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By Town Clerk

Full Council 08 November 2021

EARL SHILTON TOWN COUNCIL

MINUTES of the FULL COUNCIL MEETING

Held at 7:30 p.m. on

Monday 08 November 2021

At *The Independent Chapel, 89 High St.*, Earl Shilton, LE9 7LR.

MEMBERS PRESENT:

Town Councillors: R Allen*, Chairman, B Granger, Deputy Chairman & Deputy Town Mayor, Mrs A Burton, A Darker, I Faver, Mrs G Granger, R Hills, C Ladkin*, M Leman, Ms S Mannion and Mrs L Wharton.

Town County/Borough Councillors*: R Allen.
C Ladkin.

In attendance: Town Clerk: Mr ME Jackson.
Members of public: Nil.

21/112 *Chairman's welcome, opening remarks.*

The Chairman remarked to Members that the coming Thursday and Sunday will be *Armistice Day* and *Remembrance Sunday* expressing the hope that it will be most welcome if fellow Cllrs will be able to join him at the Town War Memorial if possible.
Noted and received.

21/113 *To receive apologies for Town Cllr Member absence.*

Cllrs Mrs C Allen, Ms D Almey, and A Bates submitted their reasoned apologies for absence in writing/in person to the Town Clerk in advance of the meeting.
Resolved: to accept as read, all the named Cllrs apologies for absence as tabled and recorded by the Town Clerk.

21/114 *Declarations of interests. To receive disclosures of member's interests, i.e. the existence and the nature of those interests in respect of items on this agenda.*

Cllr M Leman – non-pecuniary: item 21/122, in particular LPCOS Cttee draft minute 21/058 as Cllr Leman is a blood relative of a subject individual for the matter in hand.
Resolved: to allow Cllr Leman to remain in the meeting but only to speak when if questioned on factual matters and not to vote on any motion for resolution.

Cllr R Allen - non-pecuniary: regarding the ES Sustainable Urban (Housing) Extension (ES-SUE). In 2014 when the first developer draft applications/options were published Cllr R Allen stated that he was against the development of the ES-SUE in any form thus



being pre-determined and fettering his discretion. As of this date, 08 Nov 21, Cllr R Allen's stated position is that he accepts the ES-SUE is likely to go ahead and that his only interest is that of a Town, Borough and County Cllr who wishes to work with fellow Cllrs at all levels and residents to achieve the best sensitive and sustainable outcome for the Town's future.

Resolved: to accept Cllr R Allen's stated position and to afford him the privilege to carry out his current stated aim and objective to achieve the best outcome of any ES-SUE for the benefit of Town residents, i.e. to take a full part in ES-SUE matters as a Town Cllr and sitting Chairman of ESTC.

21/115 To receive and approve as a true record the minutes of the Full Council meeting held on 11 October 2021.

Resolved: to accept as a true record of the Full Council meeting of 11 October 2021; the minutes tabled for the Chairman's signature and already distributed in draft to members with their agenda packs.

21/116 Public Participation:

a. Public speaking protocol – requests received by the protocol deadline to be submitted to the Clerk with details of the agenda item they wish to address/relate to.

b. That the meeting be adjourned to allow members of the public to make representation about items that are not on the agenda (Electors' Time).

None and N/A.

21/117 To consider the ESTC declared casual vacancy for the Townlands Ward seat. To note electors have not called for a by-election and the unsolicited application by a resident to be co-opted onto the Town Council by Town Cllr vote.

Mrs L Wharton, a resident of Earl Shilton in answer to the Borough Council's official public notice of a *Casual Vacancy* caused by the recent death of Cllr Mrs CM Coe; applied for the co-option to a Townlands Ward seat. Mrs Wharton presented herself and her credentials to the meeting and answered polite questions from Members.

Resolved: to co-opt Mrs L Wharton as a Member Cllr to ESTC for the remainder of this Council's term of office (May 2023). (Cllr Wharton duly completed her declaration of acceptance of office and will complete her register of interests in due course.)

21/118 To note and receive any reports from County and Borough Cllrs.

County & Borough - Cllr R Allen:

- Station Rd. A permanent vehicle activated sign (VAS) will be strategically on this road at County Highways expense. The preference for the installation of a chicane system is still an aim and objective for Cllr R Allen in his LCC role.
- Cllr R Allen will still welcome ideas for minor highway improvements from his current LCC £25k allocation.

Borough Cllrs, - C Ladkin (& R Allen):

- Planning application processing and Planning consents and conditions 'enforcement'. This HBBC service is still experiencing long term qualified,



- experienced staff retention and recruiting problems with no clear solution in sight.
- Financial Pressures. ES Borough Cllrs still believe the finances of HBBC are under stress, e.g. works to the new crematorium have hit a major high water table snag that will require a likely 6 month hiatus with probable add-on costs. Additionally, lack of footfall to the leisure centre, HBBC Car Parks and caring for the homeless. All the issues are subject to the uncertainty regarding central government 'settlement' funding to HBBC for the FY 2022/23.
 - Cllr A Darker asked Borough Cllrs what, if any, facilities were able to be paid by HBBC budgets to rehabilitate alcoholics. Borough Cllrs explained to Cllr Darker that such provision lay in the hands and resources of Primary Healthcare services and County Council Social services so not the Borough. Cllr Darker was also advised that those suffering from alcoholism must be willing to undergo consistent treatment so such an issue is not often as straightforward as it may seem.

Reports noted and received with thanks.

21/119 *To receive any form of Neighbourhood Police report pertaining to Earl Shilton including the local Beat Team report for October dated to November 2021.*

- a. *Beat Team monthly newsletter*: noting public surgeries have now resumed i.e. the last Tues of the month at the Wood St morning market.
- b. *Other/late relevant items – Neighbourhood Link 07 Nov 21 General Update*. The Town Clerk read out the 2 main paragraphs regarding ASB (Barwell) and across the beat, drug misuse and what is being done to tackle the issue. A reminder to all who are concerned also to report any drug related issues to the Beat Team so they may devote appropriate resources to 'hotspots'.
 - Mill Lane parking outside the Primary School. Cllr A Darker reported continued parking disruption to the Highway and so has continued to inform the Beat Team.
 - Cllr L Wharton reported that during her volunteer litter picking she comes across drug misuse paraphernalia. The Chairman concurred there are 'user sites' and encouraged Cllr Wharton and all Members to report them to the Beat Team by the most convenient means.

Noted and received.

21/120 *To note and receive any reports from member representatives to recent (remote/virtual) non-Town Council outside bodies, meetings, events or working parties excluding Police reports and the Town Team Working Group (TTWGp) including relevant late items received since this agenda was published. **None**.*

21/121 *To invite/nominate member representatives to attend meetings/events that are not Town Council initiated including remote and late relevant invitations too.*

- a. *02 Dec 21 - Borough Council (HBBC): hybrid Borough, Parish & Town forum*. Cllrs R Allen and Wharton signified they will try to attend the forum most probably by virtual means under the proposed hybrid format.
- b. *Late items. **None**.*

21/122 *To receive minutes, draft minutes (02 Nov 21) and or a verbal report on Leisure, Parks, Cemetery and Open Spaces (LPCOS) Cttee meetings or business of interest and possible concern plus any immediate recommendations for spending from the annual budget or Reserves.*

The draft minutes of the 02 Nov 21 meeting were **noted and received** by Full Council.

a. *The Cttee Chairman briefed Members regarding points in the draft Cttee minutes in particular:*

- Receipt of £6244.25 s106 monies to contribute to the new Wood St Park skateboard ramp already completed and paid for.
- New tree planting considerations.
- ESTC Trees – seek expert advice from HBBC to ensure all ESTC trees are under a TPO.
- Unauthorised ground feeding of wild birds reported by residents as attracting rat vermin to a Town Council park – ESTC will be seeking advice from environmental health services of HBBC.
- A scheme to replace worn play equipment in Maple Way Park.
- QEII Hall Field Park – resolution to a replace failing soft play surface.
- Precept recommendation for FY 2022/23 – increase tree works budget by £5k to a total of £20k. Major pruning works to a row of poplars is envisaged in next year's planned works.
- 01 Apr 22 Cemetery Fees & Charges Increases – fees & charges have not been increased for 4 years (Oct 2017) so some modest increases will be introduced next year from 01 Apr 22.

Noted and received.

b. *LPCOS Cttee recommendation to spend from LPCOS Earmarked Reserves. The lifecycle of the QEII Hall Field Park heritage lighting is coming to an end with several lamp failures. This lighting requires specialist non-standard long life elements. The cost of this replacement cycle is £2,513 net of VAT.*

Resolved: to replace the failed heritage lighting elements needed at a cost of £2,513.

c. *Members wished to discuss QEII Hall Field Park lighting for an unlit stretch of pathway. The Chairmen of Council and the LPCOS Cttee agreed this potential project should be referred back to the LPCOS Cttee for investigation and consideration.*

Noted and received.

21/123 *To receive a written, (02 Nov 21 meeting), and or verbal report from a Member of the Events Cttee regarding recent actual events and plans for future ones.*

In the absence of the Cttee Chairman, Cllr M Leman gave Members a resume' of the draft notes from the last meeting:

- 2021 events held so far this year had gone very well with good support from the public and latterly Cllrs.

- Remembrance Sunday is almost upon us and Christmas Lights will be on Fri 26 Nov 21 with preparations in place for both events.
 - HRH the Queen's Platinum Jubilee celebration 02-05 Jun 22 is in the draft planning stage.
- a. A system of card payment systems for *Seaside 2022*, (and, for example Cemetery receipts), is still under review. Hopefully more details can be brought to the Dec 21 Full Council to consider the matter further.
- b. ESTC Snow Machine. This is still not working properly and sourcing a cheap simple but vital replacement part is proving difficult. Office and Groundcare staff will continue to work closely with ESTC's trusted contract electrician to fix the immediate problem. Members suggested and discussed that next year a new replacement snow machine may be bought, possibly in part funded by a HBBC PCIF grant or similar. All agreed that experience of hiring a snow machine is both very expensive and has proved unreliable.
- Noted and received.**

21/124 *Correspondence received including relevant late items received.*

- a. *Email from Citizens Advice (CA) Leicestershire Chief Executive dated 14 Oct 21.*

After a discussion which agreed about the much valued CA service members agreed a donation for this year.

Resolved: to donate £350 from within budget to Citizens Advice Leicestershire.

- b. *Invitation to the opening of the Newton Fallowell office Wood St (new business).*

Members welcomed this addition to the Town's business community and wish it success. ESTC will await with interest a formal invitation to any opening event.

Noted and received.

- c. *VAT on sports & leisure facilities – request to contribute to legal appeal fund to exempt such activities from VAT charges.*

Members were happy to discuss this issue in the round however the consensus, simply put, is that the matter is for very large local councils and of course principal Councils at city, county and district level.

Noted and received.

- d. *Late relevant items. None.*

21/125 *To receive the Town Clerk's Finance Report including late relevant items.*

- a. *RBS monthly accounts for Chairman's signature to be approved to confirm as a true record, the Town Council's financial position as at 31 Oct 21.*

Members only received their digital and hard copy of the Oct accounts pack on the day of this meeting and at the meeting respectively so any motion to allow the Chairman to sign off the accounts as a true record will wait until the Dec 21 Full Council. At the suggestion of the Chairman, Members agreed to in future only receive a pared down hard copy accounts pack.

Noted and received.

b. *Commencement of Interim Internal Audit – FY 2021/22.*

The accounts etc will be delivered to the independent Internal Auditor on 09 Nov 21 with a report likely to be in time for the Dec 21 Full Council meeting.

Noted and received.

c. *Appointment of a Town Cllr signatory to all accounts and financial instruments – Cllr Mrs A Burton.*

Resolved: that Cllrs A Burton and A Darker be included as signatories for ESTC financial instruments.

d. *Late relevant items. None.*

21/126 *To receive the Town Clerk's general report including relevant late items received since this agenda was published.*

The week commencing 15 Nov 21 will see Leicester City Football Club Academy players in town to help with pitch aeration of the Weaver Springs Park playing fields. This novel event has been organised by a local football team Green Towers FC who hire 2 of the 3 Parks pitches on a seasonal basis.

Noted and received.

21/127 *Planning applications/correspondence received as a Town Council 'consultee' from HBBC, adjacent Districts and or LCC as Local or County Planning Authorities. Also to:*

Note a Planning Cttee Chairman's verbal or written reports and possibly, discuss and receive non-private session items from the Planning Cttee; e.g. a verbal/written report from any Planning Cttee meeting or communications, especially regarding major or controversial applications concerning the Town including:

The Planning Cttee meeting of 08 Nov 21 was cancelled due to a lack of Consultee applications from HBBC as the Local Planning Authority (LPA) to consider.

The Chairman did brief Members that: the previously received application for 9 dwellings to be erected on land off Breach Lane, has been passed by the LPA despite misgivings formally submitted by the Town Council.

Noted and received.

21/128 *To note and receive the draft minutes of the Finance & Policy Working Party (Fin & Pol WP) held on Mon 25 Oct 21 including recommendations to Full Council including amendments to ESTC policy documents.*

The Chairman who also chaired this Working Party:

- a. Stated to members the half year actual spend to budget is on track and trend.
- b. Will report on premises and ES-SUE matters in private session.
- c. For reasons of good governance, the Chairman asked members to agree recommended amendments to the following (some) mandatory Council policy documents as detailed in agenda pack items and read out by the Town Clerk at the meeting.

- Standing Orders (mandatory). **Resolved.**
- Financial Regulations (mandatory). **Resolved.**
- The Corporate Risk Assessment (mandatory). **Resolved.**
- The Staff HR Handbook. **Resolved: to remain extant until the early 2022 LRALC Governance Review findings are known.**

21/129 *To note and receive the draft minutes of the Business & Volunteer Community Group Working Party (B&VCGp WP) held on Mon 25 Oct 21 including recommendations to Full Council.*

At this inaugural meeting of the Working Party members agreed the following way forward:

- a. Once fully listed, B&VCGps will be notified of the funding opportunity but asked engagement questions such as:
 - What is your biggest challenge?
 - What is your aim and objective?
 - How may the Town Council assist you, e.g. publicity, social media exposure, a funding boost etc.
- b. Likely date for the next Working Party meeting will be late January or early February 2022.
- c. Three or possibly four non-councillor local business and community group individuals have been sounded out and may in future be formally invited to join the Working Party as its Terms of Reference allow.
Noted and received.

Confidential Items – in accordance with the Public Bodies (Admissions to Meetings) Act 1960, the press and public will be excluded from the agenda items below by reason of the confidential nature of the business to be discussed and will be requested to withdraw. Members will resolve to go into Private Session. So resolved.

Point of order: Cllrs B & G Granger leave the meeting completely at 9.23 p.m. before the commencement of the next agenda item.

21/130 *Planning and Town Team Working Group (TTWGp) matters which should be heard in private session:*

To consider the issues/updates from the Chairman/Town Clerk/Members or others regarding the:

a. *The Premises projects – Library Office facility and public toilet – update and outline plan and costs for Office move, i.e.:*

- i) *Detailed 2019 sunk costs – ESTC share of preparation works £9.3k.*

Noted and received.

- ii) *The contract Service Level Agreement (SLA) to open the Library public toilet with effect from 01 Dec 21 is 'live' according to HBBC officers.*

Noted and received.

- iii) *Order Office furniture through HBBC as detailed and costed.*

The Town Clerk produced a detailed and costed list of bespoke office furniture and fittings for the new Library Office produced with the professional, experienced and kind assistance of Borough Council officers using 'computer aided design' software. The result is a costing of £21k. Members freely discussed the costs and specifications.

Resolved: to use the good offices of HBBC officers to order the listed furniture and fittings for the new office to the value of £21k from the premises projects Earmarked Reserve on an immediate repayment basis by ESTC.

iv) To consider 3 commercial in confidence tenders for Office Information Systems based on a 3 year contract.

Members received 3 tenders for this item in their agenda packs. After a short discussion members were content to delegate authority to the technical expertise of Cllr M Leman and the Town Clerk as Responsible Financial Officer (RFO) in order to sift through the 3 quotations in finite detail to then bring back to Full Council the best quality and cost effective deal to amortise over the 10 year lease period and to replace the 7 year old system.

Resolved: to delegate authority to Cllr M Leman and the Town Clerk to bring forward the best qualitative and cost effective option for the Town Council replacement Information Systems (IS).

b. ES Sustainable Urban Extension (ES-SUE) access road options document – price/valuation(s) and terms.

Redacted 

ii) Barwood Land Statement of Community Involvement (SCI).

Members discussed this simple and straightforward SCI without issue.

Resolved: to agree the Barwood Land request for the stated SCI without delay.

c. Hinckley National Rail Freight Interchange (HNRFI) – Blaby District Council (BDC) 'Position Statement' dated October 2021.

Points to note:

- BDC are currently making arrangements with LCC and HBBC for 'Joint working'.
- This application sits outside the normal planning regime, i.e. it will be processed by the Planning Inspectorate (PIs) instead of any Local Planning Authority and decided by the relevant central government Secretary of State.
- The applicant, Tritax Symmetry, are due to undertake a formal public consultation in Jan 22.

Noted and received.

d. Late relevant confidential items received since this agenda was set. **None.**

21/131 *Staffing Cttee issues including relevant late items received since this agenda was published.*

a. Employment Appeals Tribunal (EAT), London, Thurs 04 Nov 21. Briefing from the Chairman as an attendee observer and result if known.

The Chairman attended the EAT as planned and briefed Members as follows. ESTC's (Insurer's) appointed barrister on 2 *grounds* for appeal; based in statute and case law precedent; asserted there was no discrimination based on gender regarding toilet facilities afforded to the *Claimant* by the Town Council as *Respondent*. Subject to written confirmation, the EAT presiding Judge upheld the ESTC barrister's argument. The Claimant's legal team will have one chance to appeal the EAT Judge's decision. This final appeal is unlikely to be heard before Feb/Mar 22.

Noted and received.

b. Late relevant items. ***None.***

Last Item.

The Chairman closed the meeting in good order at 9.59 p.m. thanking members for their attendance and contributions.

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