

**CHARNWOOD BOROUGH COUNCIL**

**MEETING OF THE CHARNWOOD BOROUGH COUNCIL  
HELD IN  
THE PRESTON ROOM, WOODGATE CHAMBERS, WOODGATE,  
LOUGHBOROUGH  
ON 21ST JANUARY 2019**

**PRESENT**

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

Councillor Baines	Councillor Lowe
Councillor Barkley	Councillor Mercer
Councillor Bebbington	Councillor Miah
Councillor Bentley	Councillor Morgan
Councillor Bokor	Councillor Murphy
Councillor Bradshaw	Councillor Pacey
Councillor Brookes	Councillor Page
Councillor Campsall	Councillor Paling
Councillor Capleton	Councillor Parton
Councillor Cooper	Councillor Poland
Councillor Draycott	Councillor Radford
Councillor Fryer	Councillor Ranson
Councillor Gerrard	Councillor Rattray
Councillor Hadji-Nikolaou	Councillor Rollings
Councillor Hamilton	Councillor Savage
Councillor Hampson	Councillor Shepherd
Councillor Harper-Davies	Councillor Smidowicz
Councillor K. Harris	Councillor Smith
Councillor Hayes	Councillor Snartt
Councillor Huddleston	Councillor Tassell
Councillor Hunt	Councillor Taylor
Councillor Jukes	Councillor Tillotson

Honorary Aldermen Shields and Tormey

56. OPENING THOUGHTS AND REFLECTIONS

The Mayor opened the meeting and welcomed Councillor Paul Baines to his first Council meeting following his election for the Anstey ward on 20th December 2018.

The Mayor wished all members of the Council a happy, healthy and prosperous year and reflected on the theme of new dawns and hopes. She concluded by reading the poem "Hope" is the thing with feathers' by Emily Dickinson.

The Mayor then went on to state 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.

57. APOLOGIES

Apologies for absence had been received from Councillors Forrest, Gaskell, Grimley, Hachem, Parsons and Vardy and Honorary Alderman Stott.

58. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS

The following disclosures of pecuniary and personal interests were made:

- (i) by Councillors Fryer and Miah – personal interests in item 6.1 (Medium Term Financial Strategy 2019-2022) as members of Leicestershire County Council.

59. MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting of Council held on 5th November 2018 were confirmed as a correct record and signed.

60. ANNOUNCEMENTS

60.1 MAYOR'S ANNOUNCEMENTS

The Mayor made the following announcements.

“Councillors will be aware of the recent death of Mrs Maureen Pacey. I think that it is fitting to record again the Council's thanks for the service she provided as Mayoress of this Borough.”

The Mayor also invited Councillors to attend the Holocaust Memorial Day event that would be taking place at Queen's Park in Loughborough on Sunday, 27th January 2019.

60.2 LEADER'S ANNOUNCEMENTS

There were no Leader's announcements.

60.3 CHIEF EXECUTIVE'S ANNOUNCEMENTS

The Chief Executive made no announcements.

61. PETITIONS

No petitions were submitted.

## 62. BUSINESS RESERVED TO COUNCIL

### 62.1 MEDIUM TERM FINANCIAL STRATEGY 2019-2022

A report of the Cabinet, enabling the Council to consider a Medium Term Financial Strategy for 2019-2022, was submitted (item 6.1 on the agenda filed with these minutes).

Councillor Hampson joined the meeting at 6.40pm.

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

**RESOLVED** that the Medium Term Financial Strategy 2019-2022, as appended to the report to the Cabinet (attached as an Annex), be approved.

#### Reason

To identify the financial issues affecting the Council and the Borough in the medium term in order to provide a base for priorities to be set and to inform the Council's budget-setting process.

### 62.2 TREASURY MANAGEMENT UPDATE - MID-YEAR REVIEW FOR THE SIX MONTHS ENDED 30TH SEPTEMBER 2018

A report of the Cabinet, enabling the Council to consider the mid-year review of the Treasury Management Strategy and Annual Investment Strategy, plus the various Prudential Borrowing and Treasury Indicators for the first six months of 2018/19, was submitted (item 6.2 on the agenda filed with these minutes).

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

**RESOLVED** that the mid-year review of the Treasury Management Strategy Statement, Prudential Borrowing and Treasury Indicators plus the Annual Investment Strategy as shown in Part B of the report to the Cabinet (attached as an Annex) be noted.

#### Reason

To ensure that the Council's governance and management procedures for Treasury Management reflect best practice and comply with the Revised CIPFA Treasury Management in the Public Services Code of Practice, Guidance Notes and Treasury Management Policy Statement, that funding of capital expenditure is taken within the totality of the Council's financial position and that borrowing and investment is only carried out with proper regard to the Prudential Code for Capital Finance in Local Authorities.

### 62.3 CAPITAL PLAN AMENDMENT REPORT

A report of the Cabinet, seeking approval for changes to the 2018/19 to 2020/21 Capital Plan and its financing, was submitted (item 6.3 on the agenda filed with these minutes).

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

#### **RESOLVED**

1. that the Acquisition of Affordable Housing to meet Housing Need HRA scheme be increased by the sum of £477,000, be added to the Capital Plan in 2020/21 and that it proceeds;
2. that slippage of the Loughborough University Science and Enterprise Park budget of £350,000 from 2018/19 to 2019/20 be approved.

#### Reasons

1. To confirm that the Acquisition of Affordable Housing to meet Housing Need HRA scheme should be increased to the sum of £477,000, and that the cost be funded 30% from retained 141 capital receipts and 70% from HRA reserves.
2. To enable the scheme budget to be available in 2020/21.

### 62.4 REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS - OUTCOME

A report of the Chief Executive, presenting the outcomes of the required review of polling districts, polling places and polling stations within the Borough, was submitted (item 6.4 on the agenda filed with these minutes).

It was proposed by Councillor Poland and seconded by Councillor Ranson:

1. that the proposals of the Chief Executive as set out in the Annex to the report of the Chief Executive, which are put forward in his capacity as the (Acting) Returning Officer for parliamentary elections, for future arrangements for polling districts, polling places and polling stations be approved;
2. that delegated authority be given to the Chief Executive to make suitable alternative arrangements for polling stations in the following cases where details have yet to be finalised, as detailed in the Annex:
  - Polling District CD – Birstall Wanlip No.2 (Birstall Wanlip ward)
  - New Polling District of Hamilton Lea (Queniborough ward)
  - New Polling District of Mountsorrel No.3 (Rothley & Thurcaston ward)

- Polling District R – Loughborough Shelthorpe No.1 (Loughborough Shelthorpe ward).

The following issues were raised during the debate:

- (i) by Councillor Radford – whether information provided to voters could make clear that Iveshead School used to be called Hind Leys School;
- (ii) by Councillor Radford – clarification of the position of voters currently in Shepshed parish and the Shepshed East ward that would be in the Stonebow parish at the forthcoming elections and how that information had been communicated;
- (iii) by Councillor Draycott – whether the lighting formerly used at the previous Cobden School polling station could be used at the new polling station to be located at the pre-school.

Councillor Poland stated that written responses would be provided in respect of those issues.

## **RESOLVED**

1. that the proposals of the Chief Executive as set out in the Annex to the report of the Chief Executive, which are put forward in his capacity as the (Acting) Returning Officer for parliamentary elections, for future arrangements for polling districts, polling places and polling stations be approved;
2. that delegated authority be given to the Chief Executive to make suitable alternative arrangements for polling stations in the following cases where details have yet to be finalised, as detailed in the Annex:
  - Polling District CD – Birstall Wanlip No.2 (Birstall Wanlip ward)
  - New Polling District of Hamilton Lea (Queniborough ward)
  - New Polling District of Mountsorrel No.3 (Rothley & Thurcaston ward)
  - Polling District R – Loughborough Shelthorpe No.1 (Loughborough Shelthorpe ward).

## Reasons

1. To comply with 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.
2. To allow suitable arrangements for polling stations to be made should it not prove possible to implement the relevant indicative proposals set out in the Annex.

NOTE: Details of the written responses referred to above can be found in the appendix to these minutes.

## 62.5 AUTHORISATION OF ABSENCE - COUNCILLOR DAVID GASKELL

A report of the Chief Executive, enabling the Council to consider authorising Councillor David Gaskell's absence from meetings in accordance with section 85(1) of the Local Government Act 1972, was submitted (item 6.5 on the agenda filed with these minutes).

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

**RESOLVED** that Councillor David Gaskell's absence from meetings since the Licensing Committee meeting on 7th August 2018 be authorised due to his ill health.

### Reason

To enable Councillor Gaskell's absence to be authorised by the Council prior to the end of the six-month period since he was last able to attend a meeting as required by section 85(1) of the Local Government Act 1972.

## 62.6 POLITICAL BALANCE AND APPOINTMENTS TO COMMITTEES FOR 2018/19

A report of the Chief Executive, enabling the Council to consider the political balance of the applicable Council committees for 2018/19, appointments to committees in accordance with the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 and other appointments as required, was submitted (item 6.6 on the agenda filed with these minutes).

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

### **RESOLVED**

1. that the revised political balance arrangements for the Council year 2018/19, as set out in Appendix 1 to the report of the Chief Executive, be approved in accordance with the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990;
2. that the following appointments be made to fill vacancies on the Council's committees:
  - Councillor Miah – as a member of the Licensing Committee
  - Councillor Ranson – as a member of the Licensing Committee
  - Councillor Baines – as a member of the Overview Scrutiny Group.

## Reasons

1. To ensure that the composition of the Council's committees reflects the political balance of the Council.
2. To reflect the wishes of political groups in making appointments to applicable committees in accordance with the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 and to fill vacancies on other committees.

### 63. CALL-IN REFERENCES

There were no call-in references from Scrutiny.

### 64. POSITION STATEMENTS

No position statements had been requested.

### 65. MOTIONS ON NOTICE

No motions on notice had been submitted.

### 66. 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).

#### 66.1 FIVE YEAR HOUSING LAND SUPPLY

Councillor Snartt stated that he was disappointed with the answer that had been provided. He stated that the answer did not fit with the findings and recommendations of the recent scrutiny panel on the five-year housing land supply that had been submitted to the Cabinet. It had been agreed that the five-year housing land supply would become a key performance indicator that would be monitored by the Performance Scrutiny Panel. It was unclear from the limited information provided in the answer how that could be achieved. Nor did the information provide clarity or certainty regarding whether the Council would be able to demonstrate a five-year housing land supply when the calculations were done at the end of March 2019. This was of concern because in the past not being able to demonstrate a five-year housing land supply had led to unplanned, piecemeal development in the Borough's villages. Councillor Snartt also noted that no dwellings had yet been built in the sustainable urban extensions set out in the Core Strategy. He requested that the matter be looked at again and a further response provided that supported the findings of the scrutiny panel.

Councillor Morgan stated that the Cabinet decision, in response to the scrutiny panel's recommendations, was to include the five-year housing land supply as

a key performance indicator and as such progress would be reported quarterly to the Performance Scrutiny Panel.

#### 66.2 ALTERNATIVE MEANS OF ASSISTING BEGGARS AND ROUGH SLEEPERS

Councillor Parton referred to national statistics relating to deaths of rough sleepers. In Charnwood there were a number of agencies that helped rough sleepers but he queried what individuals could do. There were schemes that enabled people to donate via text message to support agencies that worked with rough sleepers and saved lives. Councillor Parton stated that he wished to see the Council adopt such a scheme.

Councillor Mercer stated that it was an idea that the Council would look at. The Council already did a huge amount to address the problem of rough sleeping. He stated that the beggars in Loughborough town centre tended not be rough sleepers and the rough sleepers tended not to be beggars. The recent annual survey identified three rough sleepers none of whom came from Charnwood but all of whom had been assisted. Councillor Mercer stated that he was keen to encourage people to donate to charities that helped the homeless rather than encourage begging in Loughborough.

#### 66.3 PRIORITY NEIGHBOURHOOD AREAS IN CHARNWOOD

Councillor Parton stated that many people living in the four priority neighbourhoods identified by the Council needed extra help and there were 24 projects that were managed, financed or supported by the Council in those areas that were providing that help. He encouraged councillors to find ways in which they could support those projects.

Councillor Taylor thanked Councillor Parton for his question and the staff involved in delivering projects in priority neighbourhoods. Councillor Taylor also referred to the Falcon Centre in Loughborough benefitting from money raised through the Charnwood Community Lottery.

#### 66.4 PEOPLE ZONES

Councillor Draycott thanked the Lead Member for the response but stated that since the People Zone had been set up, along with two others elsewhere in Leicestershire, no actions had been carried out. That contrasted with the situation at the other People Zones where projects were taking place. She asked the Lead Member to look at the action taking place at the other two People Zones and why it was taking longer to reach that point for the Bell Foundry Estate.

Councillor Taylor stated that the lead agency for the People Zones was the Police and Crime Commissioner and the Council was playing a supporting role. Councillor Taylor refuted the statement that no action had taken place and referred to the new CCTV camera that had been installed and the work that had been done to establish the People and Place meetings. She also stated that the three People Zones were very different. A significant amount of work had

already been undertaken in the Bell Foundry Estate and the People Zone would develop that through bringing partners together.

#### 66.5 FOOD SAFETY INSPECTIONS

Councillor Draycott thanked the Lead Member for her response. The recent prosecution of a food business had highlighted serious concerns at that premises. Councillor Draycott stated that she had heard residents express surprise at how long it had taken for the business to be closed down. It appeared that the business had been closed by the owners rather than being forced to close by the Council. Councillor Draycott asked why the Council had not acted sooner and used its powers to close the business when there were such serious safety concerns.

Councillor Smidowicz stated the business had been given opportunities to improve and that she would confirm whether the Council had closed the business rather than the owner. As there had been no improvements in this case the business had been prosecuted by the Council. The Council took the issue very seriously and inspections undertaken at food premises were very thorough. The Council preferred to work with businesses so that they could improve standards.

NOTE: Details of the written response referred to above can be found in the appendix to these minutes.

#### 66.6 PROVISION OF AFFORDABLE AND SOCIAL HOUSING

Councillor K. Harris welcomed the fact that the provision of affordable homes was above the target set out in the Core Strategy and stated that he hoped that this trend would continue, including when houses were built in the sustainable urban extension west of Loughborough. He stated that the purchase of houses on the open market only had a marginal impact and any houses purchased in that way would be subject to the Right to Buy. Councillor K. Harris asked whether there were other options that could be pursued, such as modular housing or the purchase of unused buildings and converting them to dwellings, to ease the number of people on the housing register.

Councillor Morgan thanked Councillor Harris for his question and stated that recent reports that it had received illustrated that the Cabinet was exploring additional ways to support social housing provision in the Borough. The Government had raised the cap on borrowing within the Housing Revenue Account and that also provided an opportunity to do more which would be explored. It was important to be flexible as the Council building houses was not the only solution.

#### 66.7 CHIEF EXECUTIVE'S PERFORMANCE AND DEVELOPMENT REVIEWS

Councillor Hayes thanked the Leader for the response and noted that a performance review meeting with the Chief Executive had recently taken place. He expressed surprise that records for previous years were not available. He

referred to comments he had made at a previous Council meeting, and concerns that had been expressed about them, and apologised if his bluntness had caused offence. He stated that the Council was facing a number of challenges and that it was important that there was accountability.

Councillor Morgan stated that he would speak to Councillor Hayes regarding his concerns.

#### 66.8 LOUGHBOROUGH TOWN CENTRE

Councillor Hamilton thanked the Lead Member for her response but stated that it was disturbing to see the number of shops in Loughborough town centre that had closed. He stated that there were a number of good initiatives and that he was pleased that the Council would be making a bid to the Future High Streets Fund. However there were opportunities to do more and learn from other councils, for example an empty shops register, making empty shops available on a temporary basis for community uses and free Wi-Fi. The Council should be open to those and other new ideas.

Councillor Bokor thanked Councillor Hamilton for his question and referred to the comprehensive list of initiatives that had been set out in the published answer. Some shop closures were as a result of problems with national chains. The Council was willing to look at other initiatives and invited Councillor Hamilton to provide her with further details of those he had mentioned and she would review them and respond to him.

#### 66.9 ACCESS TO SOCIAL HOUSING FOR MEMBERS OF THE ARMED FORCES, VETERANS AND THEIR FAMILIES

Councillor Bradshaw thanked the Lead Member for his response and stated that she was glad that the Council would be responding to the Government consultation. Some councils were already helping ex-service personnel with PTSD and other mental health problems. Rates of PTSD were high among ex-service personnel, especially those who had been involved in combat situations. She suggested that the Council could do more in terms of staff training and access to social housing to assist those people who were affected by often hidden mental health problems.

Councillor Mercer stated that the Government's proposals only went so far and that he felt that the Council could do more and adopt further initiatives that would help. The Council already asked whether people approaching the Council as homeless had been in the armed services. He stated that he accepted that mental health disabilities should be treated in the same way as those associated with physical health. He thanked Councillor Bradshaw for raising the issue.

#### 66.10 PEST CONTROL SERVICE

As Councillor Forrest had given her apologies, the Mayor took the question and answer as read.

67. MINUTE REFERENCES

There were no minute references.

68. 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 12 on the agenda filed with these minutes).

69. EXEMPT INFORMATION

**RESOLVED** that members of the public be excluded from the meeting during the consideration of the following item on the grounds that it will involve the likely disclosure of exempt information as defined in Paragraphs 3 and 5 of Part 1 of Schedule 12A to the Local Government Act 1972 and it is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

70. URGENT EXECUTIVE DECISIONS EXEMPTED FROM CALL-IN: DECENT HOMES CONTRACT

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 12 on the agenda filed with these minutes).

One of those decisions related to the Decent Homes Contract Settlement as set out in an exempt annex to that report. Councillors Miah, Draycott, Jukes, Bebbington, Hayes, Radford, K. Harris and Ranson asked questions regarding that decision which were responded to by Councillor Morgan.

Note:

These minutes are subject to confirmation as a correct record at the next meeting of the Council which is scheduled for Monday 25th February 2019

**COUNCIL – 21ST JANUARY 2019**

Responses to questions and requests for additional information

Minute No. 62.4 Review of Polling Districts, Polling Places and Polling Stations - Outcome

The following information was requested.

Question	Response
Whether information provided to voters could make clear that Iveshead School used to be called Hind Leys School.	It was confirmed that this will be done.
Clarification of the position of voters currently in Shepshed parish and the Shepshed East ward that would be in the Stonebow parish at the forthcoming elections and how that information had been communicated.	<p>The following recommendation was approved by full Council in respect of the Community Governance Review at the meeting on 22nd January 2018 (the map referred to showed that part of Shepshed east of the M1 which would become part of the new parish of Stonebow Village):</p> <p>“12. That a new parish be established with the boundary as shown in blue on Map 7 in Appendix A, by amalgamating the indicated areas of the parishes of Shepshed and Hathern and of the unparished area of Loughborough, that it be named Stonebow Village, and that it should not have a parish council (ie. it will be a parish meeting).”</p> <p>Council officers wrote to the Clerk during the consultation stage to inform her of the proposal to create the new parish which would be formed partly from an existing area of Shepshed, and also wrote to her again after the recommendation was approved enclosing a copy of the Order forming the new parish of Stonebow Village, including a map.</p>

Question	Response
Whether the lighting formerly used at the previous Cobden School polling station could be used at the new polling station to be located at the pre-school.	It was confirmed that the Council will arrange for additional lighting for the alleyway that leads to the entrance to the polling station at Cobden Pre-School, and for suitable signage to be in place to direct voters.

Minute No. 66.5 Food Safety Inspections

The following information was requested.

Question	Response
Clarification of whether the food business that had been the subject of a recent prosecution had been closed down by the Council or by the owners of the business.	<p>Sliced: Summary of Actions Taken Before Prosecution</p> <p>Mr Hussain registered his new food business 'Sliced', Angel Yard, Loughborough on 22nd January 2018. An EHO visited the premises on 2nd February 2018 to carry out a food hygiene inspection and to investigate a complaint for the sale of mouldy food.</p> <p>During the visit the officer found mouldy cheese within his fridges. There were a number of food hygiene issues, including the use of dirty cloths, food past its use by date, lack of documentation, lack of food hygiene training etc. Mr Hussain was issued with a written warning to improve immediately. He was given coaching and education as a new business to assist him with compliance.</p> <p>A revisit was carried out on 7th February 2018 – there was a slight improvement in food safety, however he was told to significantly improve to avoid legal action.</p> <p>A second revisit was carried out on 15th February 2018 and he had complied with all the legal requirements. The officer then planned to carry out a full inspection in a few weeks.</p> <p>A full inspection was subsequently carried out on 16th March 2018 and he was issued with a 2 food hygiene rating. A revisit was then scheduled to undertake further checks.</p> <p>On 15th June the officer revisited the premises and found repeat contraventions and a general failure to comply with</p>

food safety, particularly in relation to the sale of out of date foods and cross contamination risks. He was issued with a 0 rating and two food hygiene improvement notices. The notices were for a failure to implement his safe documented procedures and a lack of training and knowledge to safely run his food business. Food was formally sampled and environmental swabs were taken from the premises. Due to the repeated non-compliance and failure to improve, legal proceedings were commenced against Mr Hussain.

He subsequently voluntarily closed his business in July 2018 and filed for bankruptcy.

Mr Hussain was treated in accordance with the Council's enforcement policy, with a graduated approach to try to ensure he complied with food safety law. Unfortunately, on this occasion he failed to take on all the officers advice and guidance resulting in him being prosecuted and a prohibition order from running a food business indefinitely.