

# CHARNWOOD BOROUGH COUNCIL

## MEETING OF THE CHARNWOOD BOROUGH COUNCIL HELD IN THE PRESTON ROOM, WOODGATE CHAMBERS, WOODGATE, LOUGHBOROUGH ON 5TH NOVEMBER 2018

### PRESENT

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

Councillor Barkley	Councillor Lowe
Councillor Bebbington	Councillor Mercer
Councillor Bentley	Councillor Miah
Councillor Bokor	Councillor Morgan
Councillor Bradshaw	Councillor Murphy
Councillor Brookes	Councillor Pacey
Councillor Capleton	Councillor Page
Councillor Draycott	Councillor Paling
Councillor Forrest	Councillor Parsons
Councillor Fryer	Councillor Parton
Councillor Gerrard	Councillor Poland
Councillor Grimley	Councillor Ranson
Councillor Hachem	Councillor Rattray
Councillor Hadji-Nikolaou	Councillor Rollings
Councillor Hamilton	Councillor Savage
Councillor Hampson	Councillor Shepherd
Councillor Harper-Davies	Councillor Smidowicz
Councillor K. Harris	Councillor Snartt
Councillor Hayes	Councillor Tassell
Councillor Huddlestone	Councillor Taylor
Councillor Hunt	Councillor Tillotson
Councillor Jukes	Councillor Vardy

Honorary Aldermen Shields and Tormey

#### 41. COUNCILLOR JOHN SUTHERINGTON

The Mayor opened the meeting and welcomed Councillor Shona Rattray to her first Council meeting following her election for the Birstall Wanlip ward on 13th September 2018.

The Mayor informed Council of the death of Councillor John Sutherland. The Mayor stated that Councillor Sutherland had been a councillor since 1999 and had served the people of Charnwood, and Anstey in particular, with dedication and distinction for all those years, always accompanied by kindness and his warm sense of humour. The Mayor invited councillors to stand for a minute's silence in memory of Councillor Sutherland and in sympathy with his family and friends.

The Mayor then went on to state 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.

#### 42. APOLOGIES

Apologies for absence had been received from Councillors Campsall, Cooper, Gaskell, Radford and Smith and from Honorary Aldermen Bush and Stott.

#### 43. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS

The Mayor referred to the fact that councillors may have received lobbying emails and leaflets from the Campaign to Protect Rural England and the South and East Leicestershire Action Group in relation to item 6.3 on the agenda, the Leicester and Leicestershire Strategic Growth Plan, and in particular the proposed A46 expressway. The Mayor advised that if any councillor felt that they did not have an open mind on the matter then they should declare that and not take part in consideration of that agenda item.

The following disclosures of pecuniary and personal interests were made:

- (i) by Councillor Bentley – personal interests in items 6.3, Leicester and Leicestershire Strategic Growth Plan, and 8B, To Update the Council on the Current Situation regarding Local Government in Leicestershire, as a member of Leicestershire County Council;
- (ii) by Councillor Fryer – personal interests in items 6.3, Leicester and Leicestershire Strategic Growth Plan, and 8B, To Update the Council on the Current Situation regarding Local Government in Leicestershire, as a member of Leicestershire County Council;
- (iii) by Councillor Grimley – a personal interest in item 6.3, Leicester and Leicestershire Strategic Growth Plan, as he represented an area that would be affected by the Plan and had received representations from parish councils and parish meetings in his ward and interested local groups; he had expressed concerns about the proposals but would listen to the debate and had an open mind;
- (iv) by Councillor Miah – personal interests in items 6.1, Capital Plan Amendment Report, 6.3, Leicester and Leicestershire Strategic Growth Plan, and 8B, To Update the Council on the Current Situation regarding Local Government in Leicestershire, as a member of Leicestershire County Council;
- (v) by Councillor Parton – personal interests in items 6.1, Capital Plan Amendment Report, 6.3, Leicester and Leicestershire Strategic Growth Plan, and 8B, To Update the Council on the Current Situation regarding Local Government in Leicestershire, as a member of Leicestershire County Council, and a personal interest in item 10.5, Loughborough Town Centre Initiatives to Encourage Retail Health, as a member of the Loughborough Town Team appointed by Leicestershire County Council;

- (vi) by Councillor Poland – personal interests in items 6.3, Leicester and Leicestershire Strategic Growth Plan, and 8B, To Update the Council on the Current Situation regarding Local Government in Leicestershire, as a member of Leicestershire County Council;
- (vii) by Councillor Rollings – a personal interest leading to bias in item 6.3, Leicester and Leicestershire Strategic Growth Plan, as two clients of the firm that he worked for had made representations on the Plan; although he had not been directly involved he would withdraw during the consideration of the item;
- (viii) by Councillor Seaton – personal interests in items 6.3, Leicester and Leicestershire Strategic Growth Plan, and 8B, To Update the Council on the Current Situation regarding Local Government in Leicestershire, as a member of Leicestershire County Council;
- (ix) by Councillor Shepherd – personal interests in items 6.3, Leicester and Leicestershire Strategic Growth Plan, and 8B, To Update the Council on the Current Situation regarding Local Government in Leicestershire, as a member of Leicestershire County Council;
- (x) by Councillor Taylor – personal interests in items 6.3, Leicester and Leicestershire Strategic Growth Plan, and 8B, To Update the Council on the Current Situation regarding Local Government in Leicestershire, as a member of Leicestershire County Council.

#### 44. MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting of Council held on 3rd September 2018 were confirmed as a correct record and signed.

Councillor Hayes stated that he wished it to be recorded that minutes 36(a) and 36(b) were an abbreviated version of what had been said at the meeting.

#### 45. ANNOUNCEMENTS

##### 45.1 MAYOR'S ANNOUNCEMENTS

The Mayor welcomed Professor Allison, Vice-Chancellor of Loughborough University and Rahul Mathesing, President of Loughborough Students' Union to the meeting.

Professor Allison stated that Loughborough's twin town of Epinal had presented a gift of a beehive to Loughborough to commemorate the sixtieth anniversary of the twinning of the two towns in 2016. The beehive had been donated to the University by the then Mayor, Councillor Gaskell, and this year it had produced 200 pounds of honey.

As a token of the University's appreciation and to thank the Council for its support Professor Allison wished to present a jar of the honey, which had been named Loughborough Gold, to each councillor. In addition Professor Allison referred to the support given to the University by the Council's Civic Officers, former Mayors Paul Day and Diane Wise, and former Leader of the Council David Slater.

The Mayor thanked Professor Allison and welcomed Rahul Mathasing as the new Students' Union President.

## 45.2 LEADER'S ANNOUNCEMENTS

The Leader made the following announcements.

### Vichai Srivaddhanaprabha

People across Leicestershire and the footballing world were shocked and deeply moved by the death of the chairman of Leicester City Football Club and four other people at the weekend. The club is a committed and integral part of the city and county community and its achievements have brought immeasurable joy and pride to many people. To show its support for the club the Council has been lighting the outside of the Southfields offices in blue and has done so again tonight. A book of condolence in memory of those who died has also been opened. It is in the Council's main reception for anyone who wishes to write a message. I have also written to Leicester City Football Club on behalf of the Council to express our sincere condolences to everyone at the club following the tragic events.

### Defence and National Rehabilitation Centre

I would like to welcome the Government's recent Budget announcement to provide an extra £70 million for the Defence and National Rehabilitation Centre at Stanford Hall. While just over the Charnwood border, this world-class facility is very close to Loughborough and we are proud to support it. This Council is a long-time supporter of the Armed Forces, having signed the Armed Forces Covenant and secured funding, with colleagues from Rushcliffe and Melton councils, for a project to improve support for serving and former military personnel. This extra Government funding means that, in time, members of the public will also be able to receive treatment at the DNRC as well as military personnel. This is great news for the area.

### Update on Local Government Reform in Leicestershire

As a preliminary announcement prior to the Council's consideration of a wider position statement regarding local government arrangements in Leicestershire, I would like to confirm that Leicestershire's MPs have written to the leaders of all seven district councils and the leader of Leicestershire County Council about their respective reviews of the structure of local government in Leicestershire and specifically the County Council's ambition to create a single unitary council. The MPs have made it very clear that in their view, which is supported by the Secretary of State, commissioning any reviews of the local authority structure is "wholly unnecessary" and any such reviews should immediately stop - which the district councils accept.

### 45.3 CHIEF EXECUTIVE'S ANNOUNCEMENTS

The Chief Executive made no announcements.

### 46. PETITIONS

No petitions were submitted.

### 47. BUSINESS RESERVED TO COUNCIL

#### 47.1 CAPITAL PLAN AMENDMENT REPORT

A report of the Cabinet, seeking approval for changes to the 2018/19-2020/21 Capital Plan and its financing, was submitted (item 6.1 on the agenda filed with these minutes).

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

**RESOLVED** that the Acquisition of Affordable Housing to meet housing need Housing Revenue Account (HRA) scheme be increased by the sum of £941k and that this sum be added to the Capital Plan in 2019/20 and that it proceeds.

#### Reason

To confirm that the Acquisition of Affordable Housing to meet housing need HRA scheme should be increased to the sum of £941k, and that the cost be funded 30% from retained 141 capital receipts and 70% from HRA Reserves.

#### 47.2 GAMBLING STATEMENT OF PRINCIPLES 2019-2022

A report of the Licensing Committee, enabling the Council to consider a revised Statement of Principles made under the Gambling Act 2005, was submitted (item 6.2 on the agenda filed with these minutes).

It was proposed by Councillor Pacey and seconded by Councillor Lowe that the Statement of Principles made under the Gambling Act 2005, set out in Annex A to the report of the Licensing Committee, be approved and adopted with effect from 31st January 2019.

In response to a question, Councillor Pacey stated that the Council would look again at the production of a risk map as referenced in the first issue raised in the GamCare consultation response.

**RESOLVED** that the Statement of Principles made under the Gambling Act 2005, set out in Annex A to the report of the Licensing Committee, be approved and adopted with effect from 31st January 2019.

### Reason

To ensure that, under Section 349 of the Gambling Act 2005, the Council has an up to date Statement of Principles to adhere to which sets the Council's policy in respect of meeting the licensing objectives and responsibilities under the Gambling Act 2005.

### 47.3 LEICESTER AND LEICESTERSHIRE STRATEGIC GROWTH PLAN

A report of the Cabinet, enabling the Council to consider the revised Leicester and Leicestershire Strategic Growth Plan, was submitted (item 6.3 on the agenda filed with these minutes).

Having disclosed a personal interest leading to bias, Councillor Rollings left the meeting prior to the consideration of the item.

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

### **RESOLVED**

1. that the Strategic Growth Plan (SGP) "Leicester and Leicestershire 2050: Our Vision for Growth" (attached at Appendix A to the report of the Head of Planning and Regeneration, attached as an Annex to the report of the Cabinet) be approved;
2. that the Chief Executive, following consultation with the Leader and the Joint Strategic Planning Manager, be authorised to agree prior to publication any final minor amendments to the SGP which do not significantly change the overall content or purpose of the document prior to its publication.

### Reasons

1. Approval of the Strategic Growth Plan will put in place a key long-term strategy for the future development and prosperity of Leicester and Leicestershire.
2. The revised Strategic Growth Plan document is being submitted to each participating authority for approval during the autumn/early winter and it is likely that, during this process, the need for some minor changes will be identified. Enabling the Chief Executive to make such amendments following consultation with the Leader and Joint Strategic Planning Manager will avoid unnecessary delay. The Joint Strategic Planning Manager reports to all partner organisations and acts on behalf of the Members' Advisory Group (MAG).

### 48. CALL-IN REFERENCES

Councillor Rollings rejoined the meeting.

There were no call-in references from Scrutiny.

#### 49. POSITION STATEMENTS

The texts of the position statements were submitted (item 8 on the agenda filed with these minutes).

##### 49.1 RESPONSE TO THE ROLLOUT OF UNIVERSAL CREDIT IN THE BOROUGH

The position statement was presented by Councillor Mercer and the following issues were raised:

- (i) The introduction of Universal Credit was a significant change to the benefits system. The Government's aim was to simplify the benefits system, including replacing tax credits, and make working more financially advantageous for individuals.
- (ii) Problems with the introduction of Universal Credit had been well documented along with the difficulties experienced by claimants, especially the most vulnerable. There was a particularly problem associated with the gap between making a claim and receiving benefit payments.
- (iii) The Council had to deal with the introduction of Universal Credit and had responded by putting in place a comprehensive set of measures. The work of Council officers in doing so on behalf of vulnerable residents was commended.
- (iv) There were concerns that the introduction of Universal Credit would result in an increase in Council rent arrears.
- (v) Some councillors had received correspondence relating to difficulties experienced by people as a result of the introduction of Universal Credit and others had not.
- (vi) Concerns were expressed regarding how some claimants had been treated by Council staff.

In summing up Councillor Mercer stated that the priority of Universal Credit was encouraging people into work. He was proud of the work Council officers had done in dealing with the introduction of Universal Credit.

##### 49.2 TO UPDATE THE COUNCIL ON THE CURRENT SITUATION REGARDING LOCAL GOVERNMENT IN LEICESTERSHIRE

The position statement was presented by Councillor Morgan and the following issues were raised:

- (i) Any structural change in local government would require an Act of Parliament and evidence of local support. Local MPs had stated that they were not willing to support Leicestershire County Council's proposal for a single unitary authority.
- (ii) All councillors should have been involved in determining the Council's position on the matter. It should not be determined solely by the Leader of the Council or local MPs.

- (iii) Some form of reorganisation at a point in the future should not be ruled out and it could take the form of one, two or three unitary authorities. A structure with two or three councils would be closer to local people.
- (iv) It was important that local authorities in Leicestershire worked together to consider the options that were available.
- (v) Undertaking further work on the matter at the current time appeared to be a waste of Council resources.
- (vi) Different views were expressed regarding the savings that would result from reorganisation.
- (vii) Leicestershire County Council intended to continue with its consultation exercise and that would enable the views of stakeholders and the public to be known.

In summing up Councillor Morgan stated that any dialogue and process of change would take time. It was important that any proposals were the best ones for the public as the process of reorganisation itself could have a negative effect on the services that were provided.

#### 50. MOTIONS ON NOTICE

No motions on notice had been submitted.

#### 51. 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).

##### 51.1 COUNCILLOR DRAYCOTT - CHARNWOOD LOTTERY

Councillor Draycott thanked the Lead Member for her response and stated that one reason for the low take up of the lottery was that the chances of winning one of the prizes were very low. Information regarding the chances of winning was available on the Council's website but had not been highlighted in the committee reports relating to the introduction of the lottery. A low take up would mean that it would take longer for the costs of setting up the scheme to be recovered.

Councillor Taylor provided an update on the number of people and organisations participating in the lottery and stated that the main reason people bought tickets was to contribute to good causes rather than because of the chance that they might win a prize. It was necessary for there to be a platform, which had to be paid for, in order for the lottery to operate.

##### 51.2 COUNCILLOR DRAYCOTT - INTRODUCTION OF UNIVERSAL CREDIT

Councillor Draycott stated that the Council had done first class work to prepare for the introduction of Universal Credit but it was still having an effect on people. There were 242 tenants on Universal Credit who were in rent arrears and 40 had received a notice of seeking possession or other legal action. The Lead

Member also could not say how many rent arrears letters had been sent out to those tenants. She asked the Lead Member to intervene in those 40 cases so that the tenants were not evicted. The total amount of arrears of Universal Credit claimants was £129,000 and, as reported to the Housing Management Advisory Board, substantial arrears were building up.

Councillor Mercer stated that he had looked at the 40 cases in more detail and only one of those tenants had gone into arrears after Universal Credit had been introduced. The Council always had some tenants who were in arrears. The Council would help those tenants who were struggling to pay. The Council would only evict tenants if they were deliberately avoiding paying their rent and then only following a gradual process which took longer than the waiting time for the initial payment of Universal Credit. It was too early to say what the overall effect of Universal Credit on arrears would be.

#### 51.3 COUNCILLOR BRADSHAW - LICENSING OF HOUSES IN MULTIPLE OCCUPATION

Councillor Bradshaw thanked the Lead Member for the response and requested that further information be provided regarding:

- the total number of houses in multiple occupation (HMOs) in Charnwood and the number of those that were in Loughborough
- the total number of HMOs that had a licence in Charnwood and the number of those that were in Loughborough
- the total number of HMOs that appeared to require a licence, based on research undertaken at Loughborough University, in Charnwood and the number of those that were in Loughborough.

Councillor Smidowicz stated that she would provide the information requested. Information had been publicised in the local press regarding the number of HMOs but not all of the HMOs identified by the research would require a licence. Not all HMOs were occupied by students and not all HMOs were in Loughborough. The Council was prioritising those properties where there might be problems and ensuring that HMOs had the appropriate gas safety certificates and electrical wiring checks.

NOTE: The information requested is set out in the appendix to these minutes.

#### 51.4 COUNCILLOR PARTON - WASTE ACCUMULATION COMPLAINTS AT HOUSES IN MULTIPLE OCCUPATION

Councillor Parton stated that for some students careful disposal of waste was not a priority and some landlords were not interested in the issue. He asked whether the licensing of landlords would have an effect on the problem and stated that he and Councillor Mercer would be making a suggestion that Loughborough University should contribute to a waste education programme for students.

Councillor Smidowicz stated that she had visited five different wards and been shocked by the waste that had been left. From the nature of the waste it was clear that not all of the people causing those problems were students. She was surprised that people had not complained to the Council about the problems and there was a role for councillors and the public to ensure that the Council was aware of those problems.

#### 51.5 COUNCILLOR PARTON - LOUGHBOROUGH TOWN CENTRE INITIATIVES TO ENCOURAGE RETAIL HEALTH

Councillor Parton stated that it was important that the public understood both how difficult trading conditions were and what the Council, Loughborough BID and the Loughborough Town Team were doing to provide support for Loughborough town centre. It was important that everybody worked together as the problems for traders would only get worse.

Councillor Vardy thanked Councillor Parton for his question and stated that the recent Budget had included an announcement about Business Rates relief for small businesses and funding to help with the reinvigoration of high streets. It was not yet clear how those initiatives would operate in practice but the Council would seek for some of that funding to be directed to Charnwood. It was important that the Council did what it could but businesses also had to respond imaginatively to meet the challenges ahead.

#### 51.6 COUNCILLOR PARTON - THE WORK OF COMMUNITY HUBS

Councillor Parton referred to his role as Community Cohesion Champion. He had recently visited the three Community Hubs in Loughborough and had been greatly impressed by the work that was being done there and the people who were undertaking that work in areas that were affected by deprivation and increased isolation.

Councillor Taylor thanked Councillor Parton for what he had said and stated that she echoed his words. The Community Hubs did great work and she was very proud of them.

#### 51.7 COUNCILLOR MIAH - CEMETERY PROVISION FOR LOUGHBOROUGH

Councillor Miah thanked the Lead Member for her honest answer. He stated that the Cabinet had got it wrong to initially support the Allendale Road site and that scrutiny had done its job. However there had been no consequences arising from that and the extra costs that had been incurred by the Council as a result, and the Lead Member should therefore apologise.

Councillor Bokor stated that she was bemused by Councillor Miah's statement. It had been an excellent example of decision making including the value of scrutiny. The process of checks and balances had worked and following further examination of all the options the Cabinet's preferred option had been supported by public consultation.

52. MINUTE REFERENCES

There were no minute references.

53. 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 12 on the agenda filed with these minutes).

54. URGENT EXECUTIVE DECISIONS EXEMPTED FROM CALL-IN

A report of the Chief Executive, informing the Council of a number of urgent decisions that were exempted from call-in in accordance with Scrutiny Committee Procedure 11.9, was submitted (item 13 on the agenda filed with these minutes).

In response to a question from Councillor Draycott, Councillor Morgan stated that a written response would be provided by the Lead Member for Housing regarding whether the purchase of three-bedroomed properties, as opposed to two-bedroomed properties and bungalows, as additional Housing Revenue Account properties for rental was in accordance with the Council's policy.

NOTE: The written response referred to above is still awaited.

55. APPOINTMENTS TO COMMITTEES

A report of the Chief Executive, to confirm changes to the membership of committees, was submitted (item 14 on the agenda filed with these minutes).

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

**RESOLVED** that the appointments set out below be made:

<b>Committee</b>	<b>Past representative</b>	<b>New representative</b>
Overview Scrutiny Group	Vacancy	Councillor Gerrard
Appeals and Reviews Committee (Vice-chair)	Councillor Gaskell	Councillor Hunt
Member Conduct Committee	Councillor Gaskell	Councillor Ranson
Plans Committee	Councillor Gaskell	Councillor Gerrard

Reason

To reflect the wishes of the Conservative group in making appointments to committees and to comply with sections 11.2(d) and 12.4(a) of the Council's Constitution.

Note:

These minutes are subject to confirmation as a correct record at the next meeting of the Council which is scheduled for Monday 21st January 2019

**COUNCIL - 5TH NOVEMBER 2018**

Responses to questions and requests for additional information

Minute No. 51.3 - Councillor Bradshaw – Licensing of Houses in Multiple Occupation

The following information was requested.

<b>Question</b>	<b>Response</b>
Total number of HMOs in Charnwood and the number of those that are in Loughborough	2,509 HMOs in Charnwood 1,853 of which are in Loughborough.
Total number of HMOs that have a licence in Charnwood and the number of those that are in Loughborough	393 Licensed HMOs in Charnwood 391 of which are in Loughborough
Total number of HMOs that appear to require a licence based on research undertaken at Loughborough University and the number of those that are in Loughborough	189 (2 storey or less 'new' licensable HMOs) in Charnwood 183 of which are in Loughborough

Minute No. 54 Urgent Executive Decisions Exempted from Call-in

A written response regarding whether the purchase of three-bedroomed properties, as opposed to two-bedroomed properties and bungalows, as additional Housing Revenue Account properties for rental was in accordance with the Council's policy is still awaited.