Rushton, A V Smith and M Specht (22).

Abstentions:

Councillor A C Saffell (1).

The motion was declared LOST.

47. PETITIONS

No petitions were received.

48. MINUTES

Consideration was given to the minutes of the meeting held on 15 September 2015.

It was moved by Councillor J Bridges, seconded by Councillor J Cotterill and

RESOLVED THAT:

The minutes of the meeting held on 15 September 2015 be approved and signed by the Chairman as a correct record.

49. PROPOSED LEICESTER AND LEICESTERSHIRE COMBINED AUTHORITY

Councillor R Blunt presented the report to members. He stated that the proposal was simply a bid to the government for the authorities to formally agree to work more closely together on areas where there should already be collaboration in any case. He made reference to the public consultation which had been undertaken, showing that 68.8% of respondents were in favour of creating a combined authority. He explained that the creation of a combined authority would not result in a loss of sovereignty. He advised that this issue would be debated across Leicestershire in the coming weeks. He commended the Chief Executive for her work on the project.

Councillor R Blunt moved the recommendations as set out in the report. The motion was seconded by Councillor A V Smith who reserved her comments.

Councillor S McKendrick stated that in principle, a combined authority could provide benefits with opportunities to share good practice, and devolution was positive for local councils. She added that it was imperative that this was structured to provide support to local people, and therefore governance and scrutiny became even more important. She stated that this was an area of concern. She asked whether there would be an opposition representative involved in scrutiny, and how local people could have an influence upon any issues raised through scrutiny. She commented that there was little in the scheme to reassure members in this respect. She made reference to the interest in collaboration from Nottinghamshire and Derbyshire, and asked if the bid would be strengthened if Leicestershire had been interested in working with these authorities. She commented that the scrutiny arrangements were not sufficient and created too much distance for local people. She acknowledged that a consultation had been undertaken but questioned how robust this had been as she was not convinced that 4 weeks was sufficient to ensure a broad representation had been made.

Councillor S McKendrick moved an amendment to the motion as follows:

Recommendation 4 to be reworded to read; That Council authorises the Chief Executive, following consultation with the Leader, to make any final minor amendments to the scheme and governance review prior to their submission to the Department for Communities and Local Government in December 2015 or January 2016.

Recommendation 6 to be deleted.

Councillor R Blunt welcomed Councillor S McKendrick as the new leader of the Labour Group. He indicated that he was happy to accept the amendment to recommendation 4; however it was not possible to delete recommendation 6.

Councillor A C Saffell commented that as someone who lived in the northern parishes, he was much closer to Derby and Nottingham than Leicester. He felt that it would be more beneficial to combine with Derby and Nottingham as North West Leicestershire would then be in the centre if a larger combined authority was created covering the whole of the

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East Midlands. He expressed disappointment that Leicester did not want to collaborate with Derby and Nottingham.

Councillor J Legrys sought clarification as to why the Chairman had not called for a seconder in respect of Councillor S McKendrick's amendment and allowed a debate on the amendment.

The Head of Legal and Support Services explained that the Leader had accepted the insertion of the word 'minor' in respect of recommendation 4, and as such she saw no need to debate this amendment. She advised that the removal of recommendation 6 would nullify that recommendation and was therefore not a valid amendment.

Councillor J Legrys expressed disappointment that this amendment was not to be debated. He stated that most members had a very clear understanding about how these proposals had developed. He felt that the project was unravelling and that he could remain sceptical whether the Department for Communities and Local Government would allow this proposal. He expressed concerns that sharing services would save money in the short term, but would remove democratic accountability in the long term. He stated that he could not vote for the proposals as the Council did not want any democratic accountability on its outside bodies.

Councillor N Clarke commented that the airport was the centre of economic growth and had far more in common with Derby and Nottingham. He added that this was something he would support exploring further. He expressed concerns in respect of the consultation which had taken place over four weeks. He reported that 161 members of the public had taken part in the consultation across Leicestershire, and only 4.3% of those were from North West Leicestershire. He commented therefore that members were being asked to make a decision today on the basis of 7 people's opinions.

Councillor A V Smith expressed disappointment in respect of some of the comments as this was the way forward and councils had to work together across Leicestershire. She urged members to vote in support of the recommendations.

Councillor R Blunt felt that some of the comments made were very helpful and thought provoking. He stated that he believed that this was the best way forward, as Leicester was not taken into consideration when it came to the East Midlands as a whole. He commented that by definition it was necessary to have good relationships with our neighbours. He added that the co-operation that currently existed between the main authorities in Leicestershire was the highest it had been for a long time, which had made this project possible. He stated that he felt strongly that the proposals were the best way forward. He urged members to support this cross party initiative.

Councillor J Legrys requested a recorded vote.

The Chairman then put the motion to the vote. A recorded vote having been requested, the voting was as follows:

For the motion:

Councillors R Ashman, R D Bayliss, R Blunt, J Bridges, R Boam, R Canny, J Clarke, J Cotterill, J G Coxon, S Gillard, T Gillard, L Goacher, D Harrison, G Hault, J Hault, G Jones, K Merrie, T J Pendleton, P Purver, V Richichi, N J Rushton, A V Smith and M Specht and M B Wyatt (24).

Against the motion:

Councillors R Adams, N Clarke, D Everitt, F Fenning, R Johnson, J Legrys, S McKendrick, T Neilson and A C Saffell (9).

Abstentions:

None (0).

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The motion was declared CARRIED.

RESOLVED THAT:

- a) The scheme for the combined authority be approved;
- b) The governance review be approved;
- c) The publication of the scheme and its submission to the Department for Communities and Local Government be authorised;
- d) The Chief Executive, following consultation with the Leader, be authorised to make any final minor amendments to the scheme and governance review prior to their submission to the Department for Communities and Local Government in December 2015 or January 2016;
- e) The Chief Executive, following consultation with the Leader, be authorised to enter into discussions with the Department for Communities and Local Government and such other government departments and other persons as are considered necessary by the Chief Executive to agree the terms of the order establishing the combined authority and to approve the final form of the order on behalf of the district council; and
- f) The Chief Executive, following consultation with the Leader, be authorised:
 - (I) To negotiate, agree and execute all ancillary documents in support of the operation of the combined authority, including (without limitation) the constitution of the combined authority; and
 - (II) To take all decisions and actions necessary to enable the establishment of the combined authority.

50. UPDATE TO THE COUNCIL'S CONSTITUTION

Councillor N J Rushton presented the report to members and moved the recommendations.

The motion was seconded by Councillor M Specht.

Councillor J Legrys stated that there were a number of issues with the report. He moved that the item be deferred and a better explanation be requested. In respect of the calling in of planning applications by ward members, he expressed concerns that the comments made by members of Policy Development Group had not been reflected and there was no clarity about how a member could call in an application if they happened to be on holiday. He expressed his vehement objection to the inclusion of the references in respect of clothing. He asked whether he would be ejected from a meeting for wearing a red jacket reflecting his political beliefs, and whether this would infringe upon his human rights as he would not be told by an officer what he could or could not wear at a meeting. He added that Councillor G Jones had proudly worn badges in the past representing his republican connections in the United States. He expressed support him or anyone else wanting to wear a symbol of their political persuasion. He requested that this item be deferred until member had been given the opportunity to debate this and to consider the comments made by Policy Development Group.

The Chairman advised that there was already a motion on the table and this needed to be disposed of before the motion to defer the item could be considered further.

Chairman's initials

Councillor T J Pendleton stated that he was mindful of the issues relating to single member wards, however he was aware of what was happening in his ward and whether he wanted to call in an application. He added that he did take extended holidays, however he made it his business as a Councillor to ensure he was contactable at all times, and therefore he did not see a problem with the proposals.

Councillor M Specht referred to the comments made in respect of the dress code and political bias in planning matters, and commented that he did not consider wearing garments of a particular colour was an issue. He felt that the problem arose when members of Planning Committee arrive to go on site visits wearing clothing bearing political slogans. He felt that exception needed to be taken at this point. He hoped that members of Planning Committee would not think to wear such political clothing in future.

Councillor R Johnson stated that he wore badges and was proud to do so. He made reference to the site visits and stated that it was his view that all members should attend these. He stated that he could not support the document in its present form and added that he would like the item to be deferred.

Councillor D Harrison commented that the wearing of badges was not a problem, however political slogans were not acceptable. He felt that there had to be an element of professionalism, particularly in the planning process, and he felt that such behaviour did not portray the individual nor the authority in a positive manner.

Councillor V Richichi expressed concerns that the comments of Policy Development Group had not been accepted. He sought assurance that there was a good reason to have this committee and that their views were being considered.

Councillor N J Rushton assured members that Policy Development Group was an integral part of the council and its views had been considered prior to this report coming to Council. He reiterated the importance of appearance in showing that you are open minded and have not predetermined and application for political or personal reasons. In respect of site visits, he emphasised that members would be well advised to attend these, or visit the site separately themselves. He added that members could choose to abstain from voting if they felt they were unable to make a decision, and therefore he felt that it was not necessary to force members to attend the planned site visits. He urged members to support the proposals.

The Chairman clarified that at this point, Councillor N J Rushton had responded to a direct question and would therefore retain his right to reply at the close of the debate.

Councillor S McKendrick felt that a balanced view needed to be taken and agreed that there should not be any political branding in any meeting where it could suggest bias in any way. In respect of single member wards, she felt there was an issue with having only one member able to call in an application, as this was very restrictive. She added that she would be interested to know where this best practice originated from and she questioned whether this was reasonable when a member was not available. She felt that this was a significant part of the guidance which needed careful consideration.

Councillor N J Rushton stated that he had heard the arguments for and against, and believed the recommendations were in the best interests of the integrity of the Council and the Planning Committee.

Councillor J Legrys requested a recorded vote.

The Chairman then put the motion to the vote.

Chairman's initials

A recorded vote having been requested, the voting was as follows:

For the motion:

Councillors R Ashman, R D Bayliss, R Blunt, J Bridges, R Boam, J Clarke, J Cotterill, J G Coxon, S Gillard, T Gillard, L Goacher, D Harrison, G Hault, J Hault, G Jones, K Merrie, T J Pendleton, P Purver, V Richichi, N J Rushton, A V Smith and M Specht and M B Wyatt (23).

Against the motion:

Councillors R Adams, N Clarke, D Everitt, F Fenning, R Johnson, J Legrys, S McKendrick and T Neilson (8).

Abstentions:

Councillors R Canny and A C Saffell (2).

The motion was declared CARRIED.

RESOLVED THAT:

- a) The comments of members of Policy Development Group and the subsequent advice from officers as set out in section 4 of the report be noted;
- b) The amendments to the Constitution set out in sections 3 and 5 of this report and appendices 1 – 4 be approved;
- c) The Head of Legal and Support services be authorised to make the agreed amendments to the Constitution and re-issue the document.

51. REVIEW OF THE GAMBLING ACT 2005 STATEMENT OF LICENSING POLICY

Councillor A V Smith presented the report to members, highlighting the minor changes to the existing policy.

Councillor F Fenning stated his intention to abstain from voting. He stated that he understood the Council needed a policy and he appreciated the work undertaken by officers, however he felt that the limitations of the gambling act and its three objectives did not take into account the phenomenal growth of lotteries. He added that it was sad that our society used gambling.

It was moved by Councillor A V Smith, seconded by Councillor V Richichi and

RESOLVED THAT:

The Gambling Act 2005 Statement of Licensing Policy be approved.

52. APPOINTMENT OF A REPRESENTATIVE TO AN OUTSIDE BODY - COALVILLE TOWN FOOTBALL CLUB COMMITTEE

Councillor N J Rushton presented the report to members.

Councillor R Johnson moved the nomination for Councillor J Geary. He thanked Councillor A V Smith for withdrawing her nomination and added that Councillor J Geary would be a good representative as he was well known in the town.

The nomination was seconded by Councillor T Gillard.

Councillor M Specht requested a recorded vote. His request was subsequently withdrawn.

Chairman's initials

RESOLVED THAT:

Councillor J Geary be appointed as the Council's representative to the Coalville Town Football Club Committee.

53. SENIOR MANAGEMENT STRUCTURE

Councillor R Blunt presented the report to members, referring to the health check undertaken in 2014 in respect of the management structure which had set out the requirement for an interim Director of Housing. He advised that the report sought to establish in principle that the post was required permanently.

Councillor R D Bayliss made reference to the list of issues under the rationale on page 176 of the agenda, and commented that all those issues were being amply addressed. He paid tribute to the officers and managers of the service who had been heroic in delivering the service from the days of non decency. He felt that the service now needed to be moved forward in order to demonstrate real ambition. He expressed absolute support for the creation of a permanent post.

It was moved by Councillor R Blunt, seconded by Councillor R D Bayliss and:

RESOLVED THAT:

A permanent post of Director of Housing be approved.

Councillor A C Saffell advised that the clerk of Castle Donington Parish Council had won a national award in recognition of her work and he asked that the Chairman write to her and congratulate her on behalf of the Council.

Councillor M Specht thanked officers and all members on organising another excellent remembrance service. The Chairman echoed this comment.

Councillor T Eynon left the meeting at 6.58pm during the discussion on item 7 – Motions.

The meeting commenced at 6.30 pm

The Chairman closed the meeting at 8.25 pm

Chairman's signature