

EARL SHILTON TOWN COUNCIL

MINUTES of the MEETING OF FULL COUNCIL

Held at 7:30 p.m. on

Monday 13 March 2023

At *The Public Library, Wood St.*, Earl Shilton, LE9 7NE.

MEMBERS PRESENT:

Town Councillors: R Allen*, Chairman, M Leman, Deputy Chairman & Deputy Town Mayor, A Bates, Mrs A Burton, I Faver, C Ladkin* and Ms S Mannion.

Town's County/Borough Councillors*: R Allen
 C Ladkin

In attendance: Town Clerk: Mr ME Jackson.
 Deputy Clerk Mrs C Houghton
 Members of public: One, as recorded by the Town Clerk.

22/183 *Chairman's welcome and opening remarks.*

Cllr R Allen, welcomed Members, staff and a single member of the public attending and moved directly to a busy agenda.

Noted and received.

22/184 *To receive apologies for Town Cllr Member absence.*

Cllrs Ms D Almey and Mrs C Allen submitted their respective reasoned apology for absence to the Clerk in advance of the meeting.

Resolved: that the Cllrs named above reasoned apologies for absence, as tabled and recorded by the Town Clerk, be accepted.

22/185 *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. None.*

22/186 *To receive and approve as a true record the minutes of the Full Council meeting held on 13 February 2023.*

Resolved: to accept as a true record of the Full Council meeting of the 13 February 2023; the minutes tabled for the Chairman's signature and already distributed in draft to members with their agenda packs.



22/187 *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 or relate to.*
Nil.

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).*

The Chairman suspended the meeting to allow the resident member of the public to address to Cllrs.

The resident raised a complaint against ESTC on receipt of a letter from Council stating that, after consideration by a lawfully constituted Cttee of Council, the reasoned decision not to provide an extra dog waste bin on Breach Lane ranging from Clickers Way to Huit Farm. The Town Clerk verbally re-iterated the letters listed reasons why the Cttee would not sanction the extra cost to the tax payer to install a bin on land not owned or managed by the Town Council. The resident was advised that dog fouling issues and provision of dog waste bins on land not owned or managed by the Town Council is an issue that should be addressed to the Borough and or County Councils.

The Chairman brought the meeting back into formal session after the resident member of the public chose to leave the meeting at approximately 7.45 p.m.

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.

22/188 *To receive the Leics & Rutland Assn of Local Councils (LRALC) Governance Review report commissioned by the Town Council. A verbal executive summary will be briefed by the Chief Operating Officer of LRALC before the full report is issued to all Members by this Officer. ESTC will not receive an advance copy of the report.*

This item was postponed due to the report author being made unavailable at short notice.

Noted and received.

22/189 *Planning matters which should be heard in private session to consider the issues/updates from the Chairman/Town Clerk/Members or others regarding:*

a. *The Premises projects: a Groundcare Team permanent premises site: a choice of main option going forward and update on other sites considered. Update by the Deputy Chairman.*

i) *Meeting with owners of the front runner option 20 Mar 23.*

Cllr Leman confirmed to Members that scheduled non-public meeting will go ahead as arranged and all ESTC Cllrs are welcome to attend. Members were



invited to view the outline scale drawings of what a new *Community Facility* could provide subject to partnership agreement, planning advice, legal advice, financing and planning permission.

Noted and received.

ii) *Result of meeting with 'a another' option provider.*

The results of further negotiations at the request of another option provider were explained to Members. Compared and contrasted with the current front runner option above it remained clear to Cllrs that this option, for reasons of finance and utility, remains unviable.

Resolved: the Town Clerk is to inform this option provider that ESTC do not wish to pursue their offer further on grounds of cost to the public and utility of the site.

b. *Earl Shilton Sustainable Urban Extension (ES-SUE) – The draft Options document. Update by the Chairman:*

i) *Meeting with ESTC solicitor 22 Feb 23: further amendments.*

Cllr C Ladkin joined the meeting at the beginning of this item at 8.03 p.m.

The developer has accepted, through their solicitor to ESTC's, all the requested financial and non-financial amendments requested.

Resolved: to confirm the February 2023 resolution authorising the signing of the final draft (engrossed) copy of the access road options agreement by the Chairman and Town Clerk as soon as possible but with the addition of the Deputy Chairman as a signatory if one of the former two appointees are unavailable.

ii) *Claim on unregistered land by ESTC.*

There is a parcel of unregistered, (confirmed by a senior HBBC Planning Dept Officer), and overgrown land adjacent to Weaver Springs Park that may be of long term material use for residents as the build out of the ES-SUE progresses. Also tabled was the advice from ESTC's solicitor about the process of taking legal title of unregistered land by means of non-confrontational 'adverse possession'.

Resolved: to follow the ESTC Solicitor's advice regarding the legal process of 'adverse possession' of the said parcel of unregistered land starting as soon as possible.

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

22/190 *Staffing Cttee issues including relevant late items received since this agenda was published.*

a. *To note and receive the draft minutes of the Cttee meeting held on the evening of Mon 27 Feb 23 including decisions made by the Cttee under delegated Terms of Reference and those requiring ratification by Full Council:*

i) *Awarding of a permanent contract to an individual.*
Noted and received in full agreement.

ii) *Pay Scale Point (SCP) awards with effect from 01 Apr 23 to eligible and deserving staff.*

All noted and received in full agreement.

iii) *Succession planning – decision of the Staffing Cttee for ratification by Full Council.*

Resolved: that the Deputy Clerk be promoted to Town Clerk with effect from 01 October 2023 on the retirement of the incumbent on 30 September 2023. The terms and conditions of service in the appointment letter are also ratified by this resolution.

b. *Late relevant items since this agenda was published.*

22/191 Employment Appeal Tribunal (EAT) of 02 Dec 22. Judge's 'reserved' ruling received – final legal advice update if any.

The Town Clerk reported telephone advice from the ESTC Insurer's appointed solicitor as follows:

1. The ESTC acceptance of the EAT final judgement and instruction not to pursue the case to any further appeal is acknowledged by 'our' Solicitor and Barrister.
2. No costs will fall to the Town Council as these are all insured.
3. Deletion and destruction of almost all confidential case bundle documents may take place forthwith to comply with GDPR legislation, e.g. ET/EAT judgements will be retained for a further period of time.
4. There remains a ruling required on EAT legal costs between Claimant and Respondent solicitors/barristers but this does not in any way impact on the Town Council.

Noted and received.

Resolved: the Chairman returned the meeting to public access at 8.28 p.m.

22/192 *To note and receive any reports from County and Borough Cllrs.*

County Cllr R Allen

County Council matters.

- Whilst the Council tax rates have been set for the FY 2023/2024 the 5 year medium term forecast is for a progressive mounting budget deficit if a better funding formula is not forthcoming. For example; subsidised bus services will suffer cuts plus hard decisions will have to be made to maintain services such as, adult social care, children's services and SEND services.
- Rail Freight Interchange. LCC along with other concerned principal authorities objected to the Tritax Symmetry application as 'inadequate'. These objections have currently been upheld by the central government Planning Inspectorate for the time being.

Borough Cllrs C Ladkin, & R Allen

Borough Council matters mentioned:



- HBBC food waste (free) collections are proposed to start soon in an effort to increase the area recycling percentage from its current plateau of an average of 42%.
- The Borough will increase its use of reserves to keep the HBBC precept as low as possible for the FY 2023/2024. Reserves will then sit at 10% of the annual precept down from 15% however the Borough Council borrowing limit is an ongoing concern.
- Interim Parking Policy. Non-electric cars will be allowed to park in HBBC electric vehicle parking spaces as the progress to wider EV ownership reaches critical mass. This issue will be reviewed on a regular basis.

Reports noted and received with thanks.

- 22/193** *To receive any form of Neighbourhood Police report pertaining to Earl Shilton including the local Beat Team report for February 2023 dated March 2023.*

The report of 2 town centre shop break-ins is of concern however, the report is:-

Noted and received with thanks.

- 22/194** *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.*

- a. 02 Mar 23 – Borough Council Annual Rural Conference at Twycross Zoo.

Verbal reports from the 2 Cllrs and 1 officer who attended the Conference reported that it was worthwhile as both having interesting topics and for networking with likeminded people.

Noted and received.

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

- 22/195** *To invite/nominate member representatives to attend meetings/events that are not Town Council initiated including remote and late relevant invitations too. **None.***

- 22/196** *To receive minutes, draft minutes (07 Mar 23) 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 Cttee Chairman briefed Full Council on the following resolved motions made by the Cttee:

- The Great British Spring Clean.
- Provision of an additional dog waste bin in addition to the 35 already paid for in terms of purchase cost and emptying twice a week – see also minute **22/187 b.** above.

Noted and received.

- Purchase of a publicly accessible mapping system that dovetails with ESTC's existing RBS Cemetery database – recommendation to Full Council. £2,445.00



- net of VAT from the parks earmarked reserve and noting the annual maintenance and support fee of £155 net of VAT.

Resolved: to purchase the stated mapping system at the stated cost of £2,445.00.

22/197 To receive a written, (draft minutes of the 07 Mar 23 meeting), and or verbal report from the Chairman of the Events Cttee regarding recent meetings and updates concerning 2023 events.

Cttee Members briefed Full Council that:

- King's Coronation – School Children's mugs and school's time capsules are now to be ordered from the chosen suppliers after a tendering process.
- Earmarked reserves will be used to fund any overspend for Picnic in the Park and purchase of recycled plastic for three Seaside sandpit frame border replacements.

Noted and received.

22/198 Correspondence received including relevant late items received.

a. Status of LCC footpath V18 – Wood St Park to Keats Lane.

After receiving a detailed list of complaint from a named resident about the condition of LCC footpath V18 and passing it on to County Highways ESTC received a written response from a named LCC Highway Inspection Manager. According to the Inspector V18 is an **informal** footpath and is in a condition that is acceptable. The resident has a full copy of the Inspector's report.

Noted and received.

b. Late relevant items if any.

i) Receipt of 2 anonymous letters of complaint about the Town Clerk.

The Chairman stated that anonymous letters of complaint will not be received.

Noted and not received.

ii) Local Government Employers' 2023/2024 staff pay award offer £1,925 per annum. This offer has been rejected by the 3 main Trades Unions consulted.

Noted and received.

22/199 To receive the Town Clerk's Finance Report including late relevant items.

a. Monthly accounts for February 2023 – approval for the Chairman to sign off these accounts as a true statement of the status of the Council's finances as at the 28 Feb 23.

Resolved: Members authorised the Chairman to sign-off the monthly accounts for the month of February 2023 as a true statement of the Council's financial status.

b. Late relevant items if any.

Key Year End (31 March 2023) procedure dates have been set as follows:

- RBS accounts closedown - Thurs 20 Apr 23.
- Internal Audit for AGAR Wed - 10 May 23.
- Full Council meeting to sign off AGAR - 12 Jun 23.

Noted and received.



22/200 *To receive the Town Clerk's general report including relevant late items received since this agenda was published.*

a. *Public toilet misuse and minor damage to a fitting.*

The fitting has now been professionally replaced at a cost of £20 and the request to connect the Library Foyer CCTV cameras to either the HBBC or LCC 24/7 monitoring systems is being considered by Borough and County council officers.

Noted and received.

b. *Local Elections Thurs 04 May 23.*

Candidate invitations have been advertised on/in:

- Noticeboards.
- Bus stop poster cases.
- ESTC website news.
- ESTC social media.

Likewise the requirement for voter ID at polling stations is being advertised.

c. *Late relevant items since this agenda was published.*

Bad weather Fri 10 Mar 23 – A minor tree came down in Hurst Rd Park and was Perched over a resident's fence causing inconvenience but not damage. The Head of Groundcare removed it immediately after the report was made. Secondly, a High St resident reported vehicle debris on his garden wall and this was removed also without delay. Both services prompted grateful calls of thanks to the Office from the respective residents.

Noted and received.

22/201 *Planning applications/correspondence received as a Town Council 'consultee' from HBBC, adjacent Districts and or LCC as Local or County Planning Authorities. Also to:*

a. *Note a Planning Cttee Chairman's verbal or written reports and, 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:*

b. 1. *23/00142/OUT – High Tor West – demolition of shed(s) followed by erection of a single new detached dwelling with detached garage.*

Members noted the steady progression of development along adjacent High Tor East.

No material Consultee comments.

2. *Relevant late applications/correspondence received since this agenda was set.*

21/01390/FUL – Barrow Hill Quarry, Mill Lane – 21 Holiday Lodges.



Members raised their disquiet about the viability about this site as a holiday or rural idyll destination and will be interested to note the result of the Borough Council's Planning Cttee ruling from their 21 Mar 23 meeting.

No material Consultee comments.

Last Item.

The Chairman closed the meeting in good order at 9.23 p.m. thanking Members for their attendance and contributions.

A handwritten signature in black ink, appearing to be 'R. H. M.', located in the bottom right corner of the page.