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Full Council 14 August 2023

EARL SHILTON TOWN COUNCIL  
MINUTES of the MEETING OF FULL COUNCIL

ME Jackson  
Town Clerk

Held at 7:30 p.m. on

Monday 14 August 2023

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

**MEMBERS PRESENT:**

Town Councillors: R Allen\*, Chairman, M Lemar, Deputy Chairman,  
Ms D Almey, A Bates, Mrs D Deighton, C Ladkin\*, J O'Neill, M Tebbett  
and Ms C Wells.

Town County/Borough Councillors: R Allen\*.  
Mrs A Weightman.

In attendance: Town Clerk: Mr ME Jackson.  
Deputy Clerk: Mrs C Houghton.  
Members of public: 5 as recorded.

**23/060** *Chairman's welcome and opening remarks.*

The Chairman welcomed Members and members of the public with his thanks for their attendance and directly proceeded to the agenda.

**Noted and received.**

**23/061** *To receive apologies for Town Cllr Member absence.*

Cllr Mrs C Allen submitted her reasoned apology for absence to the Clerk in advance of the meeting.

**Resolved: that Cllr Mrs C Allen's reasoned apology for absence, as tabled and recorded by the Town Clerk, be accepted.**

**23/062** *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.*

**23/063** *To receive and approve as a true record, the minutes of the Full Council meeting held on 10 July 2023.*

**Resolved: to accept as a true record of the Full Council meeting of the 10 July 2023; the minutes tabled for the Chairman's signature and already distributed in draft to members with their agenda packs.**

Point of order: to facilitate public participation by the majority of residents attending the Chairman exercised his option to bring forward item 23/070. See minute 23/070 below noting also that the 3 residents concerned with the contentious lime trees on QEII the Hall Field Park left the meeting after this agenda item at 8.00 p.m.



**23/064 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. **None.**

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). **See Minute 23/070 below.**

**23/065 To appoint members to Committees and Working Parties of Council for the forthcoming year:**

- Staffing Cttee, (1 member vacancy).
- LPCOS Cttee, (1 member vacancy).
- Events Cttee, (1 member vacancy).
- Premises Wkg Party, (1 member vacancy).

**Resolved: to update Committee and Working Party membership for the current Civic Year as follows:**

- **Cllr C Ladkin to the Staffing Cttee**
- **Cllr M Leman to the LPCOS Cttee.**
- **Cllr C Wells to the Events Cttee.**
- **Cllrs A Bates and M Tebbett to the Premises Working Party by virtue of increasing the member numbers of that Working Party to 6 cllrs.**

**23/066 To note and receive any reports from County and Borough Cllrs.**

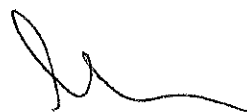
County - Cllr R Allen.

- LCC Divisional Member's Discretionary Highways Fund. Five grit bins are to be installed with suitable locations for the bins yet to be finalised.
- Masefield Dve/Clickers Way junction safety improvements. Recent accidents will see the installation of new warning sign measures hopefully for motorists to be more attentive at the junction.
- Rail Freight Interchange. County Hall are still at loggerheads with the developer regarding the traffic modelling software data input and therefore no agreed output.
- Bus Services Arriva 1 & 2 will go over to Direct Request Transport (DRT) which means those residents who live more than 800m away from the nearest bus stop of the remaining 158 and 148 services will get to access the DRT service.

Borough – Cllr R Allen.

- Earl Shilton Sustainable Urban Extension ES-SUE planning matters for 1500 or more dwellings and some business use progress slowly on.
- The 'stalled' progress of a new HBBC Crematorium site and its suitability issues should be reported on to a HBBC Full Council meeting in September 2023.

**Both reports noted and received with thanks.**



- 23/067** *To receive any form of Neighbourhood Police report pertaining to Earl Shilton including the local Beat Team report for July dated August 2023.*

The report was tabled as read. Members were also reassured by the recent Team notification that, on *Clickers Way* starting soon, it will be policed by the speed camera van service at regular but random intervals.

**Reports noted and received with thanks.**

- 23/068** *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.*

Point of order: Cllr C Ladkin joins the meeting during this item at 8.21 p.m.

Cllr M Leman attended a 13 Jul 23 online meeting concerned with the Hinckley National Rail Freight Interchange (HNRFI) and through the Clerk has provided fellow Members with the online links to research this massive infrastructure planning application. In addition to any individual cllr investigation Members were asked to note next month that the Planning Inspectorate (Bristol), aka PINS for short, in the form of a 3 person team will commence a 6 month process of a 'stage' consultation including with individuals and bodies that have registered to become consultees. (ESTC are a 'registered' entity).

**Noted and received with thanks.**

- 23/069** *To invite/nominate member representatives to attend meetings/events that are not Town Council initiated including remote and late relevant invitations too. **None.***

- 23/070** *To receive minutes, draft minutes (01 Aug 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.*

a. The draft minutes of the 01 Aug 23 meeting were tabled as read.

**Noted and received.**

b. QEII, the Hall Field Park – column of 27 lime trees. The ongoing nuisance issue to residents of 'The Beeches' and 'Castle Close' off Church St from these trees in their present state of growth was comprehensively addressed by a verbal report from the Chairman Cllr R Allen. Succinctly, in Cllr R Allen's role of elected Borough Cllr and likewise that of Cllr Mrs C Allen, they met on site recently with the senior arboriculture officer of HBBC to discuss an amicable remedy for pruning or pollarding the trees causing so much distress to residents. The Chairman outlined in detail the plan for the lime trees and informed Members of other officer suggestions. At this stage the majority of Full Council Members attending the meeting were not willing to entertain a resolution of to commence any form of works based on 2 criteria, viz.,

1. The HBBC Arboriculture Officer is to be contacted again and requested to make a written report to ESTC stipulating the detailed conditions for pruning/pollarding the 27

lime trees and works to any other trees discussed with Cllrs R & C Allen at their site meeting. Consequent on that latter written report:

2. Analyse the above report if received at the meeting of the LPCOS Cttee meeting to be held on 05 Sep 23.

The Chairman invited comments from the affected residents which were in essence that they were pleased that some progress seemingly has been made towards a satisfactory long term solution but were disappointed that the lead time for any remedial works to take place still looks uncertain and far off.

**Noted and received.**

**23/071** *To receive a written, (minutes of the 01 Aug 23 meeting), and or verbal report from the Chairman of the Events Cttee regarding recent meetings and updates concerning 2023 events.*

The notes of the sub-Cttee meeting of 01 Aug 23 were tabled as read.

The sub-Cttee Chairman then outlined the following matters for Members.

- Seaside 2023 was an all round success drawing unsolicited praise from many quarters. Post event analysis reveals there are areas where there can be minor incremental improvements next year but on the whole the result was very satisfactory and judged to be worthwhile for the benefit of resident families which is the main aim and objective.
- The Town Show is the next event up on Sat 02 Sep 23 hosted at the Age UK building off Kings Walk.
- Christmas Lights at the end of November is now on the horizon also.

**Noted and received.**

**23/072** *Correspondence received including relevant late items received.*

a. *ESTC Community Grant Application £400 – Earl Shilton Camera Club.*

The 'Club are holding their annual 2 week public exhibition later this month in Hinckley, (at the Atkins Building), and have national competition entry fees to find.

**Resolved: to award the ESCC the £400 community grant as applied for.**

b. *County Council – new communication and engagement strategy – town & parish council pilot scheme.*

In effect this initiative is designed for local councils to take on more of the role commitments traditionally carried out by the County Council. Members agreed that the Groundcare Team are working to their optimum capacity now and for the foreseeable future so ESTC will not be joining the pilot scheme.

**Noted and received.**

c. *Late relevant items – HBBC Rural Strategy 2023 self assessment questions.*

Members and officers who attended the HBBC Rural Conference in March 2023 have already answered this survey on behalf of ESTC.

**Noted and received.**

23/073 To receive the Town Clerk's Finance Report including late relevant items.

a. To consider the monthly accounts for June and July 2023 as true records fit for the Chairman's signature.

**Resolved: that Members consider the accounts for the months of June and July 2023 as a full and fair statement of the Town Council's financial status and approve that the Chairman should sign off the account for these 2 months.**

b. Early Intervention Worker (EIW)- Grant Funding £7,400 already made: decision required on final spending plan – update to consider a reply listing activities.

Members discussed the issue based on the listed activities and testimonial supplied. On balance and trust, Members are content *the Hinckley Methodist Circuit* should continue to be supported in their good works protecting vulnerable young people from falling into the danger of substance misuse. Town Cllrs will be grateful for a copy of any reports of the future good EIW works that are carried out.

**Resolved: that Hinckley Methodist Circuit may keep the £7,400 already donated for the purpose and support of their ongoing EIW.**

c. Seaside 2023 receipt of a forgery £20 note and a badly damaged £5 note.

The Town Clerk informed Members of the forged £20 note passed to ESTC at Seaside 2023, that it has formally been handed into the Natwest Bank Hinckley and, on how best to spot a forgery in future.

**Noted and received.**

d. ESTC financial instruments additional signatories - Cllr A Bates, Town Clerk designate and Deputy Clerk designate.

Due to cllr and staff turnover this is a working requirement in the near future.

**Resolved; as soon as convenient the following signatory status should be achieved:**

- Cllr A Bates - **Full signatory status for all ESTC financial accounts including electronic banking.**
- Town Clerk designate - **Full signatory status for all ESTC cash and bank current accounts. For the CCLA 'Public Sector Deposit Account' 'Administrator' status only.**
- Deputy Clerk designate – **Cash handling duties and administrator of the bank current account. No duties regarding CCLA accounts.**
- **The retiring Town Clerk will have all his status withdrawn during the final week of his employment.**

e. Re-appointment of the independent Internal Auditor for the current financial year, i.e., Ms K. Clarke.

**Resolved: to invite Ms K Clarke to be the appointed independent Internal Auditor to ESTC for the current financial year.**

f. Late relevant items – Council's general Insurer re-branding name.

Members were informed that our general insurers, BHIB, will from now on trade under the name of their parent company, i.e., *Clear Insurance Management*. There will be no material changes to the ESTC policy in force including the long term agreement (LTA).

**Noted and received.**



- 23/074** To receive the Town Clerk's general report including relevant late items received since this agenda was published.

Members were informed that, thanks very much in the main, because of the efforts of a concerned resident, a HBBC maintained litter bin has now been installed near to the ESTC Golden Jubilee bench situated at the corner of Station Rd and Equity Rd East.

**Noted and received.**

- 23/075** 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:

1. 23/00719/FUL – 160, High St, building conversion to 2x flats (more internal detail as required by HBBC officers).  
**No material consultee comments.**
2. Relevant late applications/correspondence received since this agenda was set.
  - a) 23/00757/NMA – Hill Top Farm – major development of 50 affordable dwellings.

After explanation and discussion particularly regarding s.106 developer contribution issues, the Cttee Members resolved to raise a 'neutral' Consultee comment requesting the LPA (HBBC) to spell out the current s.106 developer contributions and compare and contrast any and all of the proposed developer contributions proposed by this so called 'non-material amendment' (NMA). Without such detail the Town Council cannot make a balanced judgement on the developer's NMAs.

**Resolved: to submit such comments as above.**

- b) 23/00779/TPO – column of 40 lime trees – QEII, The Hall Field Park, reduce in height by approx. 4m and raise crown by a max. of 6m.

**No material consultee comments.**

**All noted and received.**

Point of order: the remaining two members of the public and Borough Cllr A Weightman left the meeting after this item at 9.03 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 consider a resolution to go into Private Session. So resolved.**

- 23/076** 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 - conveyance of 1,000m<sup>2</sup> of land to the Town Council for a premises - update regarding the ESTC Solicitor's actions-on and submission of an expression of interest to apply for a significant grant from the government's 'Community Ownership Fund'.*

Members were informed that the 3<sup>rd</sup> party solicitor has produced a first draft 'conditional conveyance' for the joint venture. This was read out to Members and discussed at length. Members understand the need for a conditional conveyance however, regarding some clauses they have misgivings. The Town Clerk is to arrange a meeting with the ESTC solicitor as soon as possible to amend the terms as currently stated so as to be more equitable to what is to be a public owned facility.

**Noted and received.**

b. *Working Party delegated authority to act, e.g., to appoint an architect when the conveyance is satisfactorily completed.*

The conveyance as per sub para b. above remains work in progress so this item will be brought forward at a later date.

**Noted and received.**

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

**23/077** *Staffing Cttee business including late relevant items.*

a. *To note and receive the draft minutes of the Staffing Cttee meeting held on 19 Jul 23 plus in particular consider the findings of the informal interview of the Town Clerk held on Tues 01 August 2023 by 2 Cttee Members regarding accusations made by a Cllr member of various alleged wrongdoings recently carried out by the Town Clerk, reported by that member and or to their property.*

Cllr M Leman as both Deputy Chairman of Council and the Staffing Cttee briefed Members on the evidential findings made by investigations of Cllr Mrs Claire Allen and himself. The process of investigation was based on the advice given by the ESTC retained independent professionally qualified HR Consultant.

The findings on both accusations were clearly 'no case to answer' on the following substantive grounds:

1. The alleged damage to the Cllr's letter box could not have taken place on the date and approximate time stated as the Town Clerk did not visit the said property until two days later well outside the time frame alleged.
2. The accusation of 'perjury' by the Town Clerk to a non-related historical Employment Tribunal (ET) brought against the Town Council is clearly and utterly false as described by the Cllr. The Town Clerk's witness statement to the ET, a QC's written statement in the ET bundle and the forty-four page ET judgement all prove the Town Clerk did not lie or hide anything from the ET.

**Noted and received.**

b. *Update on the recruiting process of a Deputy Clerk – selected candidate and start date of Mon 11 Sep 23.*

Cllr M Leman briefed Members on the success of appointing the Deputy Clerk designate and thanked all Members and Staff who took part and contributed to the process.

c. *Late relevant items. Alleged code of conduct matter.*

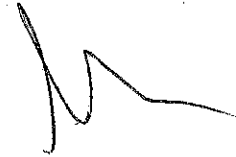
Chairman Cllr R Allen, not without regret, informed Members that, in line with a precedent of case law set by the Supreme Court (Ledbury); he has had to submit to the HBBC Director Monitoring Officer an unsolicited alleged breach of the cllr code of conduct complained of made by a member of the public against an elected cllr of ESTC.

The Chairman will advise Cllrs accordingly when the Director's findings are made known, i.e., if there is a prima facie case to answer and if so when it will be referred to the Borough Council *Ethics and Governance Cttee* for investigation.

***Noted and received.***

**Last Item.**

**The Chairman closed the meeting in good order at 9.37 p.m. thanking members for their attendance and contributions.**

A handwritten signature in black ink, appearing to be 'R Allen', is located on the right side of the page.