

MINUTES OF THE MEETING OF THE FULL COUNCIL HELD AT THE BROCKS HILL VISITOR CENTRE, WASHBROOK LANE, OADBY ON TUESDAY, 24 APRIL 2018 COMMENCING AT 7.00 PM

PRESENT

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

COUNCILLORS

L A Bentley
Miss A R Bond (Deputy Opposition Group Leader)
G A Boulter
J W Boyce (Leader of the Council)
Mrs L M Broadley
F S Broadley
Mrs K M Chalk
Miss M V Chamberlain
M H Charlesworth (Deputy Leader of the Council)
M L Darr
B Dave (Leader of the Opposition)
R F Eaton
Mrs L Eaton JP
D A Gamble
J Kaufman
Mrs L Kaufman
Dr T K Khong (Opposition Group Leader)
Mrs H E Loydall
K J Loydall JP
R H Thakor

OFFICERS IN ATTENDANCE

S J Ball (Senior Democratic Services Officer / Legal Officer)
Mrs A E Court (Interim Chief Executive)
D M Gill (Head of Law & Governance / Monitoring Officer)
S Hinds (Director of Finance & Transformation / Section 151 Officer)
B Kew (Head of Operational & Street Scene Services)
C Raymakers (Head of Finance, Revenues and Benefits)
A Thorpe (Head of Planning, Development and Regeneration)
S Tucker (Democratic & Electoral Services Manager)

119. CALLING TO ORDER OF THE MEETING

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

120. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillors E R Barr, R E Fahey, R E Morris and Mrs S B Morris.

121. DECLARATIONS OF INTEREST

The following interests were declared in respect of the following agenda items:

Full Council
Tuesday, 24 April 2018

Mayor's
Initials

Agenda Item 15

The Mayor declared a non-pecuniary interest insofar as she was a proposed Nominative Trustee to the Oadby Educational Foundation ("the Foundation").

The Deputy Mayor declared a non-pecuniary interest insofar as he is a current Nominative Trustee of the Foundation and had indicated his willingness to be re-appointed for a further three year term.

122. READING, CONFIRMATION AND SIGNING OF MINUTES

122a. MINUTES OF THE MEETING OF THE FULL COUNCIL HELD ON THURSDAY, 22 FEBRUARY 2018

By affirmation of the meeting, it was:

UNANIMOUSLY RESOLVED THAT:

The minutes of the meeting of the Council held on Thursday, 22 February 2018 to be taken as read, confirmed and signed.

122b. MINUTES OF THE MEETING OF THE FULL COUNCIL (EXTRAORDINARY) HELD ON TUESDAY, 10 APRIL 2018

By affirmation of the meeting, it was:

UNANIMOUSLY RESOLVED THAT:

The minutes of the extraordinary meeting of the Council held on Tuesday, 10 April 2018 to be taken as read, confirmed and signed.

123. ACTION LIST

By affirmation of the meeting, it was:

UNANIMOUSLY RESOLVED THAT:

The Action List arising from the meeting of the Council held on Thursday, 22 February 2018 be noted by Members.

124. MOTIONS ON NOTICE

None.

125. PETITIONS, DEPUTATIONS AND QUESTIONS

None.

126. MAYOR'S ANNOUNCEMENTS

The Mayor requested that her gratitude towards all Members for their support during the past Municipal Year be placed on record.

126a. LIST OF 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 by Members.

127. LEADER'S STATEMENT

The Leader of the Council presented a Statement outlining his recent work, the administration's plans and an overview of recent decisions taken since the previous meeting of the Council.

128. TREASURY MANAGEMENT POLICY AND STRATEGIES 2018/19

The Council gave consideration to the report as set out on pages 22-59 of the agenda, which asked it to approve the Treasury Management Policy, the Prudential Indicators 2018/19, the Treasury Strategy and Plan 2018/19 and the Investment Strategy 2018/19 to 2020/21.

A Member raised a query with regard to the Council's practice of lending money to other local authorities, in terms of what risks this might expose the Council to in view of the financial difficulties being encountered by some authorities. The Director of Finance and Transformation assured Members that loans to other local authorities represent very low risk to the Council as any lending is short-term and covered by appropriate protections.

It was moved by Councillor B Dave, seconded by Councillor J Kaufman and

UNANIMOUSLY RESOLVED THAT:

- (i) The Treasury Management Policy (as set out at Appendix 1) be approved;**
- (ii) The Prudential Indicators 2018/19 (as set out at Appendix 2) be approved;**
- (iii) The Treasury Strategy and Plan 2018/19 (as set out at Appendix 3) be approved;**
- (iv) The Investment Strategy 2018/19 and 2020/21 (as set out at Appendix 4) be approved.**

129. CHANGES TO THE RECEPTACLE FOR RECYCLING COLLECTIONS

The Council gave consideration to the report as set out on pages 60-69 of the agenda, which asked it to approve a change to the receptacle used to collect kerbside recycling from co-mingled bags to co-mingled wheelie bins as soon as practicably possible with an estimated go-live date of 01 July 2018, to note the advantages of early adoption of such a scheme and to note the progress of the refuse and recycling project.

The Director of Finance and Transformation introduced the report and drew the attention of Members to the fact that the proposal was solely concerned with changing the receptacle for recycling collections, and approval of the proposal would not alter the scheduling or the frequency of the current refuse or recycling collection service for residents.

The majority of Members acknowledged that in light of the financial and operational challenges associated with continued co-mingled plastic bag collections, the proposal to change to co-mingled wheeled bin collections represented a common sense, efficient and

environmentally preferable alternative. There was general acceptance that this change would not only help to achieve cost savings and reduce current health and safety risks, but also drastically reverse the substantial increase in the amount of plastic waste currently generated by bagged collections.

Whilst the proposal was generally supported, one Member raised concerns about the validity of the evidence contained within the report and suggested that the financial information underpinning the proposal had been exaggerated in order to force Members into a rushed decision only a matter of weeks after the current system of clear plastic bag collections had commenced. The legality of the County Council Direction Notice was also called into question on the basis that the Borough Council had not formally agreed to its terms.

The Director of Finance and Transformation confirmed that the evidence presented in the report was based on factual information collected from a range of sources, and that whilst not the intention to unduly rush Members into a decision, it made operational and financial sense to progress the project as quickly as possible to avoid unbudgeted costs and a significant increase in the amount of plastic waste produced. In terms of the County Council Direction Notice, it was advised that as the County Council had formally agreed to serve the Direction Notice, the consent of District/Borough Councils was not required and as such it would have come into force regardless of any objection lodged.

It was moved by Councillor L A Bentley, seconded by Councillor Mrs L M Broadley and

RESOLVED THAT:

- (i) The change to the receptacle used to collect kerbside recycling from co-mingled bags to co-mingled wheelie bins be approved and implemented as soon as practicable, with an estimated go-live date of 01 July 2018;**
- (ii) The advantages of the early adoption of recycling bins set out at paragraph 4.10 of the report be noted by Members; and**
- (iii) The progress of the refuse and recycling project, and the progress made by the Council to be ahead of the anticipated end date of Stage 1 of the project be noted by Members.**

Votes For	22
Votes Against	0
Abstentions	1

130. REPLACEMENT OF HORSEWELL LANE PAVILION, WIGSTON

The Council gave consideration to the report as set out on pages 70 to 82 of the agenda, which asked it to approve a proposed financial restructure and the use of Section 106 contributions in order to deliver the replacement pavilion at Horsewell Lane recreation ground and provide the best possible facility for residents of the Borough.

It was moved by Councillor L A Bentley, seconded by the Leader of the Council and

UNANIMOUSLY RESOLVED THAT:

- (i) A Section 106 sum of £97,321 forming part of a Sports Facilities Fund in the 'Horsewell Lane Pavilion and 3G Artificial Pitch' report to Council on 31 October 2017 be allocated to the project to create a total sum of Section 106 funding available for the project of £375,299.**
- (ii) The remainder of the funding required to deliver the project be allocated**

from the Council's Capital Programme budget, up to a total value of £621,387.

- (iii) Faithful and Gould be instructed to proceed with developing the concept design to bring the new building forward for planning permission in June 2018 and to proceed with the procurement of the main contractor.
- (iv) Key stakeholders including Councillors L A Bentley and J W Boyce, as Ward Councillor and Chair of Place Shaping Working Group, to be regularly consulted at significant stages of the development, with all Members kept regularly updated on progress of the project and build.
- (v) Delegated authority be given to the Director of Finance and Transformation / Section 151 Officer, in agreement with the Leader of the Council and Councillor L A Bentley, to make any further decisions relating to the replacement of Horsewell Lane Pavilion and its environs that are within the approved budget in order to enable the project to be delivered within the required timescale.

131. MEMBERS' ALLOWANCE SCHEME 2018/19

The Council gave consideration to the report as set out on pages 83-97 of the agenda, which asked it to adopt the Scheme of Members' Allowances for 2018/19 as recommended by the Independent Remuneration Panel.

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

UNANIMOUSLY RESOLVED THAT:

The Scheme of Members' Allowances for 2018/19 as recommended by the Independent Remuneration Panel be adopted.

132. DRAFT SCHEDULE OF COUNCIL & ALLIED MEETINGS 2018/19

The Council gave consideration to the report as set out at pages 98 to 117 of the agenda, which asked it to provisionally approve and note the draft Schedule of Council and Allied Meetings for 2018/19, and for the proposed dates, times and venues of these meetings to be provisionally entered onto the Council's meeting management application.

The Senior Democratic Services Officer / Legal Officer introduced the report and informed Members of a small number of minor alterations to the draft Schedule since its initial publication, which are to be reflected in the Final Schedule for Council to resolve at its Annual General Meeting (AGM) on Tuesday, 15 May 2018.

It was moved by Councillor Mrs H E Loydall, seconded by Councillor G A Boulter and

UNANIMOUSLY RESOLVED THAT:

- (i) **The draft Schedule of Council and Allied Meetings for 2018/19 (as set out in the Appendices) be provisionally approved and noted by Members for information.**
- (ii) **The proposed dates, times and venues of meetings for the Municipal Year 2018/19 be provisionally entered onto the Council's meeting management application.**

133. APPOINTMENT OF NOMINATIVE TRUSTEES TO OADBY EDUCATIONAL FOUNDATION

The Council gave consideration to the report as set out at pages 118 to 121 of the report, which asked it to give consideration to the supporting statement and resolve to appoint four nominative Trustees to Oadby Educational Foundation to serve a term of three years with effect from 24 April 2018.

It was moved by Councillor D A Gamble, seconded by Councillor J Kaufman and

UNANIMOUSLY RESOLVED THAT:

- (i) Councillor David M Carter, Mr Michael Thornton and Mrs Gillian Austen be re-appointed as nominative Trustees to serve a term of three years with effect from 24 April 2018; and**
- (ii) Councillor Samia Z Haq be appointed as a nominative Trustee to serve a term of three years with effect from 24 April 2018.**

134. REVIEW OF THE RESIDENTS' FORUMS' TERMS OF REFERENCE

The Council gave consideration to the report as set out at pages 122 to 128 of the agenda, which asked it to approve the Terms of Reference for the Residents' Forums with or without any of the suggested amendments arising from the consultations.

Members welcomed the fact that the Residents' Forums had been largely receptive to the proposed Terms of Reference, and noted that the Council is one of only a few authorities to run such Forums, demonstrating the Council's commitment to giving residents a voice.

It was however noted that a small number of common themes had been arisen during the consultations around which the Forums wished to see amendments made. These included the need for a 'matters arising' item to be included as part of the minutes of meetings, preventing Councillors from voting at meetings, clarifying the intended membership of the Forums and providing the Chair of Forum meetings the ability to extend meetings beyond the proposed two hour duration at their discretion. It was suggested that authority should be delegated in this regard to the Head of Law & Governance to amend the Terms of Reference with an appropriate form of wording to appropriately reflect the feedback arising from the consultations.

It was moved by the Leader of the Council and seconded by the Deputy Leader of the Council that the tabled following amendments be approved *en bloc*.

UNANIMOUSLY RESOLVED THAT:

The following amendments be made to the draft revised Terms of Reference for the Residents' Forums:

- (a) A 'matters arising' item be included on the agenda for Forum meetings to facilitate discussion of minutes of previous meetings;**
- (b) Councillors will not be permitted to vote at Forum meetings;**
- (c) Membership of the Forums is primarily intended for residents, constituted groups and people or work or have businesses in area which the Forum represented; and**
- (d) Meetings will be scheduled for two hours, with any extension to the duration of the meeting at the discretion of the Chair.**

It was then moved by Councillor G A Boulter, seconded by Councillor Mrs H E Loydall and

UNANIMOUSLY RESOLVED THAT:

- (i) **The proposed Terms of Reference for the Residents' Forums be approved, subject to the amendments tabled; and**
- (ii) **Authority be delegated to the Head of Law & Governance following consultation with the Chairs of the Residents' Forums to determine the appropriate wording to accurately capture the amendments tabled within the revised Terms of Reference.**

135. REVIEW AND AMENDMENT OF THE COUNCIL'S CONSTITUTION

The Council gave consideration to the report as set out on pages 129 to 281 of the agenda, which asked it to consider the options and approve the proposed revisions to the Articles, Responsibility for Functions and the Scheme of Delegation in Parts 2 and 3 of the Constitution respectively, subject to any amendments proposed and agreed.

Members acknowledged that a good amount of progress had been made in addressing a variety of issues within the existing Constitution, but generally it was felt that further work was required by the Constitutional Working Group and the Head of Law & Governance to provide greater clarity on the proposed amendments and also to consider further amendments not contained within the report as it stood.

It was moved by the Leader of the Council, seconded by Councillor G A Boulter and

UNANIMOUSLY RESOLVED THAT:

- (i) **The Review and Amendment of the Council's Constitution be referred back to the Constitutional Working Group for further work to be carried out; and**
- (ii) **A report be brought either to the July or October meeting of the Council updating Members on the progress of the project.**

136. DISCONTINUATION OF THE RECEIVING OF MINUTES FOR INFORMATION

The Council gave consideration to the report as set out on pages 282 to 284 of the agenda, which asked it to approve the discontinuation of the practice of noting minutes of all Committees, Boards, Panels, Forums, Working Groups and Outside Bodies at Full Council with effect from the start of the 2018/19 municipal year.

A Member expressed concern that this move could be seen as undemocratic, given past tradition whereby the inclusion of minutes on the agenda provided an opportunity to put questions to Committee Chairs, thus enabling them to be held to account. Members were however reminded by the Head of Law and Governance that it would remain the case that if a Member wished to raise an issue, question or comment on the minutes, they could do so under Rule 11 of the Council procedure rules. It was also emphasised that there would be a significant financial benefit to the discontinuation of the current practice, and the minutes of all meetings would remain fully accessible to all Members both electronically and in hard copy via other means.

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

UNANIMOUSLY RESOLVED THAT:

The practice of noting minutes of all Committees, Boards, Forums, Working Groups and Outside Bodies at Full Council be discontinued with effect from the start of the 2018/19 municipal year, subject to a hard copy of the minutes being provided in the Members' Room and Council Chamber for a period of two

years.

137. RECEIVING OF MINUTES FOR INFORMATION

By affirmation of the meeting, it was

UNANIMOUSLY RESOLVED THAT:

The minutes as set out at agenda item numbers 19(a)-(g) (at pages 285 - 328) from the meetings of the below-mentioned Committees, Forums, Working Groups and Outside Bodies for the purposes of information be received by the Council.

- (a) Minutes of the Meeting of the Development Control Committee held on Thursday, 15 February 2018;**
- (b) Minutes of the Meeting of the Oadby Residents' Forum held on Wednesday, 28 February 2018;**
- (c) Minutes of the Meeting of the South Wigston Residents' Forum held on Wednesday, 07 March 2018;**
- (d) Minutes of the Meeting of the Place Shaping Working Group held on Thursday, 08 March 2018;**
- (e) Minutes of the Meeting of the Wigston Residents' Forum held on Wednesday, 14 March 2018;**
- (f) Minutes of the Meeting of the Development Control Committee held on Thursday, 15 March 2018; and**
- (g) Minutes of the Meeting of the Service Delivery Committee held on Tuesday, 20 March 2018.**

138. EXCLUSION OF PRESS AND PUBLIC

By affirmation of the meeting, it was

UNANIMOUSLY RESOLVED THAT:

The press and public be excluded from the remainder of the meeting in accordance with Section 100(A)(4) of the Local Government Act 1972 (Exempt Information) during consideration of the item(s) below on the grounds that it involved the disclosure of exempt information, as defined in the respective paragraph(s) 1, 2 and 3 of Part 1 of Schedule 12A of the Act and, in all the circumstances, the public interest in maintaining the exempt item(s) outweighed the public interest in disclosing the information.

139. EMPLOYMENT ISSUE (EXEMPT VERBAL UPDATE)

The Council received a verbal update as delivered and summarised by the Head of Law & Governance / Monitoring Officer in closed session.

By affirmation of the meeting it was

UNANIMOUSLY RESOLVED THAT:

The contents of the verbal update be noted by Members.

140. RESOLUTION TO EXTEND SIX-MONTH MEETING ATTENDANCE RULE (EXEMPT REPORT)

In accordance with section 100B(4)(b) of the Local Government Act 1972, by reason of special circumstance, being that this was the last ordinary meeting of the Council of this municipal year and concerned a time-sensitive matter, the Mayor was of the opinion that this item of business should be considered at this meeting as a matter of urgency.

The Council gave consideration to the exempt verbal update as delivered and summarised by the Head of Law & Governance / Monitoring Officer in closed session.

By affirmation of the meeting it was

UNANIMOUSLY RESOLVED THAT:

The recommendation to extend the six-month meeting attendance rule for the reasons set out in exempt report be approved by Members.

THE MEETING CLOSED AT 9.04 PM



Mayor

Tuesday, 31 July 2018

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