

Law & Democracy Democratic Services

TO COUNCILLOR:

R H Adams R V Joshi H E Darling N Alam M L Darr J Kaufman S S Athwal J K Ford C D Kozlowski L A Bentlev D A Gamble K J Loydall C J R Martin G A Boulter F S Ghattoraya L M Broadlev C S Gore R E R Morris F S Broadley S Z Haa I K Ridlev M H Charlesworth G G Hunt C A M Walter (Deputy Mayor)

I summon you to attend the following meeting for the transaction of the business in the agenda below.

P Joshi

Meeting: Full Council

J K Chohan (Mayor)

Date & Time: Tuesday, 23 September 2025, 7.00 pm

Venue: Civic Suite, Brocks Hill Council Offices, Washbrook Lane, Oadby, Leicester, LE2 5JJ

Contact: Democratic Services

t: (0116) 257 2775

e: democratic.services@oadby-wigston.gov.uk

Yours faithfully

Council Offices Oadby

11 September 202515 September 2025 AnneEconA.

Anne E Court Chief Executive

Meeting ID: 2920

ITEM NO. AGENDA PAGE NO'S

Food Waste Briefing

Prior to the Full Council meeting, there will be a briefing for Members on Food Waste starting at 6:30 pm with the Full Council meeting starting at 7:00 pm.

Meeting Live Broadcast | Information and Link

This meeting will be broadcast live.

Press & Public Access:













A direct link to the live broadcast of the meeting's proceedings on the Council's Civico platform is below.

https://civico.net/oadby-wigston/22664-Full-Council

1. Calling to Order of the Meeting

The meeting of the Council will be called to order to receive Her Worship The Mayor and Deputy Mayor.

2. Apologies for Absence

To receive apologies for absence from Members to determine the quorum of the meeting in accordance with Rule 7 of Part 4 of the Constitution.

3. Declarations of Interest

Members are reminded that any declaration of interest should be made having regard to the Members' Code of Conduct. In particular, Members must make clear the nature of the interest and whether it is 'pecuniary' or 'non-pecuniary'.

4. Minutes of the Previous Meeting

4 - 7

To read, confirm and approve the minutes of the previous meeting in accordance with Rule 19 of Part 4 of the Constitution.

5. Action List Arising from the Previous Meeting

There was no Action List arising from the previous meeting.

6. Motions on Notice

To consider any Motions on Notice in accordance with Rule 14 of Part 4 of the Constitution.

a. Slurry Spreading on Fields

8

Proposed by Councillor Michael H Charlesworth

7. Petitions, Deputations and Questions

To receive any Petitions, Deputations and, or, to answer any Questions by Members or the Public in accordance with Rule(s) 11, 12, 13 and 10 of Part 4 of the Constitution and the Petitions Procedure Rules respectively.

a. Land at Ellis Farm, Kilby Bridge

9 - 10

Question by Councillor Michael H Charlesworth

8. Mayor's Announcements

To receive any announcements from the Mayor in accordance with Rule 2 of Part 4 of the Constitution.

a. Official Mayoral / Deputy Mayoral Engagements

11 - 12

9. Leader's Statement

To receive any statement from the Leader of the Council in accordance with Article 2.9.2(ii) of Part 2 of the Constitution.

Full Council

Printed and published by Democratic Services, Oadby and Wigston Borough Council, Brocks Hill Council Offices, Washbrook Lane, Oadby, Leicester, LE2 5JJ

10. Budget Setting Approach for 2026/27 and Medium-Term Financial 13 - 16 Plan Update

Report of the Chief Finance Officer / Section 151 Officer

11. Review of Political Proportionality and Membership of Council Bodies 17 - 21 (September 2025)

Report of the Legal & Democratic Services Manager / Monitoring Officer (Solicitor)

12. Proposed Revocation of Planning Permission 25/00204/FUL - 117A 22 - 25 Gartree Road, Oadby

Report of the Legal & Democratic Services Manager / Monitoring Officer (Solicitor)

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Agenda Item 4

MINUTES OF THE MEETING OF THE FULL COUNCIL HELD AT CIVIC SUITE, BROCKS HILL **COUNCIL OFFICES, WASHBROOK LANE, OADBY, LEICESTER, LE2 5JJ ON TUESDAY, 15 JULY 2025 COMMENCING AT 7.00 PM**

PRESENT

J K Chohan Mayor

COUNCILLORS

Meeting ID: 2898

R H Adams

N Alam Leader of the Opposition

S S Athwal

L A Bentley Deputy Leader of the Council

G A Boulter L M Broadley F S Broadley M H Charlesworth H E Darling

J K Ford Deputy Leader of the Opposition

D A Gamble C S Gore

S Z Haq Leader of the Council

P Joshi R V Joshi C D Kozlowski K J Lovdall C J R Martin I K Ridley

OFFICERS IN ATTENDANCE

S J Ball Legal & Democratic Services Manager / Monitoring Officer (Solicitor)

Z Bradford Safety & Resilience Officer

A E Court Chief Executive / Head of Paid Service

Senior Democratic & Electoral Services Officer S Wheeliker

13. CALLING TO ORDER OF THE MEETING

The meeting of the Council was called to order to receive Her Worship.

14. **APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillors M L Darr, F S Ghattoraya, G G Hunt, J Kaufman, R E R Morris and C A M Walter.

It was moved by Councillor S Z Haq, seconded by Councillor L A Bentley, and

UNANIMOUSLY RESOLVED THAT:

Councillor R H Adams be appointed as the acting Deputy Mayor for the duration of the meeting.

Printed and published by Democratic Services, Oadby

Full Council

and Wigston Borough Council, Brocks Hill Council Tuesday, 15 July 2025, 7.00 pm Offices, Washbrook Lane, Oadby, Leicester, LE2 5JJ

15. DECLARATIONS OF INTEREST

None.

16. MINUTES OF THE PREVIOUS MEETING

17a. 15 APRIL 2025

By affirmation of the meeting, it was

UNANIMOUSLY RESOLVED THAT:

The minutes of the previous meeting held on 15 April 2025 be taken as read, confirmed and approved.

17b. 13 MAY 2025

By affirmation of the meeting, it was

UNANIMOUSLY RESOLVED THAT:

The minutes of the previous meeting held on 13 May 2025 be taken as read, confirmed and approved.

18. ACTION LIST ARISING FROM THE PREVIOUS MEETING

There was no Action List(s) arising from the previous meeting(s).

19. MOTIONS ON NOTICE

19a. ALLOCATION OF COMMITTEE SEATS

The Council gave consideration to the Motion on Notice (as set out at page 12 of the agenda reports pack) regarding the allocation of committee seats.

The Legal & Democratic Services Manager / Monitoring Officer advised that this motion was based on a different interpretation of the legislation than was currently used by this Council and that both interpretations of the legislation were valid.

It was moved by Councillor M H Charlesworth, seconded by Councillor C S Gore, and

REJECTED THAT:

- i) The Council applies the current legislation according to this interpretation ensuring all Members play a full and active role within Council; and
- ii) The Council's constitution be amended to reflect this interpretation of the legislation.

For 7 Against 13 Abstentions 0 It was moved by Councillor S Z Haq, seconded by Councillor L A Bentley, and

RESOLVED THAT:

The motion be brought to the Constitutional Working Group for consideration.

For 13
Against 0
Abstentions 7

19b. LOCAL GOVERNMENT REORGANISATION

The Council gave consideration to the Motion on Notice (as set out at page 13 of the agenda reports pack) regarding local government reorganisation.

It was moved by Councillor N Alam, seconded by Councillor J K Ford, and

REJECTED THAT:

The motion be amended to remove the following wording: "... because of the failure of successive Conservative and Labour Governments to properly address social services and SEND funding shortfalls."

For 7
Against 11
Abstentions 2

It was moved by Councillor S Z Haq, seconded by Councillor L A Bentley, and

RESOLVED THAT:

The Council instruct its Chief Executive to write to the Prime Minister to set out the Council's position and to communicate this with other local authorities in Leicester, Leicestershire, and Rutland.

For 14 Against 0 Abstentions 6

20. <u>PETITIONS, DEPUTATIONS AND QUESTIONS</u>

20a. PLANNING COMMITTEE REFORM

The Head of Built Environment, on behalf of the Leader of the Council, provided the response (as set out on page 15 of the agenda reports pack) to the Question on Notice (as set out on page 14 of the agenda reports pack) as posed by Councillor M H Charlesworth in relation to planning committee reform.

Councillor M H Charlesworth asked a supplementary question requesting that Members receive submissions so they could be aware of the technical consultation. The Chief Executive Officer / Head of Paid Service confirmed that Members would receive the submissions.

21. MAYOR'S ANNOUNCEMENTS

The Mayor thanked everyone for their support of her mayoralty and acknowledged the importance of education for young people's futures and for the country's future, having had an enjoyable time attending the graduation ceremony of University of Leicester students at De Montfort Hall.

Councillor M H Charlesworth requested that the Mayor's webpage be updated as it had some out-of-date information on it. The Legal & Democratic Services Manager / Monitoring Officer confirmed it would be updated.

21a. OFFICIAL MAYORAL / DEPUTY MAYORAL ENGAGEMENTS

By affirmation of the meeting, it was:

UNANIMOUSLY RESOLVED THAT:

The list of Official Engagements attended by The Mayor and/or Deputy Mayor be noted.

22. LEADER'S STATEMENT

The Leader of the Council presented a statement outlining her administration and party's ongoing and steadfast commitment to keeping the borough outside of the city's jurisdiction and maintaining its independence. The Leader of the Council also thanked Officers for their hard work and gave a special thanks to the soon to be retired Monitoring Officer, David Gill, for all his hard work protecting this Council and wished him a happy retirement.

Councillor K J Loydall asked the Leader to also thank on the record the Police Officer's that came to give a briefing to Members prior to the meeting. The Leader of the Council thanked Councillor K J Loydall for the reminder and thanked the Police Officer's for their briefing and all their hard work.

23. HEALTH AND SAFETY ANNUAL REVIEW (2025/26)

The Council have consideration to the report and appendices (as set out at pages 17 - 28 of the agenda reports pack), which sought approval for the annual health and safety review for 2024/25.

It was moved by Councillor Boulter, seconded by Councillor Loydall, and

UNANIMOUSLY RESOLVED THAT:

- i) The Full Health and Safety Annual Report (2024/25) (as set out in Appendix 1) be approved; and
- ii) The HS.001.P1 Health and Safety Policy and Statement (May 2025) (as set out in Appendix 2) be approved.

THE MEETING CLOSED AT 8.05 pm

Agenda Item 6a.

MOTION ON NOTICE

Full Council | Tuesday, 23 September 2025

Slurry Spreading on Fields

Council notes that;

Farmers have always applied farmyard manure to their fields.

Residents acknowledge that this is an accepted practice and understand the need to fertilise the fields for better crops.

Council also notes that;

The smell coming off local fields in recent years have become increasingly unpleasant and that the odour is that of the sewer.

About 3.5 million tonnes of sewage sludge is spread over the fields of England and Wales each year. This is provided free by the water companies so that they do not have to dispose of it themselves.

This sludge is only treated for bacteria and heavy metals, unlike cleaned water which is screened for all potential hazards to human life. This means that "forever chemicals" and microplastics are in the sludge at levels that "may present a risk to human health" and may create soil that is "unsuitable for agriculture".

Some UK farmers and US states have already stopped putting this sludge on their land because of fears it will get into the food chain.

Council resolves to:

- Instruct the Chief Executive and Leader to write to the Environment Secretary Emma Reynolds and ask that;
 - o The use of sewage sludge is banned in England and Wales.
 - That if it is to be continued to be used, it is screened to the same standard as cleaned water.

Councillor Michael H Charlesworth

Proposer

The above motion was duly received by the Legal & Democratic Services Manager / Monitoring Officer on 12 September 2025 in accordance with Rule 14, Section 1 of Part 4 of the Constitution of the Council.

Agenda Item 7a.

QUESTION ON NOTICE

Full Council | Tuesday 23 September 2025

Land at Ellis Farm, Kilby Bridge

Question

As part of the Local Plan, there has been a call for sites. In the Summer 2025 update, there was a site submitted (WIG/017) on Land at Ellis Farm, Kilby Bridge. To the East of the proposed site is a Site of Special Scientific Interest (SSSI). This is a national designation and the only one of its kind across the whole Borough. Will the Council give me an assurance that this site will not go forward as part of the new Local Plan?

Councillor M H Charlesworth

Questioner

The above question was duly received by the Legal & Democratic Services Manager /
Monitoring Officer on 29 August 2025 in accordance with Rule 13, Section 1 of Part 4 of the

Council's Constitution.

In accordance with Rule 13, Section 1 of Part 4 of the Council's Constitution, the questioner may ask one supplementary question without notice which must arise directly out of the original question or reply.

Appendix 1

QUESTION ON NOTICE

Full Council | Tuesday, 23 September 2025

Land at Ellis Farm, Kilby Bridge

Reply

All of the sites received as part of the Council's Call for Sites process are currently being assessed through the Council's ongoing new Local Plan making process.

Therefore, until this assessment has been finalised and recommendations have been considered, it is not possible to give any assurances over the status of any Site

Options received as part of the Plan making process to date. Site constraints, such as SSSI status will be taken into account during the assessment process as will, of course, guidance in the National Planning Policy Framework relating to national designations associated with conserving and enhancing the natural environment.

Adrian Thorpe (on behalf of the Leader of the Council)

Head of Built Environment

In accordance with Rule 13, Section 1 of Part 4 of the Council's Constitution, the questioner may ask one supplementary question without notice which must arise directly out of the original question or reply.

Agenda Item 8a.

Events attended by the Mayor, May 13th 2025 – Present (as of 11.09.25)

MAY		
31 31	OWBC – Raheema Caratella Rishu Walia, Brits Desi Society	St. Wistan's Day Festival Desi Pride in the United Kingdon
JUNE		
08 11 18 19 21 23 29	Oadby & Wigston Lions Club International Leicestershire Lieutenancy Office North Warwickshire & South Leicestershire College Geoff Maltby, Strategic Lead, Active Together Langmoor Primary School OWBC Punjabi Arts & Literary Academy (PALA) UK	We'll Meet Again Concert Meeting with the Lord Lieutenant & Leicestershire County Council Chairman Arts Exhibition & Fashion Show Leicestershire & Rutland School Games Summer Festival 70 th Anniversary Celebration Armed Forces Flag Raising International Punjabi Conference
JULY		
03 08	Leicester Grammar School The High Sheriff of Rutland & The High Sheriff of Leicestershire	Annual Achievement of Celebration Osprey Cruise
15 24 28	University of Leicester OWBC MHA Aigburth Residential Care Home	Summer Graduations Green Flag Photograph Opening of New Residential Lounge

AUGUST

09	High Sheriff of Leicestershire	Garden Party
14	Leicestershire Lieutenancy Office	Service to Commemorate the 80 th Anniversary of VJ Day
15	OWBC	VJ 80 th Anniversary/Commemoration Flag Raising Ceremony
15	Angela Pitches, St Peter's Church, Oadby	VJ Afternoon Tea
30	OWBC – Raheema Caratella	Oadby Food Festival

Events attended by the Deputy Mayor, May 13th 2025 – Present (as of 11.09.25)

JUNE

21 Langmoor Primary School 70th Anniversary Celebration

AUGUST

9	Nigel Herbert, Chairman, Aylestone Lane Allotment	Aylestone Lane Allotment Day Event
	Association	
15	OWBC	VJ 80 th Anniversary/Commemoration Flag Raising Ceremony
30	Amber Mason – Discovery Trust	Community Fun Day

Agenda Item 10



Full Council

Tuesday, 23 September 2025 Matter for Information and Decision

Report Title: Budget Setting Approach for 2026/27 and Medium-Term Financial Plan Update (Urgent Item)

Report Author(s): Colleen Warren (Chief Finance Officer / Section 151 Officer)

Purpose of Report:	To consult Members on the approach for setting the 2026/27 budget and to update Members on the Medium-Term Financial Plan (MTFP) position.
Report Summary:	This report seeks approval of the approach to set the annual budget for 2026/27 and provides an update on the MTFP budget gaps and progress on the Sustainability Programme.
Recommendation(s):	That Full Council: A. Agrees the Budget Approach for 2026/27; and B. Note the updated MTFP budget gaps.
Senior Leadership, Head of Service, Manager, Officer and Other Contact(s):	Colleen Warren (Chief Finance Officer / Section 151 Officer) (0116) 257 2759 colleen.warren@oadby-wigston.gov.uk Simon Ball (Finance Manager / Deputy S151 Officer) (0116) 257 2624 simon.ball@oadby-wigston.gov.uk
Strategic Objectives:	Our Council (SO1)
Vision and Values:	"Our Borough - The Place To Be" (Vision) Resourceful & Resilient (V4)
Report Implications: -	
Legal:	There are no implications arising from this report.
Financial:	The implications are as set out in this report.
Corporate Risk Management:	Decreasing Financial Resources / Increasing Financial Pressures (CR1) Political Dynamics (CR3) Reputation Damage (CR4) Regulatory Governance (CR6) Organisational / Transformational Change (CR8)
Equalities and Equalities Assessment (EA):	There are no implications arising from this report.
Human Rights:	There are no implications arising from this report.
Health and Safety:	There are no implications arising from this report.
Statutory Officers' Com	ments: -

Head of Paid Service:	The report is satisfactory.				
Chief Finance Officer:	As the author, the report is satisfactory.				
Monitoring Officer:	The report is satisfactory.				
Consultees:	Senior Leadership Team/ PFD Committee				
Background Papers:	 Medium Term Financial Strategy (MTFS 2024 -2029) to Full Council 22 September 2024 2025/26 Revenues Budget, Medium Term Financial Plan and 2025/26 and 2029/30 Capital Programme to Full Council 20th February 2025 				
Appendices:	None.				

1. Background

- 1.1 The Council's Constitution includes the Budget and Policy Framework Rules. This requires that each year the Council will agree a process for the development of the annual budget and policy framework and that the programme will be widely published.
- 1.2 The Local Government Act 1992 requires the councils that are billing authorities complete and approve their budgets and set a council tax before 11 March immediately prior to the start of the financial year on 1 April. The budget timetable (see section 3 of this report) will ensure these statutory deadlines are achieved.
- 1.3 The Council approved a new Medium-Term Financial Strategy (MTFS) in February 2024, the Medium-Term Financial Strategy is a five-year assessment of the resources required to deliver the Council's services over that period. It sets out the projected budget gaps over the period and a Sustainability Plan for delivering savings to mitigate these gaps. The Medium-Term Financial Plan (MTFP) for 2025/26 to 2029/30 provided an updated gap position and was reported to Council in February 2025. The annual budget approach for 2026/27 will update the indicative position with a detailed budget following the budget approach set out in section 2.
- 1.4 As was stated in the February 2025 budget report the Sustainability Programme savings included in the MTFP, did not meet the budget gap. The achievement of the Sustainability Programme savings included were still to be identified. Given the significant challenge in the financial position for 2025/26 and future years, it is key that SLT and members continue to focus efforts on delivering savings and this has been taken into account in the budget approach outlined below.

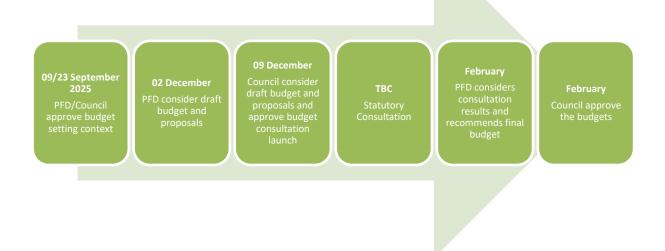
2. Approach and Key Principles

- 2.1 The 2025/26 revised budget will form the base budget for 2026/27.
- 2.2 Inflation assumptions will be made based on latest information, in respect of:
 - Salaries
 - Utilities
 - Fuel
 - Contracts (as per Contract terms)
 - Interest rates (investment/borrowing)

- 2.3 **There will be no further revenue growth** any pressures (cost inflation on supplies and services, in addition to those in 2.2), any growth (additional staff) or reduction in income due to reduced demand or fees should, insofar as is possible, be "self-funding". This means services should try as far as is reasonably practical to off-set increases in financial resources by making savings in other areas.
- 2.4 **Review of budgets to identify savings** historical budgets and actuals are to be reviewed to identify any consistent budget underspends with a view to removing these budgets to create savings. This will have to be considered in the context that the underspend may have been offsetting overspends, in which case budgets will need to be realigned.
- 2.5 Capital Growth any additions to the capital programme must be funded by grant OR have a revenue payback OR be essential for the maintenance of service delivery. Ideally, if we are creating or enhancing an asset, it should be because it will better the council's financial position through reducing spend or generating income, or it must be because we need to do this to maintain services.
- 2.6 **Sustainability Programme** the projects identified under the Sustainability Programme will continue to progress to identify savings
 - Financial Management
 - Service Reviews
 - Asset Management
 - Income Generation including review of fees and charges in line with charging policy
 - Contracts

3. Timetable

3.1 The key dates for Members in relation to the budget approach are outlined in the proposed timetable below:



4. MTFP Update

- 4.1 The MTFS set out the approach for reviewing the MTFP and the Sustainability Programme. This will be reviewed before budget setting and as the budget is set.
- 4.2 Table 1 below shows the MTFP budget gaps approved at Full Council on 20th February 2025, this was the projected position after sustainability programme savings:

Table 1 – Budget Gap as of February 2025

Financial year	In-year gap	Cumulative gap
2025/26	(126,353)	(126,353)
2026/27	170,098	43,745
2027/28	290,069	333,814
2028/29	330,274	664,088
2029/30	366,977	1,031,065

- 4.3 As at Quarter 1 the current projected use of reserves is £361,891. Due the forecast MTFS budget gaps this will leave us in a very difficult position by the end of 2027/28. Further sustainability plans will be needed along with income generation to try and close the budget gaps and balance the budgets over the life of the MTFS.
- 4.4 The main challenges to the Council currently are the costs of Homelessness and Homelessness prevention. These costs are putting a substantial strain on the Councils balances. In mitigation work is continuously being carried out to try and identify ways to reduce the cost of homelessness.
- 4.5 The MTFP and budget gaps will continue to be reviewed and updated as the budget approach for 2026/27 progresses and assumptions in the MTFP are reviewed and updated.

Agenda Item 11



Full Council

Tuesday, 23 September 2025 Matter for Information and Decision

Report Title:

Review of Political Proportionality and Membership of Council Bodies (September 2025)

Report Author(s): San

Samuel Ball (Legal & Democratic Services Manager / Monitoring Officer) (Solicitor)

Purpose of Report:	Following a recent change to the political balance of the Council, it is obliged to review Member representation and appointments on affected Council Bodies which it appoints to ensure that these reflect the make-up of the political groups on the Council as a whole.					
Report Summary:	On 8 September 2025, Councillors Pritibala (Priti) Joshi and Nidhi (Rupa) V Joshi resigned from the Conservative political group to sit as ungrouped Independents. This triggered a review of the Council's proportionality arrangements in relation to the eligible Member representation and allocation of seats on Council Bodies. Removals and appointments to those affected Council Bodies must be made to reflect the Council's new political composition by political groupings.					
Recommendation(s):	 A. That the new political composition of the Council, and the proportionality arrangements in relation to minimum eligible Member representation and allocation of seats on Council bodies by political group (as set out at Appendices 1 and 2 to this report) be noted; and B. That the necessary removals and appointments of Members from/to those affected Council bodies for the remainder of the municipal year 2025/26 (as set out at sections 4.1.1 to 4.1.3. of this report) as may be proposed and seconded at the meeting be resolved. 					
Senior Leadership, Head of Service, Manager, Officer and Other Contact(s):	Samuel Ball (Legal & Democratic Services Manager / Monitoring Officer) (Solicitor) (0116) 257 2643 samuel.ball@oadby-wigston.gov.uk					
Corporate Objectives:	Not applicable.					
Vision and Values:	Not applicable.					
Report Implications:-						
Legal:	Section 15 of the Local Government and Housing Act 1989 requires the Council to review the representation of different political groups on bodies to which the Council makes appointments as soon as practicable after changes in membership of political groups occur.					
	Failure to adhere to the relevant provisions of Local Government Act 1972, Local Government and Housing Act 1989, Local Government Act 2000, the Regulations made thereunder, and provisions of the Council's Constitution may result in the Council acting beyond its powers.					

Financial:	There are no implications arising from this report.				
Corporate Risk Management:	Political Dynamics (CR3) Regulatory Governance (CR6)				
Equalities and Equalities Assessment (EA):	There are no implications arising from this report. EA not applicable.				
Human Rights:	There are no implications arising from this report.				
Health and Safety:	There are no implications arising from this report.				
Statutory Officers' Comments:-					
Head of Paid Service:	The report is satisfactory.				
Chief Finance Officer:	The report is satisfactory.				
Monitoring Officer:	As the author, the report is satisfactory.				
Consultees:	None.				
Background Papers:	None.				
Appendices:	 Minimum Eligible Representation of Members by Political Group Minimum Allocation of Seats to Political Groups (September 2025) 				

1. Political Composition of the Council

- On 8 September 2025, the Monitoring Officer was informed by Councillors Pritibala (Priti)
 Joshi and Nidhi (Rupa) Joshi that with immediate affect they had resigned from the Conservative political group to sit as an Independent Members without any political grouping.
- 1.2 As a result, the political composition of the Council changed from 7 Conservatives to 5 Conservatives and 3 ungrouped Independents to 5 ungrouped Independents. The number of Liberal Democrats remains the same at 16.

2. Review of Proportionality Arrangements

- 2.1 Consequently, a review of the Council's proportionality arrangements in relation to minimum eligible Member representation and allocation of seats on Council Bodies, was triggered, resulting in the Liberal Democrat political group now being entitled to 76% of seats of Council Bodies and the Conservative political group remaining entitled to 24%.
- 2.2 For the purposes of the Local Government and Housing Act 1989 ("the Act") and Local Government (Committees and Political Groups) Regulations 1990 ("the Regulations"), a political group must be constituted of two or more Members of the Council who inform the Proper Officer (the Monitoring Officer) they wish to be regarded as a political group.
- 2.3 At the time of publication, no ungrouped Independents have informed the Proper Officer that they wish to be regarded as a political group(s), therefore, at the current time, those ungrouped Independents have no automatic right to any seats on Council Bodies.

2.4 A full break down of the revised political balance of the Council, and its proportionality arrangements in terms of minimum eligible Member representation and allocation of seats on Council bodies, is reflected in the figurework set out at **Appendix 1** and **Appendix 2**.

3. Ungrouped Independent Members

- 3.1 On 15 July 2025, a Motion on Notice was submitted by Councillor Charlesworth to a meeting of the Full Council proposing to adopt a less rigid interpretation and application of the Act and Regulations regarding ungrouped Independent Members and to so amend the Council's Constitution to reserve a proportion of seats on Council Bodies equal (or aggregate) to the proportion of Members who do not belong to a political group, with the appointment to these seats being made by the Council at its discretion ("the Motion").
- The Motion was defeated and, in the alternative, a resolution passed for the Motion to be given further consideration at the next meeting of the Constitutional Working Group ("the CWG") currently rescheduled for 24 September 2025. Should the CWG be minded to recommend to Full Council any changes to the Constitution which affects the allocation of seats to ungrouped Independent Members, these recommendations and any subsequent allocations can be considered at the next or an extraordinary meeting of the Full Council.

4. Removal and Appointment of Members to Council Bodies

- 4.1 The revised political balance of the Council affects the following Council Bodies:
 - 4.1.1. The Liberal Democrat political group **GAIN** one (1) seat on:
 - Service Delivery Committee
 - Policy, Finance & Development Committee
 - Development Control Committee
 - Licensing & Regulatory Committee
 - 4.1.2 The Conservative political group **LOSE** one (1) seat on:
 - Service Delivery Committee
 - Policy, Finance & Development Committee (one seat currently held by Councillor Priti Joshi)
 - Development Control Committee (two seats currently held by Councillors Priti Joshi and Rupa Joshi)
 - Licensing & Regulatory Committee (one seat currently held by Councillor Priti Joshi)
 - 4.1.3 There is one (1) **VACANCY** for the Conservative political group on:
 - Development Control Committee
 - Place Shaping & Climate Change Working Group (one seat currently held by Councillor Rupa Joshi)
 - Capital Projects Sub-Committee (one seat currently held by Councillor Priti Joshi)
- 4.2 The necessary removals and appointments of Members from/to those affected Council bodies at set out at sections 4.1.1 to 4.1.3 of the report for the remainder of the municipal year 2025/26 may be proposed, seconded and resolved at the meeting itself.

Minimum Eligible Representation of Members by Political Group as of September 2025¹

Committee Size	<i>Liberal Der</i> (16/21) =		Conserva (5/21) = 2		Ungrouped Independents (5)				
	Members	×	Members	æ	Members ≈				
26	19.81	20	6.19	6					
25	19.05	19	5.95	6					
24	18.29	18	5.71	6					
23	17.52	18	5.48	5	Not applicable				
22	16.76	17	5.24	5	Not applicable.				
21	16.00	16	5.00	5	A political group				
20	15.24	15	4.76	5	must be				
19	14.48	14	4.52	5	constituted of two				
18	13.71	14	4.29	4	or more Members				
17	12.95	13	4.05	4	of the Council				
16	12.19	12	3.81	4	who inform the				
15	11.43	11	3.57	4	Proper Officer (the Monitoring Officer) they wish to be regarded as				
14	10.67	11	3.33	3					
13	9.90	10	3.10	3					
12	9.14	9	2.86	3	a political group.				
11	8.38	8	2.62	3	a pondou group.				
10	7.62	8	2.38	2	At the current				
9	6.86	7	2.14	2	time, ungrouped				
8	6.10	6	1.90	2	Independents				
7	5.33	5	1.67	2	have no				
6	4.57	5	1.43	1	automatic right to				
5	3.81	4	1.19	1	any seats on Council Bodies.				
4	3.05	3	0.95	1	Courier boales.				
3	2.29	2	0.71	1					
2	1.52	2	0.48	0					
1	0.76	1	0.24	0					

¹ Local Government and Housing Act 1989, ss. 15-17 and The Local Government (Committees and Political Groups) Regulations 1990

[≈] Figure equivalent to the nearest approximate whole number.

Minimum Allocation of Seats to Political Groups on Relevant Council Bodies Directly Appointed by the Council as of September 2025¹

Relevant Council Body (in size order)	Size	+/-	Liberal Democrat (16/21) = 76% Members	+/-	Conservative (5/21) = 24% Members	+/-	Ungrouped Independents (5) Members	Indep endent Person (s)
Service Delivery Committee	14		11	+1	Members 2	-1	n/a	n/a
•					3	_	· .	
Policy, Finance & Development Committee	14		11	+1	3	-1	n/a	n/a
Development Control Committee	14		11	+1	3	-1	n/a	n/a
Licensing & Regulatory Committee	10		8	+1	2	-1	n/a	n/a
Place Shaping & Climate Change Working Group	8		6	n/c	2	n/c	n/a	n/a
Audit Committee	7		5	n/c	2	n/c	n/a	+1
Constitutional Working Group	7		5	n/c	2	n/c	n/a	n/a
Capital Projects Sub-Committee	7		5	n/c	2	n/c	n/a	n/a
Agmed Forces Working Group	4		3	n/c	1	n/c	n/a	n/a

21

Minimum Allocation of Seats to Political Groups on Relevant Council Bodies Directly Facilitated by the Council as of September 2025

Relevant Council Body (in size order)		Liberal Democrat (16/21) = 76%	+/-	Conservative (5/21) = 24%	+/-	Ungrouped Independents (5)	
		Members		Members		Members	
Children & Young Peoples' Forum	4	3	n/c	1	n/c	n/a	
Community Safety Partnership	1	1	n/c	0	n/c	n/a	

 $^{^{1}}$ Local Government and Housing Act 1989, ss. 15-17 and The Local Government (Committees and Political Groups) Regulations 1990

Agenda Item 12



Full Council

Tuesday, 23 September 2025 Matter for Information and Decision

Report Title:

Proposed Revocation of Planning Permission 25/00204/FUL - 117A Gartree Road, Oadby, Leicestershire, LE2 2FF

Report Author(s):

Samuel Ball (Legal & Democratic Services Manager / Monitoring Officer) (Solicitor)

Purpose of Report:	To seek Full Council's approval to make a Planning Revocation Order under section 97 of the Town and Country Planning Act 1990 to revoke the planning permission granted in error under planning reference number 25/00204/FUL for a single-storey front garage extension at 117A Gartree Road, Oadby, Leicestershire, LE2 2FF.						
Report Summary:	The permission was issued under delegated authority in error, as under the Council's Constitution, applications made by an elected Member's spouse must be determined by the Development Control Committee. The error arose from the applicant's planning agent's failure to complete the relevant declaration on the application form, which meant that the case was not flagged for appropriate referral. An Order is the only mechanism to lawfully revoke the permission.						
Recommendation(s):	 A. That the making of a Revocation Order under section 97 of the Town and Country Planning Act 1990 to revoke planning permission 25/00204/FUL be approved; B. That Officers be authorised to complete all associated statutory publicity, notification and procedural requirements in relation to the making of Revocation Order; and C. That the Revocation Order be confirmed (and the permission revoked) if no objections are received by the Secretary of State from any interested person(s) following the expiration of the relevant notice period. 						
Senior Leadership, Head of Service, Manager, Officer and Other Contact(s):	Samuel Ball (Legal & Democratic Services Manager / Monitoring Officer) (Solicitor) (0116) 257 2643 samuel.ball@oadby-wigston.gov.uk						
Strategic Objectives:	Not applicable.						
Vision and Values:	Not applicable.						
Report Implications:-							
Legal:	The implications are as set out at paragraphs 2 and 3 of this report.						
Financial:	The implications are as set out at paragraph 3.3 of this report.						
Corporate Risk Management:	Reputation Damage (CR4) Regulatory Governance (CR6)						
Equalities and Equalities Assessment (EA):	There are no implications arising from this report. EA not applicable.						

Human Rights:	There are no implications directly arising from this report.
Health and Safety:	There are no implications arising from this report.
Statutory Officers' Comments:-	
Head of Paid Service:	The report is satisfactory.
Chief Finance Officer:	The report is satisfactory.
Monitoring Officer:	As the author, the report is satisfactory.
Consultees:	The Applicant / Applicant's Planning Agent
Background Papers:	 Planning app. no. 25/00204/FUL - 117A Gartree Road, Oadby, Leicestershire, LE2 2FF - Single storey front extension to garage Town and Country Planning Act 1990 Town and Country Planning (Control of Advertisements) (England) Regulations 2007
Appendices:	None.

1. Background Information

- 1.1 A planning application for a single-storey front garage extension at 117A Gartree Road, Oadby (planning ref. no. 25/00204/FUL) was received by the Local Planning Authority on 2 June 2025 and validated on 24 June 2025 ("the Application"). The applicant was/is the spouse of a current elected Member. The application was prepared and submitted by the applicant's planning agent. Following the appropriate planning consultation exercises being undertaken, the application was subsequently considered and approved by Officers under delegated authority and permission granted on 7 August 2025 ("the Permission").
- 1.2 A complaint under the Members' Code of Conduct was received by the Monitoring Officer on 13 August 2025 which queried the grant of the Permission under Officers' delegated authority in the circumstances described. Upon investigation, it became apparent that the application form, which required disclosure of any relationship to an elected Member, was not completed correctly by the planning agent. Consequently, the Application was not identified as requiring referral to the Development Control Committee to be determined as is required by the Council's Constitution to ensure and promote openness and transparency.
- 1.3 The investigation concluded that that the grant of the Permission under Officers' delegated authority was issued in error because of an administrative and procedural oversight arising because of an inadvertent mistake by the planning agent. The Code of Conduct complaint was informally resolved on 14 August 2025 upon the Monitoring Officer being satisfied that there was no finding or suggestion of any deliberate act or impropriety by the elected Member to circumvent established procedures or to otherwise elicit preferential treatment.

2. Revocation Procedure

- 2.1 The process for revoking the Permission is as set out in the Town and Country Planning Act 1990 ("the Act"). Section 97 of the Act allows the Council to revoke the Permission to such extent as it considers it expedient by a Planning Revocation Order ("an Order").
- 2.2 When resolving to make such an Order, the Council must have regard to the development plan and to any other material considerations. Such an Order cannot be made once the operations authorised by the Permission have been completed. In this case, the building

- operations have not been completed, nor will they be completed, insofar as the applicant has confirmed that the Permission is no longer required due to a change of circumstances.
- 2.3 Section 99 of the Act states that where an Order is unopposed, it will come into effect on the expiration of the relevant notice period and without the need to submit the Order to the Secretary of State for confirmation, providing that the Council within 28 days:
 - 2.3.1 serves a notice on the owners, occupiers and all persons who in the Council's opinion will be affected by the Order and secures those parties' written permission; and
 - 2.3.2 advertises in a local newspaper that such an Order has been made <u>and</u> no other interested person(s) from the date the advertisement wishes the matter to be referred to the Secretary of State before such an Order can be so confirmed.
- 2.4 Section 98 of the Act states that where an Order is opposed by any owner, occupier and/or any other interested person(s), the Order shall not take effect unless it is first confirmed by the Secretary of State who must give an opportunity for both the objector(s) and the Council to appear before them before making a determination in relation to the Order.
- 2.5 In the circumstances, the Monitoring Officer is of the considered opinion that an Order will not be opposed, given that the owners-occupier's permission is understood to be forthcoming, and it being more likely than not no other interested person(s) would have such an interest in the matter requiring the Order to be referred to the Secretary of State accordingly.

3. Expediency to Revoke and Material Considerations

- 3.1 When considering whether it is expedient to revoke the Permission, the Council should take into account the circumstances in which the decision was made. In this case:
 - 3.1.1 The Permission was incorrectly issued under Officers' delegated authority when, under the Council's Constitution, it should have been referred to the Development Control Committee ("the Committee") to determine because the application was made by the spouse of a current elected Member. As a result, the decision was made outside the proper delegation framework and is therefore vulnerable to successful legal challenge, for example by way of judicial review, on the basis that it was taken *ultra vires* (that is, beyond the legal powers of Officers to determine);
 - 3.1.2 The error arose from an administrative and procedural oversight, insofar as the application form, which required disclosure of any relationship between the applicant and an elected Member, was not completed correctly by the planning agent. Without this information, Officers did not identify the need for referral. Officers are entitled to rely on the accuracy of application forms and, given the volume of applications and turnover of staff, it would be unreasonable to expect Officers to have immediate implied knowledge of elected Members' relationships and property interests; and
 - 3.1.3 Although inadvertent, the safeguard requiring referral to Committee is essential to ensuring openness and transparency in the Council's planning processes. It provides assurance that applications involving Members or their relatives are determined collectively and in public. Allowing the Permission to otherwise stand would risk undermining the public's confidence in the Council's governance and create a perception of bias or preferential treatment, even where none was intended.
- 3.2 A further material consideration is that revocation is the only proper and lawful means of correcting this defect: submitting a new application, for example, would not nullify the Permission already granted, which would remain capable of implementation. The statutory revocation process under the Act is therefore required to remove the existing Permission. In

- this case, this power is available because no works have yet commenced, allowing the matter to be corrected without prejudicing any rights reserved to the applicant.
- 3.3 A final material consideration is the potential for compensation under section 107 of the Act where the Permission is revoked. In this case, the financial risk is considered to be very limited. The Permission is no longer required, no works have commenced nor are anticipated to commence, and no financial outlay appears to have been incurred in reliance on the Permission once issued. As such, it is unlikely that the applicant has suffered, or will suffer, any loss that would give rise to a compensatable claim, and the public interest in correcting the procedural error outweighs any potential negligible financial implications.
- 3.4 In all the circumstances, revocation is considered expedient to address the oversight and to protect the integrity of the Council's decision-making. The public interest in maintaining transparency and adherence to the Constitution outweighs any inconvenience caused.

4. Officers' Delegated Decision

4.1 For clarity, Members are not being asked to revisit the planning merits of the Application itself. The sole issue for consideration is whether it is expedient to revoke the Permission on the grounds of expediency and any other material considerations as is set out above.

5. Recommendation and Next Steps

Accordingly, Members are asked to approve the making of an Order under section 97 of the Act in respect of the Permission with reference 25/00204/FUL at 117A Gartree Road, Oadby, and to authorise Officers to complete all statutory publicity, notification and procedural requirements. If no objections are received, the Order will be confirmed by the Council and take effect under section 99 of the Act. If in the event objections are received, the Order will be referred to the Secretary of State for determination under section 98 of the Act.