



POLICY, FINANCE AND ADMINISTRATION COMMITTEE

PARKSIDE, STATION APPROACH, BURTON STREET, MELTON MOWBRAY

7 October 2013

PRESENT:-

Councillors J.B.Rhodes (Chairman),  
M. Barnes, M Gordon, E. Hutchison, J. Moulding,  
P.M. Posnett, J Simpson,  
D.R. Wright, J. Wyatt

Councillor E. Holmes – As Observer

As Substitute

Councillor T. Moncrieff for Councillor M. O'Callaghan

Chief Executive, Strategic Director (KA),  
Head of Central Services, Head of Communications,  
Head of Communities & Neighbourhoods, Solicitor to the Council (VW)  
People Team Manager, Environmental Health and Safety Manager.  
Corporate Property Officer, Committee Support Officers (JB and G McL).

P19. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor M. O'Callaghan

P20. MINUTES

- (a) The minutes of the meeting held on 10 July 2013: Cllr Gordon corrected pg 2: she had moved the recommendations with the additional approval, not the Chair as previously minuted
- (b) Correction, pg 3, Resolution 2. The figure should read £30,000 not £30,00
- (c) subject to (a) and (b) above, the Minutes of the Meeting held on 10 July 2013 were unanimously agreed that the Chair signed them as a true record.

P21. DECLARATIONS OF INTEREST

Councillors Posnett and Rhodes declared personal interests in any matters relating to Leicestershire County Council due to their roles as County Councillors.

Councillor Moncrieff declared that he had spoken with the land owner of Frisby Lakes which may affect his debating items 7 & 8. The Chief Executive asked that he conduct his debate without prejudice and with an open mind during the meeting. Cllr Moncrieff agreed.

The Chair noted the submission of late reports and notified the Members of his intention to hear these and also to move item 17 for convenience of an officer present.

P22. RECOMMENDATIONS FROM OTHER COMMITTEES

There were no recommendations from other committees.

P23. UPDATE ON DECISIONS

There were no updates from decisions noted.

P24. HEALTH & SAFETY POLICY – LEGIONELLA

The Environmental Health and Safety Manager submitted a report previously circulated which sought approval for the implementation of the Legionella Policy. This policy recommended supported legislation implementation and was in accordance with the departments' current strategy.

Cllr Wright moved that the recommendations be approved, seconded by Cllr Posnett. On being put to the vote the proposal was approved unanimously.

**RESOLVED**

(1) the policy be approved with immediate effect;

(2) that the Head of Regulatory Services has delegated authority to amend the policies in line with Health & Safety legislation and best practice guidance;

P25. CONSULTATION WITH THE PUBLIC ON CORPORATE PRIORITIES AND BUDGET SETTING 2014/15 AND BEYOND

Members had before them a report prepared by the Head of Communications which sought approval of methods of consultation for corporate priorities to be reviewed next year.

Members agreed that the consultation process was necessary, proposing that as well as the website being used, local community group networks be utilised; they asked about the comparative costs of the suggested processes.

The Head of Communications noted that the costs to produce and distribute a flyer was similar to preparing a special edition of the Melton Mail (of around £3,000). The Melton Mail could be more detailed and reach most households.

Members discussed the merits of various consultation methods and the wording of the consultation. They particularly asked if the costs were justifiable when numbers of respondents were considered.

The Head of Communications and the Chief Executive both noted that previous consultation feedback could be assessed for success rates.

The Chair proposed that types of consultation method should be justifiable financially. He recommended that the website should always be used, that flyers or the Melton Mail should be used where convenient, practical and justified, and that other methods used when convenient and timely.

Cllr Hutchison suggested that telephone consultation systems could be examined.

The Head of Communications and the Chief Executive agreed that this new method could be both useful and successful; they agreed to research options available to the Council regarding telephony consultation data gathering.

On being put to the vote the proposal was approved unanimously.

**RESOLVED** That the proposals should follow the outline given by the Chair: the website should always be used, that flyers or the Melton Mail should be used where convenient, practical and justified, and that other methods used when convenient and timely.

Cllr Barnes joined the Committee meeting at 18:50

#### P26. COMMUNITY RIGHT TO CHALLENGE

Referring to her report previously circulated, the Solicitor to the Council summarised the main points of her report and guided Members through the main issues.

Cllr Wright proposed acceptance of the report. Cllr Rhodes seconded the proposal.

On being put to the vote the report was accepted unanimously

#### P27. COMMUNITY RIGHT TO BID

Members had before them a report prepared by the Head of Communities & Neighbourhoods. He drew attention to Appendix A which set out the legislative background of the Right to Bid. He went on to refer to Appendix D, which is an example of a Nomination Form. The initial recommendation was to meet provisions set out in the Localism Act regarding the Right to Bid.

Members enquired regarding the financial implications of the provision and for clarification of the report.

Head of Communities & Neighbourhoods stated that he was aware of no financial implications. A register was currently held of land deemed a community asset. He went on to state that the Act enables a community to bid for land that becomes

available; though other bidders would be allowed and the seller (or sellers) would still be able to accept other offers regardless of the Community Bid.

The Solicitor clarified that land registered as a Community Asset would have to be sold according to the rules set out in the Right to Bid legislation. This would entitle the Community or a private bidder to purchase it but only in accordance with a procedure and time table specified by the Localism Act's Right to Bid criteria.

The Chair reiterated the recommendation set out in 2.1 of the report for Item 9.

Cllr Posnett proposed approval of 2.1 of the report. Cllr Simpson seconded the proposal. On being put to the vote the proposal was approved unanimously.

### **RESOLVED**

(1) Members approve the Community Right to Bid Nomination Process;

Head of Communities & Neighbourhoods then continued with the second part of the report regarding the Community Right to Bid application received from the Melton Mowbray Sailing Club.

Members agreed that the asset should be placed on the register and asked if there may be financial implications should such a Bid be appealed.

The Chief Executive and Head of Communities & Neighbourhoods agreed that costs could be incurred should an appeal be received regarding the Bid.

The Chair noted that the legislation was now law.

Cllr Gordon proposed to accept the nomination of the Community Right to Bid from the Melton Mowbray Sailing Club. Cllr Hutchison seconded the proposal. On being put to the vote the proposal was approved unanimously.

### **RESOLVED**

(2) The Head of Communities & Neighbourhoods will write to the land owner and notify them of the outcome of the Committee and the placement of the asset on the register.

## **P28. CORPORATE LAND ACQUISITION AND DISPOSAL POLICY**

Corporate Property Officer stated the purpose of the report was to seek approval for the revised Corporate Land Acquisition and Disposal policy. He summarised the main points and noted that introducing a fee for enquiries regarding land disposal would be in line with the policies of other Councils and departments in this Council.

A Member asked if the policy had been reviewed since 2006 as some points of contact for the public were difficult to follow and lengthy; she gave examples.

The Chief Executive accepted that it was a fair criticism though the number of points of contact to make enquiries reflected the number of types of enquiries made. She went on to say that there could be some simplification to make the policy more clear. She recommended that subject to agreeing the motion the Head of Central Services would reconsider the exact wording to simplify and streamline the titles and initials of the officers given in the policy.

Cllr Wright proposed to approve the recommendations of the report. Cllr Moulding seconded the proposal. On being put to the vote the proposal was approved unanimously.

### **RESOLVED**

- (1) It is recommended that the policy be approved with immediate effect.
- (2) That the Head of Central Services has delegated authority to amend the policies in line with legislation and best practice guidance.

### **P29. LEARNING AND SKILLS CENTRE**

Head of Communities & Neighbourhoods submitted a report previously circulated to update Members of progress made in the development of a Learning and Skills Centre, within Phoenix House, and to identify next steps for training opportunities and accessing European Social Funds.

The Strategic Director pointed Members particularly to section 5.2 regarding the availability of funding due to a two year pilot scheme and the possibility of locating matched funding from the Councils partners and linking the pilot with other initiatives such as the Foyer project.

The Chair noted that he had met stakeholders at Phoenix House recently and seen the work of the Learning Skills Centre. He commended the work of the project and stated that the experience learnt from working with Sainburys at Phoenix House had been valuable. He proposed to accept the report and encourage the training facility. Cllr Moncrieff seconded the proposal agreeing that the centre will be well placed to make a positive impact. He went on to ask if the centre would overlap other facilities already in place.

The Strategic Director noted that the Centre was aimed at a different age group and would add to existing options available.

Members asked that a meeting be called to discuss the Foyer project to enable the coordination of the projects and a Member asked about the possible rebranding of Phoenix House to accommodate the Learning and Skills Centre.

The Head of Communities & Neighbourhoods noted the request for a meeting of the Foyer project and that currently there were no plans for a rebranding of Phoenix House but that it may be considered at some point.

On being put to the vote the report was accepted unanimously.

### **P30. CAPITAL PROGRAMME MONITORING TO 31 AUGUST 2013**

Members had before them a report prepared by the Head of Central Services previously circulated which updated the Committee on the progress of schemes within the Capital Programme to 31 August 2013. She went on to say that monitoring of the capital scheme will continue and Members will be updated at the next meeting.

Members unanimously agreed the progress made on each capital scheme be noted.

#### P31. REVIEW OF FEES AND CHARGES 2014/15

Members had before them a report prepared by the Head of Central Services previously circulated to provide information on the various fees and charges that are made by this Committee. The head of Central Services noted that fees for room hire at Phoenix House had had to be arranged as bookings were already being received.

Members asked if fees were comparative to similar room hire available, raising concerns that the fees were too low and might adversely impact on other venues available for hire (such as the Samworth Centre and the Conservative Club). They also asked if services were included in the fee such as heating, electricity and caretaking. They recommended that the room hire fees be looked at again in light of other charges from similar venues.

The Head of Central Services stated that comparisons had been made, that the rooms available at Phoenix House were smaller than some venues and that some services were included in the price but not setting up of rooms as that was not part of the charge. She proposed to circulate a paper indicating how the fees had been calculated. She reminded Members that fees had already been set to meet the current need for rooms.

The Chair suggested that in order to meet the current need and market the rooms Members might agree to the current fees schedule for a period of 6 months; at that point a review will be undertaken by officers to evaluate how the room hire and fee schedules have been received.

Members unanimously agreed to the Chairs proposal.

#### P32. BUDGET MONITORING APRIL TO JUNE 2013

The Head of Central Services submitted a report to provide information on actual expenditure and income incurred on this Committee's services compared to the latest approved budget for the period 1 April 2013 to 30 June 2013. She drew attention to the figures submitted.

Members enquired about an item of overspend and also an invoice dispute.

The Head of Central Services explained the item of overspend and stated that the Waste Services team would be negotiating the disputed invoice.

The recommendation to note the financial position on each of this Committee's services to 30 June 2013 was unanimously agreed by Members.

**P33. BUDGET FRAMEWORK 2014/15**

The Head of Central Services submitted a report to consider a number of key items which will feed into the Council's Medium-Term Financial Strategy (MTFS) and the 2014/15 budget and service planning preparation process. She summarised central governments position regarding the financial settlement, stating that the final figure would not be available until later this year (at least). She highlighted parts of the report and referred to the Council Tax Freeze Grant.

The Chair recommended careful consideration of points 2.1 to 2.6 from the report. Stating that Members should fully understand before moving on.

No questions were forthcoming. The Chair moved to approve the recommendations as set out in the report. Cllr Posnett seconded the proposal. On being put to the vote the proposal was approved unanimously.

**RESOLVED**

- (1) That Committee approve the proposed corporate planning and budget framework timetable for 2013/14, in respect of the 2014/15 financial year, set out at Appendix A.
- (2) That no inflation be provided for in the 2014/15 budget at service budget level, other than fees and charges which has been provided for at the rate of 3%, unless adjusted for known prices by budget holders. Instead a contingency budget for inflation be determined at an inflation rate of 2% for costs and 1% for pay and reported to Members as part of the budget setting process for 2014/15.
- (3) The Council retains its objective of setting a balanced budget for 2014/15.
- (4) The target working balance on general expenses remains at £820,000 with existing levels also retained for special expenses (Melton Mowbray) at £50,000 and the Housing Reserve Account (HRA) at £750,000.
- (5) The Programme Board continue to determine the relative priority of schemes for members to consider and allocate funding based on the information set out in the project mandates.
- (6) The key dates for the budget process be noted.

**P34. CORPORATE ISSUES**

The Chief Executive submitted a report to advise Members of particular corporate

activities which are developing and those requiring approval by Committee. The Chief Executive summarised the report and gave information as to the work the Council does in supporting vulnerable people, working with Partners and supporting small businesses.

Cllr Posnett commended the work done, especially with supporting people with learning disabilities. She urged Members to support these initiatives and proposed acceptance of the recommendations as set out in the report. Cllr Wyatt seconded the proposal. On being put to the vote the proposal was approved unanimously.

### **RESOLVED**

- (1) Members note the content of the report.
- (2) The Small Business Friendly Procurement Charter attached at Appendix 1 be approved.

#### P35. **AGILE COUNCIL**

The Chief Executive submitted a report to examine the Council's position in relation to Price Waterhouse Cooper (PWC) analysis of the steps a Council may need to take to meet the current financial, social, and technical change, to "create and operate a change ready organisation". She highlighted some of the praise from the analysis regarding how the Council supports vulnerable people in the Borough and recommended that the project is reviewed in 6 months as set out in Appendix A of the report.

The Chair discussed the comments made in PWC's report, and proposed approval of the recommendations as set out in the Chief Executive's report. Cllr Moncrieff seconded the proposal. On being put to the vote the proposal was approved unanimously.

### **RESOLVED**

- (1) The work of the T3 attached in the Appendix to this report be noted.
- (2) A six monthly review of the Council's positioning in relation to these challenges be made to the Budget and Strategic Planning Working Group.

*The Chairman agreed to take the following item as as a matter of urgency to update members on the recent payment that was made into a fraudulent bank account.*

#### P36. **PAYMENT FRAUD**

The Head of Central Services submitted a report to Members on the evening of the Committee. She itemised the report fully but pointed out that as an police investigation was ongoing she could not expand further.



Members agreed that they did not wish to prejudice the position of the investigation.

The Chair proposed acceptance of the report and moved to approve the report's recommendations. On being put to the vote the proposal was approved unanimously.

### **RESOLVED**

- (1) That the Committee note the current position and the steps that have been taken to recover the funds and investigate the matters relating to how the event occurred.
- (2) That members note the availability of a Crime Policy for which a price is awaited from the insurers.

### **EXCLUSION OF THE PUBLIC**

**RESOLVED** that the Public be excluded during the consideration of the following 2 items of business in accordance with Part 1 of Schedule 12A of the Local Government Act 1972 (Access to Information: Exempt Information) under Paragraph 3.

#### **P37. CHANGES TO THE APPROVED ESTABLISHMENT**

Members had before them a report prepared by the Head of Communities & Neighbourhoods regarding the proposed preparation of a robust strategy for a 'Leisure Vision'. This strategy would compliment the work of different departments within the Council and would enable the Members to make informed decisions regarding the provision of leisure facilities in the Borough.

Noting the need for such a strategy Cllr Posnett proposed to approve the recommendations within the report. Cllr Wyatt seconded the proposal. On being put to the vote the proposal was approved unanimously.

### **RESOLVED**

- (1) Members note the progress taken towards the development of the Leisure Vision.
- (2) Members recommend waiving contract procedure rules and approve the Open Space, Sports and Recreation Strategy tender submitted.

#### **P38. CHANGES TO THE APPROVED ESTABLISHMENT**

Members had before them a report prepared by the Chief Executive. The purpose

of the report was to make proposed changes to the approved establishment to take effect in the new financial year and outline the next steps required to implement the changes.

Members discussed in detail the report and acknowledged the difficulties faced by the Council in future financial years. The Chief Executive proposed amendments to the recommendations in response to concerns raised by Members.

The Chair proposed approval of the amended recommendations. Cllr Wright seconded the proposal. On being put to the vote the proposal was approved unanimously.

### **RESOLVED**

- (1) The changes to the structure of Communities and Neighbourhoods be approved for further detailed consultation.
- (2) The changes to the establishment in Communications be noted.
- (3) The changes to the establishment in Central Services be approved for further detailed consultation.
- (4) Changes to the establishment in Regulatory Services, Waste Management and Environmental Maintenance will be further reviewed and brought to the forthcoming meeting for approval.

The meeting which commenced at 6.35 p.m., closed at 8.50 p.m.

Chairman