

MINUTES OF THE MEETING OF THE COUNCIL HELD AT THE COUNCIL OFFICES, STATION ROAD, WIGSTON ON TUESDAY, 20 JUNE 2017 COMMENCING AT 7.00 PM

PRESENT

Councillor Mrs Samia Z Haq (Mayor)
Councillor David M Carter (Deputy Mayor)

COUNCILLORS

E R Barr
L A Bentley
Miss A R Bond
G A Boulter
J W Boyce (Leader of the Council)
Mrs L M Broadley
F S Broadley
Mrs K M Chalk
M H Charlesworth (Deputy Leader of the Council)
M L Darr Left at 8:39 pm
B Dave (Leader of the Opposition)
R F Eaton
Mrs L Eaton
R E Fahey
D A Gamble Left at 8:39 pm
J Kaufman
Dr T K Khong
K J Loydall
Mrs S B Morris

OFFICERS IN ATTENDANCE

S J Ball (Senior Democratic Services Officer / Legal Officer)
Mrs A E Court (Director of Services / Monitoring Officer)
M W L Hall (Chief Executive)
M Hone (Interim Chief Finance Officer / Section 151 Officer)
A Thorpe (Planning, Development and Regeneration Manager)

27. CALLING TO ORDER OF THE MEETING AND PRAYERS

The meeting of the Council was called to order to receive His Worship The Mayor and Deputy Mayor.

The meeting was led in prayer by the Chaplin to the Mayor.

A minute's silence was observed in memory of those who had lost their lives, had been injured or were affected in the series of terror-related incidents that had taken place across the country in recent weeks.

28. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillors G S Atwal, Miss M V Chamberlain, Mrs H E Loydall, R E R Morris and R H Thakor.

29. DECLARATIONS OF INTEREST

Council
Tuesday, 20 June 2017

Mayor's
Initials

In respect of agenda item 13:

- (i) Councillors Mrs S B Morris declared a non-pecuniary interest insofar she was a Trustee of the Wigston Multi Academies Trust;
- (ii) Councillor K J Loydall declared a non-pecuniary interest insofar as he sat on the Board of Governors of the Wigston Multi Academies Trust;
- (iii) Councillor G A Boulter declared a non-pecuniary interest insofar as he sat on the Community Committee of the Wigston Multi Academies Trust; and
- (iv) Councillor L A Bentley declared a non-pecuniary interest insofar as he was a Governor of the Birkett House School, Wigston which was due to re-locate to the site of the Wigston Multi Academies Trust.

30. READING, CONFIRMATION AND SIGNING OF MINUTES

30a. MINUTES OF THE ANNUAL GENERAL MEETING OF THE COUNCIL HELD ON TUESDAY, 16 MAY 2017

RESOLVED THAT:

The minutes of the Annual General Meeting of the Council held on Tuesday, 16 April 2017 to be taken as read, confirmed and signed.

30b. MINUTES OF THE MEETING OF THE COUNCIL HELD ON TUESDAY, 23 MAY 2017

The minutes of the meeting of the Council held on Tuesday, 23 May 2017 shall stand as an item to be received at the next meeting of the Council due to be held on Tuesday, 05 September 2017.

31. ACTION LIST

There was no Action List arising from meeting of the Council held on Tuesday, 23 May 2017.

32. MOTIONS ON NOTICE

None.

33. PETITIONS, DEPUTATIONS AND QUESTIONS

33a. FUTURE USE OF THE OLD SWIMMING POOL SITE, OADBY PETITION

Councillor Miss A R Bond presented and spoke upon the Petition at agenda item 7a.

The Petitioner stated that, having spoken to a many number of residents and businesses of and visitors to Oadby, the future of the Old Swimming Pool Site on Leicester Road ought to be dedicated to an exclusive recreational and, or, community use to honour the perceived wishes of the Ellis family in the original conveyance of the land in question to the Council (dated 21 June 1897). She stated any future residential use of the land would encroach upon the existing park's parking and recreational facilities and amenities.

The Deputy Leader of the Council requested that the Petitioner, in consultation with Officers, remove a number of duplicate signatories from the Petition.

34. MAYOR'S ANNOUNCEMENTS

The Mayor wished that those in attendance took particular note of the following notable and upcoming events:

- Civic Service on 21 October 2017 from 3:00pm at the Oadby Central Mosque, Sandhurst Street, Oadby;
- Black Tie Dinner on 10 February 2018 from 7:00 pm at Parkland Leisure Centre, Washbrook Lane, Oadby; and
- Charity Curry Night on 09 April 2018 from 7:00 pm at Cuisine of India, Kelmarsh Avenue, Wigston.

34a. LIST OF OFFICIAL MAYORAL/DEPUTY MAYORAL ENGAGEMENTS

RESOLVED THAT:

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

35. LEADER'S STATEMENT

The Leader of the Council briefly acknowledged the result of the recent UK Parliamentary (General) Election held on 8 June and the ensuing uncertainty apparent on the national, political landscape as a result thereof.

36. LOCAL GOVERNMENT ASSOCIATION (LGA) CORPORATE PEER CHALLENGE

The Council gave consideration to the report and appendices as set out in the first and second supplementary agenda updates (at pages 7 – 23, 1 -15) as delivered and summarised by the Chief Executive which should be read together with these minutes as a composite document.

A debate thereon was had whereby the LGA report was commended by Members for its balanced yet positive reflection on the Council and the Borough's residents, whilst noting that further improvements were anticipated in terms of the Council's customer service transformation project, the health and well-being offer and the finalisation of the organisation's structure. Members expressed their gratitude to the Senior Management Team (SMT) for their work over the preceding two years for the achievements consistently delivered during a difficult and turbulent period.

It was said that the Change Management Committee would continue to review the Council's governance structure over the municipal year in response to the LGA's recommendation and some Members' concerns regarding the Council's need for an overview and scrutiny capacity with a view, in the first instance, to commission properly resourced, ad-hoc panels with a remit to consider a single-given issue(s).

It was moved by the Leader of the Council, seconded by the Deputy Leader and

UNANIMOUSLY RESOLVED THAT:

- (i) The LGA's Corporate Peer Challenge Report be accepted; and**
- (ii) A proposed Action Plan resulting from the LGA report be presented to the Change Management Committee at its meeting on 26 July 2017 for its consideration.**

In accordance with Rule 7.3 of Part 4 of the Constitution, it was moved by the Mayor, second by the Deputy Mayor and

RESOLVED THAT:

The order of business be altered and taken in the order as reflected in the minutes, accordingly.

37. BUSHLOE DEVELOPMENTS LIMITED - PROPOSED GOVERNANCE

The Council gave consideration to the report (at pages 18 - 20) as delivered and summarised by the Interim Chief Finance Officer / Section 151 Officer which should be read together with these minutes as a composite document.

Councillor E R Barr enquired as to what steps had been taken to draft and incorporate the Articles of Association of Bushloe Developments Limited ("the Company").

The Interim Chief Finance Officer / Section 151 Officer and Director of Services / Monitoring Officer jointly-advised that the Articles of Association of the Company - together with the Risk Assessment, Business Plan and Equality Assessment - had been unanimously resolved at the previous meeting of the Council held on 23 May.

It was moved by the Leader of the Council, seconded by Councillor D A Gamble and

UNANIMOUSLY RESOLVED THAT:

The creation of an Advisory Board comprising of the Leader of the Council, Councillor Mrs L M Broadley, Councillor D A Gamble, the Chief Executive and the Chief Finance Officer / Section 151 Officer to oversee the activities of Bushloe Developments Limited be approved.

The Leader of the Opposition requested that it be minuted that the non-appointment of an opposition, Conservative Member upon the Advisory Board was regretful and a missing opportunity to better secure cross-party representation and consensus.

38. PROPOSED 3G PITCH IN SOUTH WIGSTON, HORSEWELL LANE PAVILION, WIGSTON AND OTHER LEISURE FACILITIES

The Council gave consideration to the report (at pages 21 - 24) as delivered and summarised by the Planning, Development and Regeneration Manager which should be read together with these minutes as a composite document.

A debate thereon was had whereby although the principle of the development of a 3G all-weather sports pitch ("the 3G pitch") in the Borough was welcomed by all Members, it was considered by some Members that the proposed location of the 3G pitch at South Wigston High School ("the High School") was not a suitable site for such a development to be brought forward due to its close proximity to residential properties, safeguarding concerns and a number of legal implications associated with building on a school site. It was requested by some Members that other, more suitable locations should be surveyed, potentially including other schools' sites across the Borough. Concerns were also expressed regarding the difficulties previously experienced in securing full access to, and by virtue of being, shared community-use facilities. It was said that development at Horsewell Lane, Wigston was preferential and therefore ought to be prioritised.

It was considered by other Members that the proposed location of the 3G pitch at the High School was a suitable insofar as it was an area serving deprived communities within the Borough. All other locations surveyed were said to have been deemed impractical and that the 3G pitch was to provide a facility accessible by all residents of Oadby, Wigston and

South Wigston. It was noted that before any development commenced, the proper legal and governance processes had to be duly fulfilled, including the bringing back of a report to this Council for its consideration and approval the same. It was further noted that the report before Members was a balanced one addressing the need for development across all parts of the Borough.

Members sought further clarification as to: the initial allocations and balances of sums requested under agreements pursuant to section 106 of the Town and Country Planning Act 1990 ("the s106 sums"); the areas in which s106 sums were generated and intended for investment; and the deadline by which the s106 sums identified at para 5.1 of the report (at page 22) needed to be spent by in relation to the 3G pitch.

The Planning, Development and Regeneration Manager advised the Committee that the recommendation at para 2.1 of the report (at page 21) primarily sought at this stage to approve the allocation of funds for the 3G pitch. It was understood that there was sufficient distance between the proposed site at the High School and residential properties and any safeguarding concerns could be addressed by way of an agreement between all stakeholders. He stated that all proposed development projects should be progressed equally and expediently, adding that the development at Horsewell Lane should be completed by the end of 2018. He noted Members' concerns regarding the difficulties previously experienced in securing access to similar facilities and offered assurances that the Council was to work closely with its experienced leisure contractor to secure full and fair access arrangements. All alternative locations hitherto surveyed, including other schools' sites, were said to have been deemed impractical and non-conducive to negotiation arrangements.

The Planning, Development and Regeneration Manager further advised that the s106 sums in relation to applications nos. 12/00313/FUL and 16/00025/FUL specifically related to sports provision from s106 Agreements in, and for, the Wigston area. The deadline by which these s106 sums needed to be spent was said to be end of 2018. He stated that an Officer Working Group had recently been commissioned: to collate all financials of all sums requested under all s106 agreements; to identify the areas in which s106 sums were generated; and to prepare a list of prospective projects for Members' consideration in the autumn. He emphasised sums requested under all s106 agreements were highly prescriptive to the area to which they relate and did not collectively amount to an "open pot" pot to indiscriminately invest anywhere.

The meeting was suspended at 8:08 pm and reconvened at 8:14 pm.

It was moved by the Leader of the Council, seconded by Councillor Mrs S B Morris and

RESOLVED THAT:

In accordance with Rule 21.1 of Part 4 of the Constitution, Rule 14.6(b) of the same Part be suspended for the purposes of disposing of the foregoing motions in an order that, as it appears and in the discretion of the Mayor, would better facilitate the proper conduct of the Council's business only.

Votes For	18
Votes Against	2
Abstentions	0

It was moved by the Deputy Leader of the Council, seconded by Councillor J Kaufman and

DEFEATED THAT:

The item of business be deferred for a period of between four to six weeks.

Votes For	9
Votes Against	12
Abstentions	0

It was moved by Councillor G A Boulter, seconded by Councillor R F Eaton and

DEFEATED THAT:

The use of funding via the section 106 Agreements in order to build a 3G all-weather sports pitch be approved, subject to the proposed location upon which the 3G pitch was to built being determined at a subsequent meeting of the Council.

Votes For	9
Votes Against	12
Abstentions	0

It was moved by the Leader of the Council, seconded by Councillor Mrs S B Morris and

DEFEATED THAT:

- (i) The use of funding via the section 106 Agreements in order to build a 3G all-weather sports pitch be approved at South Wigston High School, subject to appropriate terms being agreed between the Council, South Wigston High School and the Council's Leisure Contractor; and
- (ii) The other aspects of the report be noted by Members.

Votes For	9
Votes Against	10
Abstentions	2

The meeting was suspended at 8:18 pm and reconvened at 8:36 pm.

The Director of Services / Monitoring Officer advised the Council that, in view of the unprecedented constitutional circumstances, the debate upon this item of business was herewith adjourned and Members would be advised outside of the meeting regarding the proper way to proceed with the same in due course.

Councillors M L Darr and D A Gamble left the Chamber at 8:39 pm.

39. ORGANISATIONAL STRUCTURE UPDATE

The Council gave consideration to the report and appendices (at pages 15 - 17) as delivered and summarised by the Director of Services / Monitoring Officer which should be read together with these minutes as a composite document.

A debate thereon was had whereby Members expressed their gratitude to the SMT and managers for their work over the preceding two years and acknowledged the rationale behind a shared building control service.

It was moved by Councillor Mrs L M Broadley, seconded by the Leader of the Council and

UNANIMOUSLY RESOLVED THAT:

- (i) **The proposed permanent arrangements for the senior organisational structure of the Council be noted by Members; and**
- (ii) **The principle of a shared building control service with other Leicestershire Boroughs and Districts to deliver resilience be approved.**

40. RECEIVING OF MINUTES FOR INFORMATION

40a. MINUTES OF THE DEVELOPMENT CONTROL COMMITTEE HELD ON THURSDAY, 13 APRIL 2017

The minutes of the Development Control Committee held on Thursday, 13 April 2017 shall stand as an item to be received at the next meeting of the Council due to be held on Tuesday, 05 September 2017.

THE MEETING CLOSED AT 8.51 PM



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Mayor
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Tuesday, 05 September 2017
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*Printed and published by Democratic Services, Oadby and Wigston Borough Council
Council Offices, Station Road, Wigston, Leicestershire, LE18 2DR*