



MEETING OF THE  
COUNCIL OF THE BOROUGH OF MELTON

PARKSIDE, STATION APPROACH, BURTON STREET, MELTON MOWBRAY

17 JULY 2013

PRESENT

Councillors M. Gordon (Mayor)  
P.M. Baguley, G.E. Botterill, G. Bush, P.M. Chandler,  
P. Cumbers, J.M. Douglas, J. Illingworth, M.C.R. Graham MBE,  
E. Holmes, L. Horton, E. Hutchison, T. Moncrieff  
J. Moulding, M. O'Callaghan, J.T. Orson, P.M. Posnett, J.B. Rhodes,  
M.R. Sheldon, J. Simpson, N. Slater, D.R. Wright, J. Wyatt

Chief Executive  
Strategic Director (KA), Strategic Director (CM)  
Head of Central Services, Head of Communications & Monitoring Officer  
Head of Regulatory Services  
Internal Audit Consultant  
Senior Democracy Officer

The Reverend Peter Collins and the Mayor offered prayers

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CO14. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Barnes, Freer-Jones, Lumley, Manderson and Twitney.

CO15. MINUTES

(a) Minutes of the Extraordinary Meeting of the Council held on 15 April 2013

(i) Councillor O'Callaghan asked whether the Officers were satisfied that the minutes were a true and accurate record of the meeting. The Chief Executive advised that as far as she was aware they were but if the Member had any amendments, they should be advised at this point. There were no amendments proposed.

(ii) The minutes of the Extraordinary Meeting of the Council held on 15 April 2013 were confirmed and authorised to be signed by the Mayor.

(b) The minutes of the Meeting of the Council held on 24 April 2013 were confirmed and authorised to be signed by the Mayor.

(c) Minutes of the Annual Meeting held on 8 May 2013

### Minute CO12 – Mayor’s Announcements

- (i) The Mayor requested that there be an amendment at page 7 to state that she had spent a day at Dove Cottage a number of years ago and not last year as stated in the minutes;
- (ii) Subject to the foregoing, the minutes of the Annual Meeting of the Council held on 8 May 2013 were confirmed and authorised to be signed by the Mayor.

### CO16. DECLARATIONS OF INTEREST

Councillors Orson, Posnett and Rhodes each declared a personal interest in any matters relating to the Leicestershire County Council due to their roles as County Councillors.

#### Minute CO22 – Review of Melton Local Development Framework – Core Strategy Preparation and Inspection

Councillor Orson declared a personal and pecuniary interest in this item and would leave the meeting when it was considered.

Councillor Graham declared a personal and pecuniary interest in this item due to being a Trustee of the Sir John Sedley Foundation and would leave the meeting when it was considered.

Councillor Holmes declared a personal and pecuniary interest in this item and would leave the meeting when it was considered.

#### Minute CO23 – Questions from Members Community and Social Affairs Committee – 19 June 2013

#### Minute C10 – Sub-Regional Choice Based Lettings Policy

The Mayor, Councillor Gordon, and Councillor Slater each declared a personal and pecuniary interest in this item due to being Council Tenants. They advised that should this minute be raised at this meeting, they would leave the room.

#### Minute C14 - Tenant Participation Agreement (Compact) 2013-2016

The Mayor, Councillor Gordon, and Councillor Slater each declared a personal and pecuniary interest in this item due to being Council Tenants and being in receipt of Housing and Council Tax Benefit. They advised that should this minute be raised at this meeting, they would leave the room.

#### Minute C15 – Discretionary Housing Payments Policy

The Mayor, Councillor Gordon, and Councillor Slater each declared a personal and pecuniary interest in this item due to being Council Tenants and being in receipt of Housing and Council Tax Benefit. They advised that should this minute be raised at this meeting, they would leave the room.

### CO17. MAYOR’S ANNOUNCEMENTS

The Mayor

- presented Councillor Botterill with a long service gift to commemorate his 30 years on the Council and congratulated him on this achievement and for being a loyal and dedicated Councillor. Councillor Botterill thanked the Mayor for the gift and responded that he enjoyed what he did and would continue a while longer;
- stated that it had been a busy year to date and she had attended 43 engagements so far. She added that she was enjoying meeting so many different people and recalled some highlights being her visit to the Knight School Graduation at St. Mary's Church, the Prince's Trust Presentation involving a young people's garden project, a Ratcliffe Summer Reception which included a display by a disabled basketball team, a visit to Ab Kettleby Primary School and her visit to the twin town of Sochaczew in June where she also met their other twin town Mayor from Grodek in the Ukraine;
- stated that the twin town visit had broadened her view of the Mayoral role both in the town and the Borough;
- stated that her Civic Service would be held at 3 p.m. on Sunday 1 September 2013 at St. Mary's Church, Melton Mowbray.

#### CO18. LEADER'S ANNOUNCEMENTS

The Leader, Councillor Rhodes, stated that

- The Chancellor of the Exchequer had announced that there were financial changes to come for Councils in the future. This related to budget cuts in the DCLG and reallocating some of the New Homes Bonus to the LEP and there was uncertainty as to how much this would affect Melton. He advised that when more details were available, the Council's Medium Term Financial Strategy would be revised.
- He had previously been unable to take part in the local plan development due to being the Lead Cabinet Member for property at the Leicestershire County Council (LCC) and the LCC owned land in the Melton Borough. However it had been agreed at the LCC that these responsibilities would transfer to the County Council's Leader. Therefore this would free him up to take full part in future planning work. This was a big shift and would clear up any conflict of interest.

#### CO19. PUBLIC QUESTION TIME

There were no questions received.

#### CO20. PETITIONS

There were no petitions received.

#### CO21. RECOMMENDATIONS AND REPORTS FROM COMMITTEES

Governance Committee – 24 June 2013  
Minute G17/13 – Constitution Review 2012/13 – Follow up

The Chair of the Governance Committee, Councillor Graham, submitted the report of the Governance Committee entitled Constitution Review 2012/13 – Follow up (copies of which had previously been circulated to Members) and moved and Councillor Douglas seconded, the recommendations from the committee as set out below :-

**RECOMMENDED** that the following changes to the Constitution be referred to the Council for adoption :-

(a) New Delegation relating to approval of Neighbourhood Plans :-

To add the following delegation to the Rural and Economic Affairs Committee:

*‘To consider and make all decisions relating to Neighbourhood Plans.’*

(b) Procedure Rule 13.4 – Timing for Speeches

Content and length of speech

*13.4 Speeches must be directed to the question under discussion or to a personal explanation or point of order. No speech may exceed five minutes without the consent of the Mayor apart from the Leader and Leader of the Opposition who may speak for up to 10 minutes as well as those proposing a motion or an amendment.*

(c) Role of the Leader of the Opposition

Article 2(e) of the Constitution be amended as follows :-

(e) Leader of the Opposition and Other Group Leaders

*‘The Council recognises other Group Leaders and will appoint a Leader of the Opposition, being the Leader of the largest opposition group.’*

The Leader of the Opposition and other Group Leader(s) role be defined in the Roles and Responsibilities document as set out in Part 5 of the Constitution and be amended as shown at Appendix A12.

The Leader of the Opposition role include involvement in Corporate Management Team’s individual appraisals and these matters be reflected in the Member Roles and Responsibilities document set out in Part 5 of the Constitution.

(d) the changes proposed to Part 5 of the Constitution as set out at Appendices A and B with the following additional amendments :-

(i) all references to the Development Committee be replaced with Planning Committee throughout Part 5 of the Constitution;

- (ii) the word 'Co-ordinator' be replaced with Lead Officer and that there be an amendment at Item 7, paragraph C that the word 'they' on line 2, be replaced by the words 'the Member';
- (iii) the Task Group Protocol be amended at 7(b) regarding Agenda send out for Task Groups to reflect that all Members receive Task Group papers by email so that all Members have the opportunity to be kept informed of Task Group activities;
- (e) a consequential change be made at Part 2 of the Constitution within Article 2 under the heading 'Officers' on page 16 being a job role change of the Monitoring Officer;
- (f) an additional paragraph be inserted within the Contract Procedure Rules at paragraph 1.4.8 which states :-

*'That where procurement is being undertaken on the Council's behalf by another public sector body, through working in partnership or through a shared service, that the lead organisation's contract procedure rules are able to be followed in preference to this Councils subject to approval by the relevant Head of Service.'*

The Leader of the Labour Group expressed his support for the recommendations and that he was pleased that the Governance Committee had re-considered the items of concern raised at the Council Meeting on 24 April 2013.

On the motion being put to the vote, the majority were in favour.

**RESOLVED** that the recommendations as set out above at paragraphs (a)-(f) be adopted by the Council and the Constitution be amended accordingly.

(Due to their interests declared at Minute CO16, Councillors Holmes, Graham and Orson here left the meeting.)

## CO22. REVIEW OF MELTON LOCAL DEVELOPMENT FRAMEWORK – CORE STRATEGY PREPARATION AND INSPECTION

The Chief Executive

- (a) submitted a report (copies of which had previously been circulated to Members), the purpose of which was to meet the Council's resolution of 15 April 2013 that :-

*"The Council requests the Chief Executive to institute a review into what happened and what lessons can be learnt for the future and*

*Council instructs the Chief Executive to develop a programme for the development of a new plan which will include a timetable, resources needed, staffing and expertise that will be necessary, evidence and sources of that evidence and engagement with the public".*

- (b) circulated a summary presentation of the Melton Local Development Framework process which included how the Council had reached its current position, learning from the activities and process to date which included reference to timescales, keeping an account of progress and decision-making, reference to housing numbers, sustainability appraisal, highways, capacity and officer approach, community engagement and finally she outlined the next steps. The main points were as follows :-

#### The Journey

- Review of former Melton Local Plan commenced January 2003
- Early work through discussion papers
- Rural/urban housing split consultation (Core Strategy (CS) issues and options) June 2006
- Preferred options consultation – January-March 2008
- May 2008 Fire : Reconstituted evidence base
- April-November 2009 – Direction of Growth approval
- Masterplanning/towards submission documents 2009/10
- Publication February 2012
- Submission September 2012
- Examination February/March 2013
- Withdrawal April 2013

#### The Learning

##### Timescales

- The Council should use the most up to date current evidence and be flexible in terms of refreshing and revisiting its decisions and
- Must be consistently aware of the “bigger picture” in relation to its overall aims for the MLP
- To maintain pace a Programme Plan should be in place. This needs to be introduced and followed, but in a flexible context
- Work must be comprehensive enough to cover all bases so that it is ready to be used should opportunities arise

##### Tell the Story

- The Council should tell its story illustrating why decisions have been made and what is the evidence base and how the decision links to this
- The ‘story’ should be openly published with the relevant evidence in understandable format once the decision is made

##### Housing Numbers

- The need to be flexible in approach to Housing Requirements and need and in the initial stages of preparation to ensure that all evidence relating to known or potential changes is taken into account and is part of the process
- “indicative detail” should be considered as this may give more flexibility to meet community need
- Keep the evidence base in line with a proper and defensible Plan Period

##### Sustainability Appraisal

- A contemporaneous record of the justified and evidenced based reasoning of the Council in making particular decisions should be made and reasons given for any departure from advice

- When requesting consultants to carry out work for the Council, a quality check on the final product by relevant professionals should be carried out

#### Highways

- The time taken to complete the CS resulted in the use of three traffic models
- The story of the CS decision its links to the highways benefits to be fully and adequately explained

#### Capacity and officer approach

- A programme of continuous development is undertaken for relevant officers
- Horizon scanning and understanding of current inspection approaches and requirements is regularly carried out
- Close oversight be given to engagement with groups, organisations and specific individuals to ensure the Council's approach is appropriate and respectful

#### Community Engagement

- There should be broad community/stakeholder engagement based on developing information sources, awareness and knowledge
- Greater public relations work should be undertaken throughout the process but particularly at major decision points
- Support should be given to the democratic role of Members to engage with their communities

#### Next Steps

- Resources : Synergies created in work being placed in Regulatory Services section
- Planned approach using timetable : Four Years was current estimate to prepare
- Community Direction Consultation
- Housing Requirements : Awareness of where the Borough is going
- Formalise Arrangements with other bodies and provide support
- Community Engagement – Information, Training, Support Communications Plan
- Plan Story using evidence base and decisions and be prepared throughout

The Leader of the Opposition, Councillor O'Callaghan, referred to page 12 of the Review document and questioned who had moved the motion. The Chief Executive apologised if this was not correct and she would amend if needed.

The Leader of the Council

- (a) confirmed that since the adoption of the constitutional changes at Minute CO21, he now had 10 minutes to speak. He stated that few matters had given rise to more controversy and anguish than planning and the development of the Local Plan had been particularly difficult. He explained that at the meeting of the Council on 15 April 2013, the Council asked the Chief Executive to investigate and write a report into what happened and what lessons could be learnt from the experience which culminated in the rejection of the Core Strategy by the Planning Inspector. The report was now before the Council with proposals for a way forward. In his view, he stated that the report presented a comprehensive and accurate account. He noted

that the Audit Specialist who acted on behalf of the Welland Internal Audit Consortium, had independently examined it and he quoted from the final paragraph of her report on page 35 as follows :-

*'There is appropriate evidence that the senior management – specifically the Chief Executive and the Strategic Director – acted properly with an appropriate level of involvement during the process of developing the Core Strategy. They received relevant information on a timely basis and reported – and continue to do so – promptly to members where necessary.'*

(b) further stated that the Chief Executive made it clear that at all times, Members who took part in the decision-making process acted in good faith on the information provided to them at the time. He stated that he accepted the auditor's comments and the report and added that the Chief Executive also provided a number of learning conclusions which would be important in shaping how the Council went forward. He looked back at some of the events and specifically referred to the following :-

- in the last 2 years before submission of the Core Strategy for independent examination there was a significant shift in government policy. The Planning Policy Guidelines which were very extensive were replaced with the National Planning Policy Framework (NPPF) in the final year before submission
- in 2011, the new Government indicated that the Regional Spatial Strategy (RSS) would be withdrawn although it did not do this until shortly after the Inspector wrote his letter to the Council in April 2013

(c) added that the above combination of events brought about a situation where the plan began to look out of date. This was especially so with the timeframe and the assessment of housing numbers. Whilst in hindsight he stated the Council could have reacted to these changing circumstances, but it was encouraged by the Planning Inspectorate to go ahead. Sadly the Inspector did not agree and went on to refer to the most significant of the objections to the Core Strategy raised Inspector's letter being :-

- housing numbers
- the timescale of the strategy
- the location of the Sustainable Urban Extension (SUE) to the north of Melton Mowbray
- the 80/20 split between town and country for the distribution of housing numbers

(d) stated that the Core Strategy was based on the RSS figures which the Council understood was the correct way to proceed. Even the informal advice from the Planning Inspectorate itself confirmed that. However owing to the shift in Government policy, it was now clear that Councils could not use those figures and had to move to other means of assessment ie. GL Hearn which would bring about a significant uplift in the numbers. He understood that the latest view, not the view expressed by the Inspector who suggested 200 houses per annum, was that 230 houses per annum would be what the Council had to plan for not 170 per annum which was related to Melton's historic build rate. This may result in a significant uplift in the number of houses which had to be built on greenfield land



- (e) with regard to timescales, the Leader stated that the Inspector would not accept a plan which ran out in 2026. The Inspector said it had to go out to at least 15 years from adoption. If that now turned out to be in 2017, the plan would extend to 2032 at least, perhaps even to 2035 to be on the safe side
- (f) with regard to the SUE, he stated that some people considered that a SUE or SUEs was not the right way to proceed and this would have to be decided. The SUE was certainly the way the previous Government encouraged the Council to go and other Councils such as Charnwood and Blaby were following that line
- (g) with regard to the 80/20 split, he referred to paragraph 3.6 of the Chief Executive's report, which reminded Members that the public consultation back in 2006 came out very heavily in favour of an 80/20 split with support from 61% of the respondents
- (h) added that these matters would be the subject of much debate in the forthcoming years as the Council developed its new plan. He then turned to how the Council would do it and the 10 recommendations set out in the report. He stated that he agreed with 9 of them with the exception of 2.7. He added that the principle must be that the Council had the development of the new plan as its number one project and it was essential that the Leader of the Council took overall responsibility for the project. He stated that he was not previously able to do this due to his conflicts of interest arising from his county council responsibilities, nor was his predecessor also for conflict of interest reasons. Therefore he advised that was why he had changed his county council responsibilities. He stated that it was equally necessary for the Chief Executive and the Directors to be fully involved and they would be. The politically balanced Project Board proposed in recommendation 2.6 would include the Chief Executive, Directors, the Project Manager and senior Members of all Member groups and he would chair it. He further stated that it made sense that the specialist team who would write the plan would be closely associated with those who would have to apply it and were experienced in determining planning applications and this would lead to some new staff appointments. He stated that the recommendations if adopted would put into effect a suitable framework and expertise to bring about a successful conclusion in the shortest possible timeframe. He added that consultation and involvement of the public and outside interests would be essential therefore with reference to the suggestion he made at the Council Meeting on 15 April, he considered the Council should set up a number of reference groups to inform the Project Board. He advised that he did not consider the arrangement described in Appendix 4 would command the support he would like. Therefore after consulting colleagues, he proposed that there should be Reference Groups that focused on particular aspects of the plan and circulated a slightly different approach to that set out in Appendix 4. This would have the merit of giving more focus to the groups but would not preclude them discussing and commenting on any aspect of the developing plan.

### **Motion**

The Leader moved the recommendations 2.1 to 2.10 on the Order Paper with the change to 2.7 which was circulated to Members and stated as follows :-

*2.7 Reference Groups be established to promote engagement and involvement of people and interest groups in the development of the Local plan in the Borough as follows:*

*1. Residents*

*(Housing and Community issues)*

- |                              |                                  |
|------------------------------|----------------------------------|
| 2. Environment               | (Environment and Green issues)   |
| 3. Town Centre               | (Retail and Leisure)             |
| 4. Employment                | (Business across the Borough)    |
| 5. Special Interests         | (Groups from the whole Borough)  |
| 6. Landowners and Developers |                                  |
| 7. Young People              | (Targeted at 16 to 24 year olds) |

*Each Group will have an opportunity to engage with all issues, however their area of emphasis is shown in brackets.*

*The Melton Local Plan Working Group be asked to manage the groups and provide the Chairs.*

Councillor Posnett seconded the motion.

The Mayor asked the Council if they wished to adjourn for 5 minutes to consider the revised recommendation 2.7.

The meeting adjourned at 7.20 p.m. and resumed at 7.25 p.m.

### **Amendment**

The Leader of the Opposition, Councillor O'Callaghan, proposed an amendment in support of recommendations 2.2 to 2.10 including the new recommendation 2.7 and the rewording of 2.1 as follows :-

2.1 The Council rejects the Review of the Melton Local Development Framework :  
Core Strategy Preparation Inspection.

Councillor Moncrieff seconded the amendment and reserved his right to speak.

The Leader of the Opposition stated that he too now had 10 minutes to speak and that he was present when the Inspector's findings were delivered and only a couple of other Councillors had been there but neither the Leader nor the Chief Executive were present. He explained that the rejection of the Core Strategy (CS) was comprehensive and it was not an option to come up with a few suggestions to salvage the situation due to its failure on 10 major areas. He stated that he had warned the Council that the CS was flawed and for this reason he had called the Extraordinary Meeting of the Council that was held on 15 April 2013 so that the Council could consider a request for an independent investigation and review. The second part of the recommendation was to develop a programme for a new cross party plan. However he had not been involved in the review and was unhappy that the review carried out by the Chief Executive had not been independent. As the Leader of the Labour Group, he stated that the only communication he had received related to him being an objector of the CS and he was not interested in being involved as an objector. He had waited for an invitation to be involved in the discussion for the review and he considered that all party support was needed for this therefore he felt the way forward was flawed from the start. He further

explained that this was not a serious attempt at a review or to apportion blame if this was needed, he stated that it was a catalogue of events and 'buck-passing'. He referred to paragraph 1.1 of the review which stated '*Council requests the Chief Executive to institute a review into what happened and what lessons can be learnt for the future*'. He considered the review was to look at what went wrong and what can be learnt and he considered this was still needed. He added that there was no criticism in the review of the Leader, Deputy Leader or the Chair of the Rural, Economic and Environmental Affairs Committee yet he felt they held some responsibility. With regard to management, the review stated that the Chief Executive was not directly involved and he questioned this as Melton was a small Council and this was a significant piece of its work. The independent assurance stated that the Chief Executive and Strategic Director acted properly yet in his view the Chief Executive was not sufficiently engaged and the Director was micro-managing the process and as the Monitoring Officer was too involved. He added that the plan had cost £1.8M and its failure had damaged the reputation of the Council. He explained that the Council was now exposed to opportunistic planning applications across the Borough and this report blamed no one and provided no tools to find out how the plan went wrong. Therefore it was flawed from the start and he asked the Council to reject the review and support the other recommendations.

Councillor Moncrieff seconded the amendment and stated that he could not accept the review as it was an internal document and not the thorough investigation that was requested. He considered the review should have been carried out by an external body not by the Chief Executive. He referred to some areas of casual analysis in the review and felt that the cost of failure should mean a thorough examination was needed. He referenced several paragraphs in the review to explain his point and considered that the Chief Executive should have been directly involved in the development of the plan. He added that the Council was asked to approve the review and that this was not appropriate as there should be some culpability and therefore urged Members to reject recommendation 2.1 and support the amendment.

Councillor Botterill referred to the Leader of the Opposition's amendment and linked it to previous Labour party policy on immigration which he considered had caused the housing need that the Council was now dealing with. He added that it was pointless to carry out another investigation and spend more money when the Council needed to move to the next stage.

Councillors Chandler, Illingworth, Simpson and Wright agreed they would not be supporting the amendment and felt that there had been enough money spent, further investigation would not help and the Council needed to move on.

The Mayor referred to page 33 of the review and stated that the Chief Executive, being a leader, had made the right decision and that was her strength, in not being directly involved as she was working with appropriate senior planning professionals.

Councillor Moncrieff questioned the wording of recommendation 2.1 where it stated 'to receive and consider'.

The Chief Executive explained that it meant discussing and considering the review and she referred to Members' concerns and comments at the meeting which she stated did not prevent the amendment.

Councillors O'Callaghan and Moncrieff both queried the wording of recommendation 2.1 and they felt it was confusing and gave no outcome.

The Mayor clarified that it meant 'consideration and move forward with'.

The Leader stated that in his 30 years in local government, Councillor O'Callaghan's speech was the most disgraceful and referred to his attack of officers and the Chief Executive's integrity when he knew what was going on and had been included in a meeting with the Leader. He added that Councillor Moncrieff's speech was the height of hypocrisy as he had previously supported the Local Development Framework at every stage. He explained that the review was comprehensive and a good report and he proposed that it be noted and Councillor Posnett seconded.

The Leader of the Opposition asked to make a point of personal explanation and stated that he did raise the issues at a confidential meeting being the appraisal of the Chief Executive and he mentioned the lack of independence of the review and he had suggested there be a peer review. He further stated that the role of the Chief Executive was contained within the audit report which was a valid criticism of the Chief Executive and was not personal to the Chief Executive.

The Leader stated that his recollection at the meeting was different to Councillor O'Callaghan's.

Councillor Posnett stated that it was time for the Council to move on and not waste money or time on the past. She explained that the community needed to have their say and the Council needed to be pro-development, acknowledge there was a housing shortage, build trust and make a plan with residents otherwise developers would choose where houses went and make money out of it. She considered this needed to be a cross-party decision.

#### **Vote on amendment**

On the vote on the amendment to reword recommendation 2.1 and 2.2 to 2.10 to be approved including the revised 2.7, there were 4 in favour and the majority against with no abstentions. Therefore the amendment was lost.

#### **Vote on motion**

On the motion for noting 2.1, 2.2 to 2.10 to be approved including the revised 2.7 being put to the vote, there were 15 in favour, 4 against and no abstentions. Therefore the motion was carried.

#### **RESOLVED that**

- (1) the Council receives and considers the Review of the Melton Local Development Framework: Core Strategy Preparation Inspection and notes it;
- (2) the revised structure of Regulatory Services as set out in paragraph 3.2 and in accordance with the Structure Chart at Appendix 1 be approved;
- (3) the Phasing Plan and Timetable attached at Appendix 2 be approved;
- (4) the revised title and Terms of Reference for the Melton Local Plan Working Group be approved;

- (5) to streamline processes and improve inclusively, the Melton Local Plan Working Group its findings, proposals and recommendations be reported directly to Full Council;
- (6) a politically balanced Project Board supported by Corporate Management Team and the Head of Service be appointed to oversee the effective management of the development of the Melton Local Plan;
- (7) Reference Groups be established to promote engagement and involvement of people and interest groups in the development of the Local plan in the Borough as follows :-
  1. Residents (Housing and Community issues)
  2. Environment (Environment and Green issues)
  3. Town Centre (Retail and Leisure)
  4. Employment (Business across the Borough)
  5. Special Interests (Groups from the whole Borough)
  6. Landowners and Developers
  7. Young People (Targeted at 16 to 24 year olds)

Each Group will have an opportunity to engage with all issues, however their area of emphasis is shown in brackets.

The Melton Local Plan Working Group be asked to manage the groups and provide the Chairs;

- (8) training and support be provided for the Reference Groups and their Members as appropriate during the process of development of the Melton Local Plan;
- (9) the first issues to be discussed by the Reference Groups to include the principles for growth and development of the Borough of Melton and Melton Mowbray and early consideration of the Housing Requirements;
- (10) consequential amendments to the Constitution be made by the Monitoring Officer, to give effect to the necessary delegated authorities following the revised structure in Recommendation 2.2 above and Working Group Terms of Reference in 2.4.

(Councillors Graham and Orson here re-entered the meeting.)  
 (Councillor Baguley here left the meeting.)

### CO23. QUESTIONS FROM MEMBERS

- (a) In accordance with Procedure Rule 10.1, the Chairmen of Committees were to respond to any questions upon items of reports of Committees when those items were received or were under consideration by the Council as follows :-

Planning Committee	25 April 2013
Ad Hoc Governance Committee	21 May 2013
Planning Committee	23 May 2013

Rural, Economic & Environmental Affairs Committee	29 May 2013
Licensing and Regulatory Committee	4 June 2013
Ad Hoc Governance Committee	13 June 2013
Planning Committee	13 June 2013
Community & Social Affairs Committee	19 June 2013
Governance Committee	24 June 2013
Policy, Finance & Administration Committee	10 July 2013

#### Rural, Economic & Environmental Affairs Committee – 29 May 2013

##### Attendance

The Mayor advised that she attended as an observer and this had not been recorded in the minutes.

#### Governance Committee – 24 June 2013

##### Minute G17/13 – Constitution Review 2012/13 – Follow up

The Mayor stated that she had requested an amendment at the Governance Committee on 24 June 2013 that within the Task Group Protocol of Part 5 of the Constitution documents at Item 7, paragraph C the word ‘they’ on line 2, be replaced by the words ‘the Member’. It was noted that although this was not included as a tracked change in Appendix B which was part of Minute CO21 – ‘Constitution Review 2012/13 – Follow up’ where the recommendations from that Committee had been referred to the Council above, the change had been included in the recommendations at Minute CO21(d)(ii) which had been subsequently adopted by the Council at this meeting.

#### Policy, Finance & Administration Committee – 10 July 2013

##### Minute P5 – Appeal against refusal of planning application 10/00951/FUL : Asfordby Wind Farm – Costs and Funding

The Mayor advised that she had proposed the motion set out in the third paragraph of the minute, not the Chairman and she would like this to be changed.

It was noted that the above amendments, apart from the clarification of the Governance Committee item, be referred to the next meeting of the relevant Committees.

- (b) In accordance with Procedure Rule 10.5, the Mayor, the Leader and the Chairmen of Committees were to answer any questions on any matters in relation to which the Council has powers or duties or which affect the Borough of which due notice had been given.

It was reported that there were no questions received under Procedure Rule 10.5, however Councillor O’Callaghan stated that he had submitted a question to be put to the Leader in May 2013 for this meeting which was not included on the agenda. The Chief Executive advised that she would look into this and an answer would be provided in due course.

#### CO24. MOTIONS ON NOTICE

There were no motions on notice received.

**CO25. MEMBER APPOINTMENTS : LICENSING & REGULATORY COMMITTEE AND PLANNING ENFORCEMENT WORKING GROUP**

Further to the Member appointments made at the Annual Meeting on 8 May 2013, the Leader proposed the following which was seconded by the Deputy Leader, Councillor Posnett :-

- (a) as Deputy Mayor, Councillor Wyatt would no longer hold the position of the Vice Chairman of the Licensing and Regulatory Committee;
- (b) advised that Councillor Slater had been nominated to take up the role;
- (c) requested the Council's approval to this nomination;
- (d) requested that with regard to the Planning Enforcement Working Group, although it was not a politically balanced group, the group be increased to 6 Members to enable the Independent Group to nominate a Member to that group and the Constitution be amended accordingly;
- (e) requested a nomination from the Independent Group to join the Planning Enforcement Working Group

Following a vote, it was

**RESOLVED** that

- (1) Councillor Slater take up the role of Vice Chair of the Licensing and Regulatory Committee with immediate effect;
- (2) the Planning Enforcement Working Group be increased to 6 Members and the Constitution be amended accordingly;
- (3) the Independent Group nominate a representative to the Planning Enforcement Working Group.

**CO26. REGULATION OF INVESTIGATORY POWERS ACT**

The Monitoring Officer's report (copies of which had previously been circulated to Members) was presented, the purpose of which was

- (a) following review of the internal policy relating to the Regulation of Investigatory Powers Act 2000 (RIPA) in light of recent legislative changes by the Governance Committee on 24 June 2013, the Council is requested to approve the policy;
- (b) to grant delegated authority to the Governance Committee to deal with RIPA policy matters as well as afford the Solicitor to the Council the authority to designate such persons to make the application for judicial approval under s222 LGA 1972 and the Constitution be amended accordingly;
- (c) to inform Members of the Council's use of RIPA for the period 1 April 2012 to 31 March 2013

The Chair of the Governance Committee, Councillor Graham, moved and Councillor Douglas seconded, the recommendations as set out in the Order Paper.

Following a vote, it was

**RESOLVED** that

- (1) the Council note that Melton Borough Council has had no requirement to use RIPA procedures for the period 1 April 2012 and the 31 March 2013;
- (2) Members approve the amended Policy (Appendix A);
- (3) delegated authority be given to Governance Committee to deal with policy issues with regard to RIPA and the Constitution be amended accordingly;
- (4) there be an amendment to the Constitution to specifically afford the Solicitor to the Council the authority to designate such persons to make the application for judicial approval under s222 LGA 1972.

#### CO27. ANNUAL REPORT ON THE TREASURY MANAGEMENT ACTIVITIES AND ACTUAL PRUDENTIAL INDICATORS 2012-13

The Head of Central Services' report (copies of which had previously been circulated to Members) which provided a summary of the Treasury activities in 2012-13 and covered the actual position on the Prudential Indicators in accordance with the Prudential Code was presented by the Leader and he explained that it was a complicated report.

The Leader, Councillor Rhodes, moved the recommendations in the Order Paper and the Deputy Leader, Councillor Posnett, seconded the motion.

Following a vote, it was unanimously

**RESOLVED** that

- (1) the Treasury Management Annual Report for 2012-13 be approved;
- (2) the actual position on Prudential Indicators for 2012-13 is noted;
- (3) the Senior Accountant Housing Service and Special Projects be authorised to be added as a signatory for Treasury Management activities.

The meeting, which commenced at 6.30 p.m., closed at 8.10 p.m.

Mayor