

MINUTES of a meeting of the COUNCIL held in the Council Chamber, Council Offices, Coalville on TUESDAY, 22 MARCH 2016

Present: Councillor J Bridges (Chairman)

Councillors R Adams, G A Allman, 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 Hoults, J Hoults, R Johnson, G Jones, J Legrys, S McKendrick, T J Pendleton, P Purver, V Richichi, N J Rushton, A C Saffell, N Smith, A V Smith MBE, M Specht, D J Stevenson and M B Wyatt

Officers: Mr S Bambrick, Ms C E Fisher, Mr G Jones, Mrs M Meredith, Mr P Padaniya, Mrs M Phillips and Miss E Warhurst

66. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J Geary and K Merrie.

67. DECLARATION OF INTERESTS

Councillors T Eynon and J Legrys declared a non pecuniary interest in any discussion on the Coalville Project, as volunteers and stakeholders at Hermitage FM.

Councillor M B Wyatt declared a non pecuniary interest in item 10 – Proposed Council Delivery Plan 2016/17, as an owner of a business in Coalville.

68. CHAIRMAN'S ANNOUNCEMENTS

The Chairman made the following announcements:

The Chairman invited members to join him in observing a minute's silence as a mark of respect and in remembrance of those who had lost their lives in the terrorist attack which had taken place in Brussels earlier today.

The Chairman proposed that a letter be sent to the Mayor of Brussels conveying our thoughts and condolences.

The Chairman referred to the numerous events he had attended in the last few weeks. He made reference in particular to the North West Leicestershire Celebration of Volunteers event which had taken place on Sunday, 20 March. He emphasised the importance of the contribution of volunteers to the community. He added that our officers spent a lot of time helping volunteer associations, providing them with support and guidance. He added that this was often forgotten. He expressed his personal appreciation to the volunteers and staff of this authority for their good work. He commented that the event had been so well received and he had received personal calls and letters following the event. He encouraged members to support volunteering events in future.

69. LEADER'S AND PORTFOLIO HOLDERS' ANNOUNCEMENTS

Councillor R Blunt informed members of the position with regards to the proposed resettlement of Syrian refugees. Members were aware of the government scheme committing to house 16,000 refugees in the United Kingdom over the next four years, and councils had been invited to help in any way they could, such as facilitating and providing accommodation, and working with Leicestershire County Council and other partners to help the refugees become part of the community. He acknowledged that this was a very emotive issue and he believed that Syrian refugees should be welcomed to the district.

Chairman's initials

He requested a report to Cabinet in May setting out our proposal to facilitate accommodation for Syrian refugees for the next four years.

Councillor R Blunt gave an update on the current position in respect of the River Mease Special Area of Conservation and advised that, because of the application for 605 new homes at Money Hill which had been won on appeal, the developer contribution scheme had now finished. He added that the Council was working with the Environment Agency and Natural England on this issue and he believed that new consents would be able to be issued later on in the year.

Councillor R Blunt outlined progress made in respect of the Coalville Project. He advised that Royal Oak Court was now complete and the opening ceremony would be taking place on Thursday, 24 March. In respect of the shop fronts scheme, he stated that he was pleased with the progress made, but it was not fast enough, and with that in mind he would like to increase the grants by up to 90% to ensure the scheme was successful. He advised that the same pot of money would be available for the scheme but this would improve the offer. With regards to the South East Coalville and Bardon Grange Site, he advised that the legal agreement would be signed imminently and he was hoping that work would have commenced by the next meeting of Council. He added that developer contributions in respect of highways improvements for Coalville amounted to £21 million, which would be spent in conjunction with Leicestershire County Council on improving the road network. He made reference to the work in progress on the new Amazon building on Beveridge Lane, which would bring 500 new jobs to the district, and concluded that people could see you can start to see something different and something better happening in Coalville.

Councillor J Cotterill entered the meeting at 6.41pm.

Councillor J Legrys asked if the funding increase in respect of the shop fronts scheme would mean a reduction in the number of shops that could participate or would this incur additional expenditure. He welcomed additional funding for the scheme but questioned where this would come from if this was the case as it was not included in the budget. He commented that the amount in respect of Coalville infrastructure was clearly not enough and double that amount would be required to move forward.

Councillor R Blunt advised that, in respect of the shop fronts scheme, a certain amount had been allocated in the budget to be spent on the scheme, however the amount available to each property was flexible. He added that it had always been his intention to extend the scheme further and apply it to other parts of the town. With regards to Coalville infrastructure, he commented that £21 million was a serious amount of money which would start to make a difference if spent correctly.

Councillor N Clarke expressed full support for the Leader's stance on the Syrian refugees and felt that it was right that the district council should contribute.

70. QUESTION AND ANSWER SESSION

There were no questions received.

71. QUESTIONS FROM COUNCILLORS

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

"Would the Leader agree with me that a great number of jobs in North West Leicestershire, particularly in the distribution sector, depend on this country's continued membership of the European Union and further, for us to continue to succeed and lead in this sector, it is vital that we remain part of the EU and argue a case for staying within it?"

Chairman's initials

Councillor R Blunt gave the following response:

“Cllr Sheahan is seeking my personal views on the EU referendum, however by asking his question in this chamber and addressing them to me in my capacity as Leader of the Council, I do not think it would be appropriate for me as some may confuse my personal views with the views of the Council. What I can say is that clearly the referendum is very important and I will be encouraging everybody to vote and ensure that their views are registered”.

Councillor S Sheahan declined to ask a supplementary question.

Councillor D Everitt put the following question to Councillor T J Pendleton:

“I represent the Thringstone Ward and the boundary of the ward runs around and encloses the built up area of Thringstone and does not include the areas of countryside and woods that surround. The people I represent in Thringstone will be affected by any developments that are proposed beyond their back gardens, however recent changes to the constitution have changed the planning rules preventing me as their Councillor from bringing forward the plans for consideration and resolution outside the boundaries. Although the development proposed may be controversial and detrimental to the people I represent, how has democracy been served by restricting the rights of the electorate from raising concerns in a democratic planning meeting?”

Councillor T J Pendleton gave the following response:

“The reason why this change has been brought into effect is to simplify the process, and to ensure that local Ward Members, who have the benefit of local knowledge and are elected to represent their own constituents, are able to use their judgement about whether to call a planning application to the Committee.

In the hypothetical scenario set out in the question, there is nothing to stop a member from speaking with the Ward Member concerned, if they think there is a valid planning reason for such a planning application to be considered by the Planning Committee.

Ward Members are ultimately responsible to their own constituents, and it would be anti-democratic for one Ward Member to interfere in how another Ward Member goes about representing the best interests of their constituents”.

Councillor D Everitt commented that he was disappointed with the response as his question was not intended to be political. He added that there was a lot of disillusionment and this would make the situation worse when constituents found they were unable to be represented. As a supplementary question, he asked if the Portfolio Holder agreed with him that this would create problems for applications on the fringes of wards, as the neighbouring ward member would not be aware of the application and would not be able to represent any residents not within their wards. He commented that this was not simplifying things but making it worse.

Councillor T J Pendleton responded that he did not agree as he would expect members to communicate with their neighbouring ward members in respect of planning applications. He stated that he believed in co-operation, not confrontation, and he would be pleased to represent fellow Councillors on any developments in his ward that would affect them if they had a particular planning reason.

Councillor N Clarke put the following question to Councillor R Blunt:

“Why were members of this Council denied the opportunity to exchange individual views on the merits or otherwise of the UK's membership of the EU and hold a vote on that question, within the traditional confines of a debate at Full Council?”

Councillor R Blunt gave the following response:

“Advice was sought by Cllr Sheahan on whether a motion regarding the EU referendum was within the Constitution and able to be put before this meeting. The wording of the motion had not been finalised by Cllr Sheahan but the intention of it was to ask members of the Council to agree that it was important to NWL that the UK remained in the EU. The Monitoring Officer advised Cllr Sheahan and the Chairman that such a motion would be improper and therefore should not be considered by Council. The Chairman considered this advice and decided that the motion should not be accepted.

The reason that it was improper is that it was seeking to elicit a view from this Council on a matter which will be decided by public ballot. The same reason would apply if a motion was put forward before a parish, district or parliamentary election which was seeking the Council's view in support of a particular outcome to that election.

Further advice was sought by Cllr Sheahan as to whether the motion could be reworded to seek the views of members as individuals rather than the Council as a body. Again, the advice from the MO was that would not be possible. Members do not exercise individual decision making. When members sit at Council, consider a matter and then vote upon it, the decision reached is that of the Council as a separate legal entity and body Corporate. It is a single decision. Advice was offered that a motion may be appropriate if it sought to highlight the importance of the referendum process and encouraged people to exercise their vote. This was not acceptable to Cllr Sheahan as it did not meet with his intention.

I am aware, as was the MO, when the advice was given, that other Council's in the country and in Leicestershire have accepted similar motions at their Council meeting. I cannot comment on what advice was given to them or how this came about. I am confident that the MO gave the right advice to this Council, the chairman and Cllr Sheahan and I endorse that”.

Councillor N Clarke stated that officers were here to advise and guide, however elected members made decisions and obviously there was no political will or appetite to allow this debate to take place. He added that elected members up and down the country, including at Leicester City and Leicestershire County Council, were being given the opportunity to debate this matter. As a supplementary question, he asked whether the Leader agreed that the administration had denied the elected members of North West Leicestershire the democratic right of debating topical issues and in doing so has given the impression that we are somehow less worthy than other elected members.

Councillor R Blunt responded that he did not agree with this statement.

72. MOTIONS

No motions were received.

73. PETITIONS

The Chairman advised that a petition had been received which was due to be considered at tonight's meeting, however due to the illness, the petition organiser was unable to attend. Therefore it had been decided that this petition would be considered at the next meeting of Council on Tuesday, 17 May 2016.

Chairman's initials

74. MINUTES

Consideration was given to the minutes of the meeting held on 23 February 2016.

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

RESOLVED THAT:

The minutes of the meeting held on 23 February 2016 be approved and signed by the Chairman as a correct record.

75. PROPOSED COUNCIL DELIVERY PLAN 2016/17

Councillor R Blunt presented the report to members. He stated that the Council was no longer required to produce a delivery plan, but still did so as it provided a very good focus and enabled everyone to hold the administration to account. He drew members' attention to the Council's priorities for the forthcoming year; in particular he emphasised the importance of the new priority, Building Confidence in Coalville. Under the Value for Money priority he highlighted that the district Council was the only Council in Leicestershire with no increase in Council Tax. He added that this remained a priority along with Homes and Communities, Business and Jobs and Green Footprints.

Councillor T Eynon commented that this was a visionary document and she wanted the Coalville project to succeed, and the Council to deliver what was set out in the document. She stated that her concern about the document was that it did not provide any information about the barriers or enablers to change. She made reference to page 26 of the report in respect of developing the heritage offer of the town and commented that those who have had relations with heritage lottery funding would know that this might not be as easy to obtain as we would hope. She supported the work on littering hotspots, however felt that some difficulties might be experienced in working with partners on this issue. In respect of the two new events, she commented that it was not clear what these events were, and asked whether these were in addition to the Picnic in the Park and Proms in the Park, and whether these events replaced the miners gala and the fireworks events that would no longer be held at Snibston. She supporting the work on raising awareness of health inequalities and hoped the Council would work with this project funded by public health. She referred to the section on building confidence in the Council's performance and commented that this was a very useful list for people to scrutinise this. She felt that Councillor scrutiny was missing and would like to see performance scrutinised at Policy Development Group as this might address some of her concerns.

Councillor R Johnson asked how much of the £500,000 contribution from the Council in respect of the former Pick and Shovel pub had been spent.

Councillor R Blunt welcomed Councillor T Eynon's comments. In respect of barriers to change, he commented that the role of the Council was to try and inspire. He added that a year ago it looked almost impossible to make improvements in Coalville, but progress was now being made. He acknowledged that the Council had made mistakes when previously applying for a lottery grant, however lessons had been learnt and this would be key if a difference was to be made. He added that Coalville was unique because of period of time in which it expanded. In respect of the two events, he advised that these were both new, and would not replace any other events. He advised that the whole of the £500,000 contribution had been spent and for that money, social housing had been created and a derelict building had been removed.

Councillor S Sheahan commented that the administration had been in control for 8 years yet had only just included Coalville as a priority in the delivery plan, which might suggest

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to some that they were starting from scratch. He felt that the report was short on detail, lacked a narrative and could have benefitted from coming before scrutiny.

Councillor N Clarke referred to page 32 of the report which stated that families in need were supported by the Council. He commented that it neglected to say that this Council had recommended reductions in discretionary housing payments which were in greater demand than ever before. He also made reference to the section relating to green footprints on page 34. He commented that the recycling rate in North West Leicestershire had remained stubbornly around 46% for the number of years and showed no sign of increasing, although the target was much higher.

Councillor A V Smith commended the document and felt it was clear and concise. With regard to the Coalville project, she commented that Coalville was very different today than it was 30 years ago and change was visible. She referred to the two new events which she understood were being organised by the Coalville Special Expenses Working Party and related to food and drink festivals in the town later in the year. She acknowledged that the recycling rate had not necessarily been as high as it could have been, however there were reasons for that, such as the reduction in paper recycling overall and the number of people in the district with solid fuel fires, the waste from which went into landfill, affecting our rates.

Councillor J Legrys stated that it was a great pity that this document had not had the opportunity to be scrutinised because there were a number of questions. He made reference to the administration's vision for Coalville in 2008.

The Chairman called for order at this point in the meeting

Councillor J Legrys stated that each household was provided with this vision document in 2008 about the vision for the future of Coalville. He commented that he had no problem in principle with the administration issuing such a document, however he would have liked to have had the opportunity to scrutinise it. He added that he had just been informed by Councillor A V Smith that the two new events in Coalville would be funded from the Coalville Special Expenses budget. He asked how these events were going to be paid for as no discussion had been held with the Working Party. He made reference to page 33 of the report which stated that the Council would offer support to parish councils and community organisations with regard to developing neighbourhood plans and assets of community value. He commented that this was already being done and he asked what additional steps would be taken to encourage parish councils and community groups to draw up neighbourhood plans. He stated that elected members had a right to know, not only to in order to hold the administration to account, but to lead the community in knowing what Council was doing.

Councillor M B Wyatt stated that he was extremely disappointed by the Coalville project as in his opinion it was short sighted and lacked any big ideas to improve the town. He added that the Council needed to start listening to people of Coalville as there was nothing within the document that the people wanted, such as an open market and to be made a market town. He commented that the administration was not listening to residents or local businesses.

Councillor R Blunt stated that scrutiny did exist at this Council and he had been invited to the next meeting, which he would be glad to attend. He acknowledged that perhaps the vision from 2008 looked naive because it was not delivered, however since then we had lived through the worst recession. In respect of the Coalville project, he stated that anyone who wrote to him would receive a personal response and would be invited to a workshop. He hoped that in a year's time, he would be able to say that half of what was set out in the delivery plan had been achieved.

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

RESOLVED THAT:

- a) The proposed Council Delivery Plan 2016/17 be approved with the following additional action included under the Business and Jobs priority:

“Action – Deliver regulatory activity in a way that supports business growth, through the LLEP and the national Better Business for All Programme”.

- b) The Chief Executive be authorised to make any final technical amendments to the Plan prior to publication, in consultation with the Leader of the Council.

76. PAY POLICY STATEMENT 2016/17

Councillor R Blunt presented the report to members, highlighting that it was a statutory requirement to advise Council annually of the pay and benefits to senior officers. He made reference to the adoption of the living wage in April 2014 which had raised the minimum pay for the Council's lowest paid employees. He added that this was implemented in November 2015 which had raised the pay of those employees by 5.1%. He advised that the ratio between the median average pay and the most senior officer's pay had declined, which was positive. He highlighted the recent changes to the senior management structure of the Council, which included the appointment of the Interim Director of Resources and Head of Economic Development. He stated that these posts were required to strengthen resources in order to support the Coalville Project. He made reference to the Conservative Government's commitment to ending tax-payer funded six figure pay in the public sector and advised that legislation was currently being progressed through parliament. He added that a further report would be brought to Council if required once the legislation had been passed.

Councillor N Clarke welcomed the reduction in the ratio due to the introduction of the living wage which he supported. He commented that other Councils provided much more information in their pay policy statements and he requested that more information on the structure be included in future.

Councillor J Legrys endorsed the statement at paragraph 9.1. He asked whether any officers at a senior level had been given consent in respect of taking up additional business, ad hoc services or additional appointments. He also asked who was responsible for giving consent on this issue. He made reference to paragraph 12 of the report and sought clarification on whether this related to pensioners generally, or pensioners with previous public service and in receipt of a pension. He felt that this needed to be clearer in the statement.

In response to Councillor N Clarke, Councillor R Blunt advised that the Pay Policy Statement met with the requirements, however if Councillor N Clarke wished to write and request more information, he would provide it. He stated that he would provide a written response to Councillor J Legrys.

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

RESOLVED THAT:

The Council's Pay Policy Statement 2016/17 be approved.

77. UPDATE OF THE COUNCIL'S CONSTITUTION

Councillor N J Rushton presented the report to members, highlighting that this was one of a series of reports to Council to update the Constitution to ensure it reflected legislative changes and best practice in terms of style and content. He advised that the proposed changes to the Contract Procedure Rules were required to reflect the introduction of the Contract Procurement Regulations 2015. He added that the comments of Policy Development Group had been taken on board as set out in the report.

Councillor T Eynon stated that the changes to the Constitution had been considered by Policy Development Group and she was very pleased to see that the proposed changes had been amended to take account of the advice from Policy Development Group to make it clearer that the Council would consider local suppliers first. She commented that this demonstrated that cross party scrutiny could actually be useful. She noted as set out on page 79 of the report that this issue was going to be discussed at Policy Development Group and she hoped that going forward, scrutiny could be more proactive. She stated that as a County Councillor she was aware that scrutiny was run somewhat differently, and most of the scrutiny committees were chaired by opposition members and that each committee has an opposition lead.

Councillor N Clarke made reference to his question at Policy Development Group in respect of the change of wording from obtaining quotations to seeking quotations. He stated that he still had not received a response to this question.

Councillor N Smith stated that this showed that the administration did listen to scrutiny, and it was not just a whitewashing exercise.

Councillor M Specht stated that as Chairman of Policy Development Group he was pleased to hear these comments from the opposition and he hoped scrutiny could move forward in a cooperative manner.

In response to Councillor N Clarke, Councillor N J Rushton advised that as a result of the comments made by Policy Development Group, the proposed change to the wording in respect of seeking quotations had reverted to the original wording of obtaining quotations. He also welcomed the change emphasising that local businesses would be considered first. He reminded members that the resource at Leicestershire County Council in respect of scrutiny was far superior to what a small district council could afford, however scrutiny was taken seriously by the Leader and the Chairman, and he commented that the administration was just as entitled to have its input into the process as the opposition.

It was moved by Councillor N J Rushton, seconded by Councillor M Specht and

RESOLVED THAT:

- a) The comments of Policy Development Group be noted.
- b) The amendments to the Constitution set out in Appendix 1 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.

The meeting commenced at 6.30 pm

The Chairman closed the meeting at 7.29 pm

Chairman's signature