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**To: All Members of the Borough Council**

You are requested to attend the meeting of the Charnwood Borough Council to be held in the Preston Room, Woodgate Chambers, Woodgate, Loughborough on Monday, 3rd September 2018 at 6.30 pm for the following business.

Chief Executive

Southfields  
Loughborough

22nd August 2018

## **AGENDA**

1. APOLOGIES
2. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS
3. MINUTES OF THE PREVIOUS MEETING 6 - 13

To confirm the minutes of the Council meeting held on 25th June 2018.

4. ANNOUNCEMENTS
  - 4.1. MAYOR'S ANNOUNCEMENTS

To receive announcements from the Mayor (if any).

4.2. LEADER'S ANNOUNCEMENTS

To consider significant, recent matters affecting the Council or the Borough (if any).

4.3. CHIEF EXECUTIVE'S ANNOUNCEMENTS

To receive announcements from the Chief Executive (if any).

5. PETITIONS

To allow councillors to formally submit petitions for consideration under the Council's petition scheme, as set out in Full Council Procedure 9.8.

6. BUSINESS RESERVED TO COUNCIL

To consider the following matters reserved to Council in accordance with Section 5 of the Constitution:

6.1. LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN 14 - 20  
ANNUAL REVIEW LETTER FOR 2017/18

A report of the Monitoring Officer, informing Council of the Local Government and Social Care Ombudsman's annual review letter for 2017/18.

6.2. REVIEW OF POLLING DISTRICTS, POLLING PLACES AND 21 - 22  
POLLING STATIONS

A report of the Chief Executive, presenting a proposal to undertake the required compulsory review of polling districts, polling places and polling stations within the Borough.

7. CALL-IN REFERENCES

There are no references to Council following the call-in of a Cabinet decision under Scrutiny Committee Procedure 11.7.

8. POSITION STATEMENTS

No requests for position statements have been received.

9. MOTIONS ON NOTICE

No motions on notice have been received.

10. QUESTIONS ON NOTICE

To deal with the following questions on notice, submitted under Full Council Procedure 9.9(a):

10.1. DECENT HOMES CONTRACT

Question submitted by Councillor Hayes.

10.2. WEST OF LOUGHBOROUGH SUSTAINABLE URBAN EXTENSION

Question submitted by Councillor Hayes.

10.3. SECURITY FOR OLDER PERSON'S BUNGALOWS

Question submitted by Councillor Campsall.

10.4. SECTION 106 PAYMENTS

Question submitted by Councillor Bradshaw.

10.5. COURT FEES FOR COUNCIL TAX SUMMONS

Question submitted by Councillor Draycott.

10.6. BRING SITES

Question submitted by Councillor Draycott.

10.7. REACTIVE CONTRACTS FOR CLEANSING AND OPEN SPACES

Question submitted by Councillor K. Harris.

10.8. LOCAL GOVERNMENT IN LEICESTERSHIRE

Question submitted by Councillor Miah.

10.9. ANTI-SOCIAL BEHAVIOUR

Question submitted by Councillor Hamilton.

11. MINUTE REFERENCES

There are no minute references.

12. URGENT EXECUTIVE DECISIONS EXEMPTED FROM CALL-IN 23 - 26

A report of the Chief Executive, informing the Council of a decision taken by the Head of Strategic and Private Sector Housing to acquire a property which was exempted from call-in in accordance with Scrutiny Committee Procedure 11.9

13. CHANGES TO THE DELEGATION OF EXECUTIVE FUNCTIONS 27 - 28

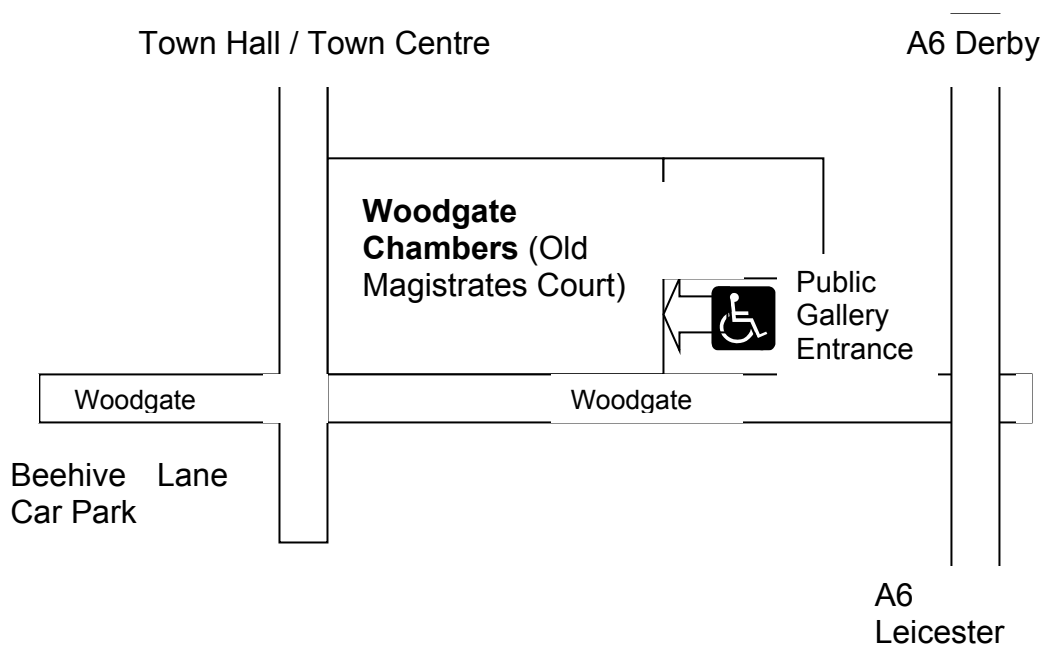
A report of the Chief Executive, informing the Council of changes to the delegation of Executive functions to officers.

14. APPOINTMENTS TO COMMITTEES

To consider any changes to Committee membership for the current Council year (2018/19) (if any).

## WHERE TO FIND WOODGATE CHAMBERS AND PUBLIC ACCESS

Woodgate Chambers  
70 Woodgate  
Loughborough  
Leics  
LE11 2TZ



## INFORMATION FOR ATTENDING THE MEETING



Please turn your mobile phone on to silent during the meeting.



Toilet facilities are available for members of the public at the back of the Public Gallery. Toilet facilities are available for members attending the meeting on the opposite side of the Foyer.



Please note that smoking is not permitted by law within the building and is also not permitted outside the building anywhere on the site. Please observe notices which request no smoking around the entrances.

## Forthcoming scheduled meetings of Council

<b>Council Meeting Date</b>	<b>Deadline Date and Time for Councillors to submit Questions on Notice (under Full Council Procedure 9.9(a)), Requests for Position Statements (under Full Council Procedure 9.10) and Motions on Notice (under Full Council Procedure 9.11(a))</b>
Monday, 5th November 2018	Friday, 26th October 2018 at noon
Monday, 21st January 2019	Friday, 11th January 2019 at noon
Monday, 25th February 2019	Friday, 15th February 2019 at noon
Monday, 25th March 2019	Friday, 15th March 2019 at noon

Councillors, please send your question, request for position statement or motion on notice to:

Karen Widdowson, Democratic Services Manager  
 Council Offices, Southfield Road, Loughborough, LE11 2TX  
 Email: [democracy@charnwood.gov.uk](mailto:democracy@charnwood.gov.uk)

**CHARNWOOD BOROUGH COUNCIL**

**MEETING OF THE CHARNWOOD BOROUGH COUNCIL  
HELD IN  
THE PRESTON ROOM, WOODGATE CHAMBERS, LOUGHBOROUGH  
ON MONDAY, 25TH JUNE 2018**

**PRESENT**

The Mayor (Councillor C. Harris)  
The Deputy Mayor (Councillor B. Seaton)

Councillor T. Barkley	Councillor R. Jones
Councillor B. Bebbington	Councillor R. Jukes
Councillor I. Bentley	Councillor P. Mercer
Councillor J. Bokor	Councillor J. Miah
Councillor J. Bradshaw	Councillor J. Morgan
Councillor M. Brookes	Councillor P. Murphy
Councillor J. Capleton	Councillor K. Pacey
Councillor B. Cooper	Councillor B. Page
Councillor M. Draycott	Councillor T. Parton
Councillor S. Forrest	Councillor J. Poland
Councillor H. Fryer	Councillor P. Ranson
Councillor D. Gaskell	Councillor C. Radford
Councillor S. Gerrard	Councillor R. Rollings
Councillor D. Grimley	Councillor J. Savage
Councillor H. Hachem	Councillor R. Shepherd
Councillor L. Hadji-Nikolaou	Councillor M. Smidowicz
Councillor C. Hamilton	Councillor D. Snartt
Councillor L. Harper-Davies	Councillor J. Sutherland
Councillor K. Harris	Councillor J. Tassell
Councillor D. Hayes	Councillor D. Taylor
Councillor R. Huddleston	Councillor J. Tillotson
Councillor J. Hunt	Councillor E. Vardy

11. OPENING THOUGHTS AND REFLECTIONS

The Mayor opened the meeting and welcomed Councillor Jane Hunt to her first Council meeting after being elected at the Quorn and Mountsorrel Castle by-election.

The Mayor stated that that the meeting was being recorded and the sound recording would be made available on the Council's website. In addition, under the Openness of Local Government Bodies Regulations people may film, record, tweet or blog the meeting and that was outside the Council's control.

The Mayor informed Council that she would not be having a Chaplain. Instead she intended to begin each Council meeting with words, poems and thoughts that could provide calm moments for reflection. She then read a poem entitled 'On Children' by Kahlil Gibran.

12. APOLOGIES

Apologies for absence had been received from Councillors Hampson, Lowe, Paling, Parsons and Smith, and from Honorary Aldermen Bush, Shields, Stott and Tormey.

13. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS

The following disclosures of pecuniary and personal interests were made:

- (i) by Councillor Bentley – a personal interest in item 8, Provision of Bring Sites, as a member of Leicestershire County Council;
- (ii) by Councillor Fryer – a personal interest in item 8, Provision of Bring Sites, as a member of Leicestershire County Council and as former chairman of the Overview Scrutiny Group that considered the matter;
- (iii) by Councillor Miah – a personal interest in item 8, Provision of Bring Sites, as a member of Leicestershire County Council;
- (iv) by Councillor Parton – a personal interest in item 8, Provision of Bring Sites, as a member of Leicestershire County Council;
- (v) by Councillor Poland – a personal interest in item 8, Provision of Bring Sites, as a member of Leicestershire County Council;
- (vi) by Councillor Radford – a personal interest in item 8, Provision of Bring Sites, as a member of Leicestershire County Council;
- (vii) by Councillor Seaton – a personal interest in item 8, Provision of Bring Sites, as a member of Leicestershire County Council;
- (viii) by Councillor Shepherd – a personal interest in item 8, Provision of Bring Sites, as a member of Leicestershire County Council;
- (ix) by Councillor Smidowicz – a personal interest in item 8, Provision of Bring Sites, as the previous Chair of the Overview Scrutiny Group

14. MINUTES

The minutes of the meeting of Council held on 21st May 2018 were confirmed and signed.



## 15. ANNOUNCEMENTS

### 15.1 MAYOR'S ANNOUNCEMENTS

The Mayor made the following announcement.

“A short reminder about my chosen charities:

#### Sense

Sense is a national disability charity that began by supporting those who are deafblind. Today they continue to do this but also support people with other complex communication needs to be understood, connected and valued. They support children, young people and adults in their home, in the community and at their centres, in their education and transition to adulthood and through holidays, arts, sport and wellbeing programmes. Also, they offer practical help and support to families and carers, including information, advice, short breaks and family events. Their mission is simple – to make sure no one with complex communication needs is isolated, left out or unable to fulfil their potential. There is a Sense charity shop in Loughborough.

#### Woodland Trust

The Woodland Trust protects and campaigns on behalf of this country's woods, plants trees and restores ancient woodlands. Their vision is a UK rich in native woods and trees for the benefit of people and wildlife and would want them enjoyed and valued by everyone within the British Isles. In total, their landholdings in the UK extend to over 73 square miles. Within Charnwood Borough there are woodlands managed by the Woodland Trust.

So, as with the previous Mayor (Councillor Pauline Ranson), if anyone's phone goes off during the Council meeting then I will be 'fining' them and any monies will go towards my charities.”

### 15.2 LEADER'S ANNOUNCEMENTS

The Leader made the following announcement.

“Madam Mayor, I was delighted to attend the official handover of the Defence and National Rehabilitation Centre at nearby Stanford Hall. The building was offered to the nation by the Duke of Westminster to the Prime Minister, Theresa May, in the presence of the Duke of Cambridge, HRH Prince William.

This facility will give world-class medical care to those members of our armed forces who have made huge sacrifices, at great personal cost, to protect the interests of this nation.

While mostly located in the neighbouring borough of Rushcliffe, the nearest town to the DNRC is of course Loughborough. I am sure every resident will join me in welcoming the patients and staff when they visit the town and borough.

This Council has long supported the Armed Forces and has its own Armed Forces Covenant. We have recently been successful in securing funding to support Armed Forces personnel in this area, working with colleagues in Rushcliffe and Melton.

I offer the Council's unwavering support to the DNRC and wish its patients and staff the very best for the future".

### 15.3 CHIEF EXECUTIVE'S ANNOUNCEMENTS

The Chief Executive made no announcements.

### 16. PETITIONS

No petitions were submitted.

### 17. BUSINESS RESERVED TO COUNCIL

There was no business reserved to Council to be considered at the meeting.

### 18. CALL-IN REFERENCES

There were no call-in references from Scrutiny.

### 19. POSITION STATEMENTS

To consider the following position statement submitted under Full Council Procedure 9.10.

#### A. The Current Provision of Bring Sites Managed by the Council and the Proposal to Close all 70

The Labour Group had requested the submission of a position statement on the bring sites managed by the Council (item 8 on the agenda filed with these minutes).

Councillor Harper-Davies introduced the position statement and thanked colleagues from all parties for the various questions submitted to the Head of Cleansing & Open Spaces.

It was explained that the change to the Bring Sites was initially examined by the Overview Scrutiny Group (OSG) on 16th October 2017 who supported the recommendations set out in the report. The matter was classified as a Key Decision as the decision affected two or more wards. All councillors were notified by e-mail on 6<sup>th</sup> June 2018 that an officer delegated decision was in the pipeline on this matter and a further e-mail was sent to all councillors on 14<sup>th</sup> June with the officer delegated decision notice attached. It was noted that no call in request was received in response to that delegated decision.

It was stated that the Council received £540,000 a year less in funding from Leicestershire County Council to operate the recycling service meaning the Council needed to run a very lean and efficient service. Accordingly the Council would be making changes to bring sites across the borough including removing 79 glass and aluminium recycling banks at a number of locations as the sites were no longer deemed necessary as materials can be recycled through the kerbside recycling service or at recyclable sites. The Council was making these changes ultimately because the recycling banks duplicated the kerbside recycling service, noting that the banks to be removed collected just over 200 tonnes of glass and aluminium last year, just over one percent of the total 16,500 tonnes of recyclable material collected by the Council. In summary the changes to the bring sites across the borough would remove a duplication of service and save approximately £20,000 a year.

The following points were raised by councillors:

- (i) Reference was made to the introduction of bring sites and the passage of time had seen an improvement in the quality of the kerbside collection service
- (ii) Reassurance was sought about the capacity of the kerbside collection service to take on the recyclable material which would have otherwise be sent to the bring sites and because of the advent of the 'consumable society'
- (iii) The relatively small level of the savings identified warranting the removal of some of the bring sites and uncertainty about the projected savings. Suggestion that the savings be used to purchase more waste bins
- (iv) Potential for more fly tipping as a consequence of the removal of some of the bring sites
- (v) Openness and transparency of how the decision was taken

- (vi) Discrepancy in the number of sites identified and the distinction between commercially or privately owned. Suggestion that on private sites the owners be charged if the facilities remain
- (vii) Some Parish Councils have queries and concerns. Suggestion that direct representations through either the Lead Member or Head of Cleansing & Open Spaces
- (viii) Improved publicity that residents can request additional bags for recycling with specific focus on students.

In summing up, Councillor Harper-Davies stated that she considered the decision making process to be very open and transparent and reiterated that the changes would not affect charity recycling banks, or the Household Waste and Recycling sites (tips) operated by the County Council. Furthermore she added that the existing sites unfortunately already attracted fly tipping and in the future the Council would be offering a removal service from commercial premises. She closed by thanking councillors for their comments and confirming her support of the officer's delegated decision on this matter.

It was proposed by Councillor Miah and seconded by Councillor Draycott that the subject of the position statement be referred to the Scrutiny Management Board (SMB).

The motion was defeated.

In accordance with Full Council Procedure 9.15(e), the following councillors asked for their individual votes in favour of the motion to be recorded:

Councillor Bradshaw  
Councillor Draycott  
Councillor Forest  
Councillor Hamilton  
Councillor K. Harris  
Councillor Huddleston  
Councillor Jones  
Councillor Miah  
Councillor Radford  
Councillor Sutherland  
Councillor Tassell  
Councillor Tillotson

20. MOTIONS ON NOTICE

No motions on notice had been submitted.

21. QUESTIONS ON NOTICE

The Questions on Notice and the responses of the Leader or his nominee were submitted (item 10 on the agenda filed with these minutes).

21.1 Councillor Fryer – Member Grants Scheme

Councillor Fryer stated an application supported by herself and her fellow ward member (Councillor Ranson) had recently been accepted which demonstrated how worthwhile the scheme was for local communities. She asked a supplementary question about whether the scheme would continue for 2019/20 and if the performance of the scheme would be scrutinised by Scrutiny.

In response Councillor Taylor reiterated that some of the onus for publicising the scheme sat with Members who have been encouraged to promote the grants scheme through their local networks. She also stated that the scheme would be reviewed later in the year but there were no plans for the matter to be taken through the scrutiny process. After the review of the effectiveness of the scheme a decision on the continuation of the scheme would be made alongside the budgetary process.

21.2 Councillor Jukes – Housing and Planning Act 2016

Councillor Jukes stated that he was saddened that the recommendations about HMO's from the 2014 review had not been actively acted upon and it had taken an act of central government to kick start HMO action. He stated that it was three years since Professor Smith of Loughborough University was commissioned to investigate Charnwood's Houses in Multiple Occupation (HMO's). He asked when the findings would be made available.

In response Councillor Smidowicz stated that Professor Smith was the world's expert and that the draft numerical analysis on the private rented sector had been presented to officers. The written report on Loughborough and the wider borough was still awaited. She also stated that the occupancy of houses in multiple occupation was not confined to student rentals and that owners of properties of five or more persons from two or more households had received letters. Crucially the Council did know which properties needed to be licensed by 1<sup>st</sup> October 2018. Reminder letters would be issued in August and failure to comply would result in a criminal offence. The Council had an Enforcement Policy and was signed up to the national landlord

database. In relation to the timing of the impact of the 2016 Act and mandatory licensing she was unable to comment but stated that houses with three plus occupancy from two or more households would be added to the database and would be used by officers for the housing Supplementary Planning Document (SPD) and planning decisions. In addition she confirmed that once Professor Smiths report was finalised a presentation to all councillors would be organised.

22. MINUTE REFERENCES

There were no minute references.

23. URGENT EXECUTIVE DECISIONS EXEMPTED FROM CALL-IN

There were no urgent decisions taken by the Cabinet or urgent key decisions taken by an officer under delegated powers that were exempted from call-in.

24. CHANGES TO THE DELEGATION OF EXECUTIVE FUNCTIONS

A report of the Chief Executive, informing the Council of changes to the delegation of Executive functions, was submitted (item 13 on the agenda filed with these minutes).

In response to a question from Councillor Miah about making amendments to Nomination Agreements in place between the Council and Registered Providers, including releasing properties from such agreements, the Leader said he would arrange for a full response to be emailed to all Councillors.

25. APPOINTMENTS TO COMMITTEES

It was proposed by Councillor Morgan, seconded by Councillor Barkley and

**RESOLVED** that Councillor Hunt be appointed to the Licensing Committee

Reason

To fill a vacancy on the Committee.

Note

These minutes are subject to confirmation as a correct record at the next meeting of Council, which is scheduled for Monday, 3rd September 2018.

**COUNCIL – 3RD SEPTEMBER 2018**

**Report of the Monitoring Officer**

**Part A**

ITEM 6.1 LOCAL GOVERNMENT & SOCIAL CARE OMBUDSMAN  
REVIEW LETTER 2017/18

Purpose of Report

To make Members aware of the Local Government & Social Care Ombudsman's (LGSCO) review letter for 2017/18, and one case of a complaint which was upheld by the LGSCO during the year, in accordance with the LGSCO's guidance which is that the Monitoring Officer should make a periodic report to Councillors summarising any upheld complaints.

Recommendation

That the Local Government & Social Care Ombudsman's review letter for 2017/18, attached as Appendix A, and the summary of the upheld complaint as set out in Part B of this report, be noted.

Reason

To comply with the guidance from the Local Government & Social Care Ombudsman that the Monitoring Officer should make Members aware of upheld complaints on a periodic basis.

Policy Justification and Previous Decisions

The LGSCO's guidance is that the Monitoring Officer should report details of complaints to Members periodically.

Implementation Timetable including Future Decisions and Scrutiny

No further actions are required to implement the recommended decision.

Report Implications

The following implications have been identified for this report.

*Financial Implications*

There are none.

*Risk Management*

There are no specific risks associated with this decision.

Background Papers:

LGSCO Decision Summary for the upheld complaint during 2017/18:

<https://www.lgo.org.uk/decisions/planning/planning-applications/16-015-303>

Officer to contact:

Adrian Ward  
Head of Strategic Support and Monitoring  
Officer  
(01509) 634573  
[adrian.ward@charnwood.gov.uk](mailto:adrian.ward@charnwood.gov.uk)



## Part B

### Background

1. The LGSCO is the final stage for complaints about councils, all adult social care providers (including care homes and home care agencies) and some other organisations providing local public services. They are a free service. They investigate complaints in a fair and independent way, and do not take sides.
2. As set out in the appended review letter for 2017/18, the LGSCO received a total of 28 complaints and enquiries about Charnwood Borough Council during 2017/18 (compared to 9 in 2016/17), and made 22 decisions (compared to 11 in 2016/17). The difference in numbers is because complaints and enquiries received during one year are sometimes not resolved until the following year.
3. As stated in the LGSCO's letter, the volume of complaints does not necessarily in itself indicate the quality of the Council's performance, and one of the most important statistics is the number of upheld complaints, which was one in 2017/18 (compared to two in 2016/17).

### Upheld Complaints

4. The upheld complaint (ref. 16 015 303) related to a planning application where the complainant was dissatisfied with the effects on his property of an extractor unit in respect of visual amenity and noise. The LGSCO found that there was fault by the Council as it had failed to check the details of the planning application properly before approving it. The LGSCO's decision was that the apology given by the Council in respect of the accepted fault and the arrangement of training for its staff was sufficient remedy, and that the principal injustice to the complainant in terms of noise was being dealt with by the Council as a potential breach of the relevant planning conditions.
5. A link to the LGSCO's full decision notice for the upheld complaint is included in the background papers section of this report.

### Appendices

Appendix A: LGSCO Review Letter for 2017/18



18 July 2018

*By email*

Geoff Parker  
Chief Executive  
Charnwood Borough Council

Dear Geoff Parker,

### **Annual Review letter 2018**

I write to you with our annual summary of statistics on the complaints made to the Local Government and Social Care Ombudsman (LGSCO) about your authority for the year ended 31 March 2018. The enclosed tables present the number of complaints and enquiries received about your authority and the decisions we made during the period. I hope this information will prove helpful in assessing your authority's performance in handling complaints.

#### **Complaint statistics**

In providing these statistics, I would stress that the volume of complaints does not, in itself, indicate the quality of the council's performance. High volumes of complaints can be a sign of an open, learning organisation, as well as sometimes being an early warning of wider problems. Low complaint volumes can be a worrying sign that an organisation is not alive to user feedback, rather than always being an indicator that all is well. So, I would encourage you to use these figures as the start of a conversation, rather than an absolute measure of corporate health. One of the most significant statistics attached is the number of upheld complaints. This shows how frequently we find fault with the council when we investigate. Equally importantly, we also give a figure for the number of cases where we decided your authority had offered a satisfactory remedy during the local complaints process. Both figures provide important insights.

I want to emphasise the statistics in this letter reflect the data we hold, and may not necessarily align with the data your authority holds. For example, our numbers include enquiries from people we signpost back to the authority, some of whom may never contact you.

In line with usual practice, we are publishing our annual data for all authorities on our website, alongside an annual review of local government complaints. The aim of this is to be transparent and provide information that aids the scrutiny of local services.

### **Future development of annual review letters**

Last year, we highlighted our plans to move away from a simplistic focus on complaint volumes and instead turn focus onto the lessons that can be learned and the wider improvements we can achieve through our recommendations to improve services for the many. We have produced a new corporate strategy for 2018-21 which commits us to more comprehensively publish information about the outcomes of our investigations and the occasions our recommendations result in improvements to local services.

We will be providing this broader range of data for the first time in next year's letters, as well as creating an interactive map of local authority performance on our website. We believe this will lead to improved transparency of our work, as well as providing increased recognition to the improvements councils have agreed to make following our interventions. We will therefore be seeking views from councils on the future format of our annual letters early next year.

### **Supporting local scrutiny**

One of the purposes of our annual letters to councils is to help ensure learning from complaints informs scrutiny at the local level. Sharing the learning from our investigations and supporting the democratic scrutiny of public services continues to be one of our key priorities. We have created a dedicated section of our website which contains a host of information to help scrutiny committees and councillors to hold their authority to account – complaints data, decision statements, public interest reports, focus reports and scrutiny questions. This can be found at [www.lgo.org.uk/scrutiny](http://www.lgo.org.uk/scrutiny) I would be grateful if you could encourage your elected members and scrutiny committees to make use of these resources.

### **Learning from complaints to improve services**

We share the issues we see in our investigations to help councils learn from the issues others have experienced and avoid making the same mistakes. We do this through the reports and other resources we publish. Over the last year, we have seen examples of councils adopting a positive attitude towards complaints and working constructively with us to remedy injustices and take on board the learning from our cases. In one great example, a county council has seized the opportunity to entirely redesign how its occupational therapists work with all of its districts, to improve partnership working and increase transparency for the public. This originated from a single complaint. This is the sort of culture we all benefit from – one that takes the learning from complaints and uses it to improve services.

### **Complaint handling training**

We have a well-established and successful training programme supporting local authorities and independent care providers to help improve local complaint handling. In 2017-18 we delivered 58 courses, training more than 800 people. We also set up a network of council link officers to promote and share best practice in complaint handling, and hosted a series of seminars for that group. To find out more visit [www.lgo.org.uk/training](http://www.lgo.org.uk/training).

Yours sincerely,



Michael King  
Local Government and Social Care Ombudsman  
Chair, Commission for Local Administration in England

**Local Authority Report:** Charnwood Borough Council  
**For the Period Ending:** 31/03/2018

For further information on how to interpret our statistics, please visit our website:  
<http://www.lgo.org.uk/information-centre/reports/annual-review-reports/interpreting-local-authority-statistics>

## Complaints and enquiries received

Adult Care Services	Benefits and Tax	Corporate and Other Services	Education and Children's Services	Environment Services	Highways and Transport	Housing	Planning and Development	Other	Total
0	9	1	1	1	1	5	10	0	28

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## Decisions made

				Detailed Investigations			
Incomplete or Invalid	Advice Given	Referred back for Local Resolution	Closed After Initial Enquiries	Not Upheld	Upheld	Uphold Rate	Total
0	0	10	10	1	1	50%	22

### Notes

Our uphold rate is calculated in relation to the total number of detailed investigations.  
 The number of remedied complaints may not equal the number of upheld complaints. This is because, while we may uphold a complaint because we find fault, we may not always find grounds to say that fault caused injustice that ought to be remedied.

### Complaints Remedied

by LGO	Satisfactorily by Authority before LGO Involvement
0	1

## COUNCIL – 3RD SEPTEMBER 2018

### Report of the Chief Executive

#### ITEM 6.2 REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS

##### Purpose of Report

To present a proposal to undertake the required compulsory review of polling districts, polling places and polling stations within the Borough.

##### Recommendation

That a review of polling districts, polling places and polling stations within the Borough be undertaken, to commence on 1st October 2018, with final proposals being reported for decision at the scheduled Council meeting on 21st January 2019.

##### Reason

To comply with the requirements of the Electoral Registration and Administration Act 2013, and to ensure that any amended arrangements for polling districts, polling places and polling stations are in place in time for the Borough elections on 2nd May 2019.

##### Policy Justification and Previous Decisions

The Electoral Registration and Administration Act 2013 introduced changes to the timing of compulsory reviews of UK Parliamentary polling districts and polling places. The next compulsory review must be started and completed between 1st October 2018 and 31st January 2020 (inclusive).

The last such review was undertaken in 2014, and the recommendations were agreed by Council at its meeting on 10th November 2014 (minute reference 46.2).

The Chief Executive, in his capacity as the (Acting) Returning Officer for Parliamentary elections, considers that it would be beneficial to commence the review on 1st October 2018, so that any amended arrangements arising from the review can be in place for the Borough elections on 2nd May 2019.

##### Implementation Timetable including Future Decisions and Scrutiny

As set out in the recommendation, a further report setting out recommendations for appropriate arrangements will be brought to the Council meeting scheduled for 21st January 2019.

A period of public consultation will be included as part of the review, and relevant parties will also be informed and given an opportunity to comment on the (Acting) Returning Officer's proposals before they are finalised, including MPs, Borough and County Councillors, political parties, and parish and town councils.

## Report Implications

The following implications have been identified for this report.

### *Financial Implications*

The review can be undertaken from within existing budgets.

### *Risk Management*

There are no specific risks associated with this decision.

Background Papers: Electoral Commission guidance on reviews of polling districts, polling areas and polling stations

<https://www.electoralcommission.org.uk/i-am-a/electoral-administrator/polling-place-reviews>

Officers to contact:

Geoff Parker  
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**COUNCIL – 3RD SEPTEMBER 2018**

**Report of the Chief Executive**

ITEM 12 URGENT EXECUTIVE DECISION EXEMPTED FROM CALL-IN:  
ACQUISITION OF PROPERTIES

Purpose of Report

To note a decision taken by the Head of Strategic and Private Sector Housing to acquire a property which was exempted from call-in in accordance with Scrutiny Committee Procedure 11.9.

Action Requested

In accordance with Full Council Procedure 9.11(d) questions may be asked of the Leader in relation to the urgent decision that was taken. The Leader may ask the relevant Lead Member to respond.

Policy Justification and Previous Decisions

The call-in procedure provides for a period of five clear working days during which councillors can ask for decisions taken by the Cabinet and key decisions taken by officers to be reviewed. With the agreement of the Chair of the Scrutiny Management Board (or in his/her absence the Mayor or Deputy Mayor) a decision can be exempted from call-in if the decision to be taken is both urgent and reasonable and the delay caused by the call-in process would not be in the interests of the Council or the public. Scrutiny Committee Procedure 11.9 requires that decisions that are exempted from call-in are reported to Council.

On 19th October 2017 the Leader delegated authority to the Head of Strategic and Private Sector Housing to acquire additional Housing Revenue Account (HRA) properties for rental. It is likely that any properties acquired will exceed £100,000 in value, and therefore each purchase will be a key decision. It would not be practical for the usual call-in arrangements for key decisions to be applied as any delay caused could result in the purchase falling through, and therefore the then Mayor, in the absence of the Chair of the Scrutiny Management Board, gave her approval for decisions taken under this delegated authority to be exempted from call-in under Scrutiny Procedure Rule 11.9. The Chair of the Scrutiny Management Board subsequently confirmed that he was happy with these arrangements. These arrangements were reported to Council on 6th November 2017 (minute 57 2017/18 refers).

The purchase of one property is being reported to this meeting of Council:

- ) 9 Middle Avenue, Loughborough (3-bedroom semi-detached house) for £162,000.



The decision of the Head of Strategic and Private Sector Housing to exchange contracts on the purchase can be found in the Annex to this report. Contracts were exchanged on 10th August 2018 and the purchase was subsequently completed on 16th August 2018.

#### Implementation Timetable including Future Decisions

As detailed within the report of the Head of Strategic and Private Sector Housing, attached as an Annex.

#### Report Implications

As detailed within the report of the Head of Strategic and Private Sector Housing, attached as an Annex.

Background Papers: [Council 6th November 2017, Item 14, Changes to Membership of the Cabinet and the Delegation of Executive Functions: Acquisition of Additional Housing Revenue Account Properties for Rental](#)

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#### Annex

Report of the decision of Head of Strategic and Private Sector Housing in respect of the acquisition of a property.

## Acquisition of Properties

9 Middle Avenue, Loughborough

ANNEX

### Decision under Delegated Powers

#### Officer Requesting Decision

Beverly Wagstaffe – Housing Strategy and Support Manager

#### Officer Making the Decision

Alison Simmons - Head of Strategic & Private Sector Housing

#### Recommendation

To approve the purchase of 9 Middle Avenue, Loughborough and for the Council to formerly Exchange Contracts.

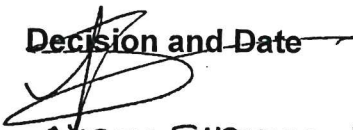
#### Reason

To utilize approved funding for the purchase of additional HRA rental properties.

#### Authority for Decision

Section 8.3, of the Constitution gives delegated authority to the Head of Strategic and Private Sector Housing to acquire additional properties for rent via the HRA where approved funding exists within the Capital Plan for the relevant financial year, and where any property acquired is subject to a Condition Survey, an Independent Valuation, Standard Legal checks, and meets identified housing needs (item 20 on page 8-20).

#### Decision and Date



Alison Simmons  
Head of Strategic and Private Sector Housing  
Background 9th August 2018

On 19<sup>th</sup> October 2017, the Leader gave delegated executive authority to the Head of Strategic & Private Sector Housing to acquire additional properties for rent via the HRA within available approved funding which has subsequently been formalised in an update of the Constitution approved by Council on the 25<sup>th</sup> June 2018

The following property has now been identified to purchase:

- 9 Middle Avenue, Loughborough – 3 bedroom semi-detached house

The seller of the property has accepted an offer of £162,000.

A Condition Survey, Valuation and Legal checks have all been satisfactorily completed.

## **Comments from HR**

Not applicable

## **Financial Implications**

The cost of acquiring the property is £162,000.

There is £1,950,000 currently available within the approved capital programme for 2018/19 of which 30% is funded from retained 141 receipts.

## **Risk Management**

No specific risks have been identified in connection with this decision.

Key Decision:

Yes, but exempted from call-in. See agenda item 14, Full Council meeting dated the 6<sup>th</sup> November 2017.

Background Papers:

Housing Acquisition Policy approved by Cabinet on the 10<sup>th</sup> May 2018

**COUNCIL – 3RD SEPTEMBER 2018**

**Report of the Chief Executive**

ITEM 13     CHANGES TO THE DELEGATION OF EXECUTIVE  
FUNCTIONS

Purpose of Report

To inform Council of changes to the delegation of Executive functions.

Policy Justification and Previous Decisions

At the Council Meeting on 6th November 2017, Council resolved that Councillor Jonathan Morgan be appointed Leader of the Council for the remainder of the Council term from 2015/16 to 2018/19 (Council minute 50.1 2017/18 refers).

As required by the Constitution, the Chief Executive reports to Council whenever the Leader makes a change to the composition of the Cabinet, or to the allocation of Executive functions to the Cabinet, individual Cabinet members or officers.

On 27th June 2018, Councillor Morgan, as Leader of the Council, made a change to the delegation of Executive functions to officers. The change gave delegated authority to the Chief Executive to exercise the voting rights attaching to the Council's shareholdings in Great Central Railway (1986) plc. The Council holds ordinary fully paid up shares in Great Central Railway (1986) plc. The additional delegation of authority will ensure that the Council can exercise the voting rights attached to those shares, for example at annual general meetings of the company.

Implementation Timetable including Future Decisions and Scrutiny

The Leader may amend the size and composition of the Cabinet and the scheme of delegation relating to Executive functions at any time during the year. The Chief Executive will present a report to the next ordinary meeting of the Council setting out the changes made by the Leader.

Report Implications

*Financial Implications*

There are no financial implications associated with the changes to the delegation of Executive functions.

*Risk Management*

No specific risks have been identified in connection with this report.

Background Papers: None

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