

**EARL SHILTON TOWN COUNCIL**

**MINUTES of the MEETING OF FULL COUNCIL**

Held at 7:30 p.m. on

**Monday 12 December 2022**

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

**MEMBERS PRESENT:**

Town Councillors: M Leman, Deputy Chairman & Deputy Town Mayor, Ms D Almey, A Bates, Mrs A Burton, I Faver, C Ladkin\*, Ms S Mannion and Mrs L Wharton.

Town's Borough Councillors\*: C Ladkin

In attendance: Town Clerk: Mr ME Jackson.  
Deputy Clerk: Mrs C Houghton  
Members of public: Nil.

**22/127** *Chairman's welcome and opening remarks.*

Deputy Chairman Cllr M Leman took the Chair in place of Cllr R Allen, (delayed by attending a prior meeting), and moved to the agenda.

**Noted and received.**

**22/128** *To receive apologies for Town Cllr Member absence.*

Cllrs Mrs C Allen, R Allen, Mrs G Granger and B Granger all submitted their reasoned apologies for absence to the Town Clerk in advance of the meeting.

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

**22/129** *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.*

**22/130** *To receive and approve as a true record the minutes of the Full Council meeting held on 14 November 2022.*

**Resolved: to accept as a true record of the Full Council meeting of the 14 November 2022; the minutes tabled for the Chairman's signature and already distributed in draft to members with their agenda packs. . (one minor manuscript amendment to Cllr Mrs Burton's forename initial – delete 'C' insert 'A').**



**22/131** *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. 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). N/A.*

**22/132** *To note and receive any reports from County and Borough Cllrs.*

Borough Cllr C Ladkin  
Borough Council matters.

- Borough Local Plan production delayed. The Local Plan which must be approved by the relevant central government ministry is the key policy document that is the detailed framework for how planning matters of all kinds, e.g., housing, employment land, infrastructure and protection of countryside is governed throughout the Borough in the medium to long term. Without a validated future Local Plan the Borough may be vulnerable to a certain amount of inappropriate development.
- Community Safety Partnership (CSP) bi-annual meeting 01 Dec 22. The CSP is conjoint body of Hinckley & Bosworth Borough Council and Blaby District Council as both Councils come under the same area Command of Leicestershire Police services. The meeting is a chance for cllrs, council officers and the area Police Commander to review policies, strategies and statistics of crime and disorder for the HBBC/BDC residents. Overall the latest crime and disorder statistics remain steady though some crime trends are of more concern than others.

***Report noted and received with thanks.***

**22/133** *To receive any form of Neighbourhood Police report pertaining to Earl Shilton including the local Beat Team report for November dated December 2022.*

This month's Newsletter listed another disappointing spike in Earl Shilton crime this time in mostly detailing vehicle crime.

The question of some young people's ASB at the ES Christmas Lights family event, (25 Nov 22), has been raised by the Town Council and answered by the Beat Team Officers who attended the event. There remains some basis for '*agreement to differ*' about how the issues were perceived and managed.

***Noted and received with thanks.***

**22/134** *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.***

**22/135** *To invite/nominate member representatives to attend meetings/events that are not Town Council initiated including remote and late relevant invitations too. **None.***



- 22/136** *To receive minutes, draft minutes (06 Dec 22) 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 advised Members to note the draft Cttee minutes as tabled.

QEII the Hall Field Park. The issue of the failed pathway lights; a pressing safety issue for residents and so Council; was discussed and centred around the works to install Electric Vehicle Charging Points (EVCP) in the HBBC Hill Top Car Park immediately adjacent to this ESTC Park. The Deputy Clerk and Clerk were at pains to inform Members that they have formerly pressed on several occasions HBBC officers for an investigation of how the EVCP works coincided exactly with the park pathway lights failure. The latter fact was confirmed by the Cttee Chairman from his personal observation as a regular Park user. Town & Borough Cllr C Ladkin stated he will progress the matter in his role as a Borough Cllr and was thanked by fellow Members.

***Noted and received.***

- 22/137** *To receive a written, (draft minutes of the 06 Dec 22 meeting), and or verbal report from the Chairman of the Events Cttee regarding recent meetings and updates concerning 2022 events.*

The Cttee Chairman advised Members to note the draft Cttee minutes as tabled.

Late relevant item: Sat 06 May 2023 Coronation of HRH King Charles III. Through the UK official *Pageant Master*, Buckingham Palace officials have confirmed that the lighting of town and village beacons will not be requested for this State occasion as it is within 12 months of the Beacon Lighting for HRH Queen Elizabeth II to mark her Platinum Jubilee. N.B. 06 Jun 2024 for D-Day 80 (80<sup>th</sup> Anniversary) a beacon lighting will be requested.

***Noted and received.***

- 22/138** *Correspondence received including relevant late items received.*

- a. ES Neighbourhood Watch (NHW) – report from the Town NHW Development Worker for the period Apr 22 to Nov 22 inclusive.

The 6 page report was tabled with the Member agenda pack.

***Noted and received with thanks.***

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

- 22/139** *To receive the Town Clerk's Finance Report including late relevant items.*

- a. *Monthly accounts for November 2022 – approval for the Chairman to sign off these accounts as a true statement of the status of the Council's finances as at the 30 Nov 22.*



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

- b. Council Governance - Interim (half year) independent Internal Audit (IA) report – to receive, note and action as appropriate.

The Interim Report from the IA is satisfactory.

**Resolved: to be noted and received without comment from Members.**

- c. *Late relevant items if any.* The ESTC Precept Tax Base for the Financial Year 2023/2024 was received on the afternoon of this meeting. The Town Clerk as *Responsible Financial Officer* (RFO) explained the role of the Tax Base calculation in relation to the overall methodology of setting a precept. The Chairman and other Members who have completed the LRALC Finance training package encouraged fellow Members to attend this course also to enhance their understanding of town and parish council financial administration. The Clerk and Deputy Clerk will continue their work in building the FY2023/4 Precept Model.

**Noted and received.**

**22/140** To receive the Town Clerk's general report including relevant late items received since this agenda was published.

- a. *Town Council Meetings Calendar 2023. The schedule of public holidays and local elections requires Members to consider the minor changes necessary to facilitate amended dates for meetings of Full Council, Committees and Working Parties.*

*Noting the following:*

1. *Meetings for January 2023 are already resolved as follows:*

- *Tues 10 Jan 23 Events & LPCOS Cttees.*
- *Mon 16 Jan 23 Fin & Pol Working Party – Precept 2023/24 meeting.*
- *Mon 23 Jan 23 Full Council – Precept 2023/24 setting.*
- *(Planning Cttee – subject to applications received by the Town Council).*

**Noted and received.**

2. *April & May 2023 suggested meeting dates to be resolved please noting:*

- *Full Council – move to Tues 11 Apr 23 – Mon 10<sup>th</sup> is Easter Monday.*
- *Events & LPCOS Cttees – move to Tues ~~16 May~~ **25 Apr** 23 – Thurs 04 May 23 are local elections for a new term of Town Council. Annual Full Council is suggested to meet on Mon 15 May 23 as Mon 08 is a public holiday.*

**Resolved: to adopt the above dates in April and May 2023 but bringing forward the Events & LPCOS Cttee meeting to Tues 25 Apr 23.**

- b. *Updates as follows:*

- *Shilton Lakes/Wood St car park – still flooding.*

Areas of the privately owned un-metalled car park are still prone to flooding the route to the disabled access entrance to the Wood St Chemist.

**Noted and received.**

- *OYO Hotel food waste accumulations – actions on by Borough & Town Councils.*

The accumulations are still not being satisfactorily dealt with adequately, but Cllr Ladkin reports the Hotel owners have now entered into a contract with



HBBC to remove their commercial waste so hopefully the issue will be resolved. This situation will be monitored by Cllrs and ESTC Office staff.

**Noted and received.**

- *Overgrown garden issue corner of Equity Rd & Equity Rd East – footway issue.*

Borough and County Cllrs are reporting this householder nuisance to their respective Councils for enforcement action.

**Noted and received.**

- c. Late relevant items. **None.**

**22/141** *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, 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:*

- a. *20/00916/FUL – Ashby House Hill Top Farm, 50 dwellings - application granted.*

Cttee members have no material consultee comments but do wish to minute their grateful thanks to the HBBC Planning Dept officers for their thoroughly professional and thoughtful framing of the application *consents* and *conditions* required of the developer. Additionally, praise also the securing of significant s.106 financial contributions for off site Town parks.

**Noted and received.**

- b. *22/00727/OUT(re-consultation) – Dalebrook Farm – 14 employment units & 10 GRT pitches.*

Cttee Members carefully discussed the details of this outline consultation, in particular its utility for the Town as a whole, i.e. light industrial employment units and long term implications for the Town's positive contribution for the provision of Gypsy, Romany & Traveller (GRT) pitches.

**No material Consultee comments.**

- c. *Relevant late applications/correspondence received since this agenda was set – 20/01374/FUL – Breach Ln Farm vehicle restoration works - Appeal against an Enforcement Notice to cease works and refusal of planning permission.*

HBBC as the Local Planning Authority (LPA) have simply notified ESTC that the matter has been referred by the applicant's agent to a Planning Inspectorate (PINS) appeal hearing sometime in the near future. ESTC's longstanding and consistent objections will be included in the casework put before the PINS appeal inspector.

**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.**

**22/142** ESTC Standing Orders regarding public participation and the public speaking protocol in session or when a meeting is adjourned.

Following a 'difficult' *Electors' Time* agenda item at the November meeting of Full Council a Member of Full Council requested a discussion about how to approach such a situation in future particularly as a corporate response.

ESTC Standing Orders, (taken almost verbatim from the NALC recommended template), are clear that if during *Electors' Time* permission is granted to a member of the public (by the Chairman) to address the Council that there will be a time limit for that public speaking and, because usually Cllrs have no precise detail of what might be said or asked of Council; Members have the right not to give an impromptu answer of any kind to the public speaker at that time. If however a Cllr wishes to respond immediately to the public speaking they must do so in the normal manner through the Chairman who will as ever control the debate or discussion as they feel necessary to maintain the relevance to council duties or responsibilities and good order of the meeting.

Members discussed the subject in the round but to no definitive conclusion because as one stated: any member of the public may attend the public session of a Full Council with no notice whatsoever and still be granted permission to address the meeting. Additionally, if the meeting is adjourned by the Chairman for public speaking outside a pre-arranged public speaking protocol request then nothing stated is formally binding on Council, i.e. no binding proposal, even if seconded etc cannot be legally resolved.

REDACTED *Jay Town Clerk*

**Noted and received.**

**22/143** *Planning 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: A Groundcare Team permanent premises site: a choice of 2 options going forward.*

Recommendations from the Groundcare Premises Working Party/Planning Cttee meeting of 12 Dec 22.

To renew the Groundcare Premises Working Party mandate:

Redacted *Jay Town Clerk*



REDACTED  TOWN CLERK

- b. *HBBC/ARUP invitation to stakeholders regarding a strategic sites (Borough Council) study through an online meeting.*

Wed 21 Dec 22, 1530 to 1630 by MS Teams Members wishing to attend will do so as will the Town Clerk and Deputy Clerk.

**Noted and received.**

- c. *Earl Shilton Sustainable Urban Extension (ES-SUE) – The draft Options document. **No update.***
- d. *Maple Way Park – requested easement by East Midlands Homes (EMH) & Severn Trent Water (STW). **No update.***
- e. *Late relevant confidential items received since this agenda was set. **None.***

**22/144** *Staffing Cttee issues including relevant late items.*

- a. Update: recruitment of an Assistant Clerk.

The sifting panel by Cllrs C Allen, D Almey and M Lemman of 8 formal applications took place on the afternoon of Thurs 08 Dec 22. The 3 highest scoring candidates have been selected for interview on Fri 16 Dec 22 hopefully leading to an appointment.

**Noted and received.**

- b. Fixed Term Contract (FTC) staff member – 3 month line manager interview.

The Town Clerk reported that the FTC groundcare operative stated at interview that he was very happy and content working for ESTC and that he will be grateful, in time, if he is considered for a permanent role in the Groundcare Team. Unsolicited, some cllrs voiced their opinions that they have noticed how well this FTC member of staff is performing whilst fitting in within the outdoor Team. The Deputy Clerk and Town Clerk support the latter view.

**Noted and received.**

- c. Late relevant items. **None.**



**22/145** Employment Appeal Tribunal (EAT) of 02 Dec 22. Interim report from ESTC's Solicitor.

The Town Clerk read out to Members a brief email memo from the ESTC solicitors appointed and totally paid for by the Council's insurers. Members are informed that ESTC's Barrister made strong arguments to the EAT

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*Town Clerk*

dismiss a significant proportion of the case against the Council.

Town Council in any judgement for or against

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For the moment the EAT's final judgement is 'reserved' until further notice for this claim started in August 2018.

***Noted and received.***

***Last Item.***

The Chairman closed the meeting in good order at 9.12 p.m. thanking Members for their attendance and contributions.

*[Handwritten signature]*