

9 July 2013

To : The Mayor and Members of Melton Borough Council

Dear Sir or Madam

You are summoned to a **MEETING OF THE COUNCIL** to be held at Parkside, Station Approach, Burton Street, Melton Mowbray, LE13 1GH on **Wednesday 17 July 2013 at 6.30 p.m.**

Yours faithfully

Lynn Aisbett
Chief Executive

AGENDA

Item No.	Item
1.	APOLOGIES FOR ABSENCE
2.	MINUTES (a) To confirm the minutes of the Extraordinary Meeting held on 15 April 2013 (b) To confirm the minutes of the meeting held on 24 April 2013 (c) To confirm the minutes of the Annual Meeting held on 8 May 2013
3.	DECLARATIONS OF INTEREST Members to declare any interest as appropriate in respect of items to be considered at this meeting
4.	MAYOR'S ANNOUNCEMENTS Including an update on the activities of the Young Mayor
5.	LEADER'S ANNOUNCEMENTS
6.	PUBLIC QUESTION TIME The Leader and Chairmen of Policy Committees to answer any questions from the public of which notice has been given in accordance with Council Procedure Rule 9 of the Constitution. There are no questions received

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7.	<p>PETITIONS</p> <p>In accordance with Procedure Rule 24.1, the Chief Executive shall report the receipt of a petition to the next meeting of the Council where there shall be no debate or comment thereon.</p> <p>There are no petitions received</p>
8.	<p>RECOMMENDATIONS AND REPORTS FROM COMMITTEES</p> <p><u>Governance Committee – 24 June 2013</u> <u>Minute G17/13 – Constitution Review 2012/13 – Follow up</u></p> <p>RECOMMENDED that the following changes to the Constitution be referred to the Council for adoption :-</p> <p>(a) New Delegation relating to approval of Neighbourhood Plans :-</p> <p>To add the following delegation to the Rural and Economic Affairs Committee :</p> <p>‘To consider and make all decisions relating to Neighbourhood Plans.’</p> <p>(b) <u>Procedure Rule 13.4 – Timing for Speeches</u></p> <p>Content and length of speech</p> <p><i>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.</i></p> <p>(c) <u>Role of the Leader of the Opposition</u></p> <p>Article 2(e) of the Constitution be amended as follows :-</p> <p>(e) <u>Leader of the Opposition and Other Group Leaders</u></p> <p><i>‘The Council recognises other Group Leaders and will appoint a Leader of the Opposition, being the Leader of the largest opposition group.’</i></p> <p><i>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.</i></p> <p><i>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.</i></p> <p>(d) the changes proposed to Part 5 of the Constitution as set out at Appendices A and B with the following additional amendments :-</p> <p>(i) all references to the Development Committee be replaced with</p>

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 Council's subject to approval by the relevant Head of Service.'

The Council to consider the above recommendations

9. **REVIEW OF MELTON LOCAL DEVELOPMENT FRAMEWORK – CORE STRATEGY PREPARATION AND INSPECTION**

The Chief Executive to submit a report, the purpose of which is 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".

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10.	<p>QUESTIONS FROM MEMBERS</p> <p>(a) The Chairmen of Committees to answer any questions upon items of reports of Committees when those items are being received or under consideration by the Council in accordance with Council Procedure Rule 10.1 of the Constitution :-</p> <table border="0" data-bbox="341 398 1423 801"> <tr> <td>Planning Committee</td> <td>25 April 2013</td> </tr> <tr> <td>Ad Hoc Governance Committee</td> <td>21 May 2013</td> </tr> <tr> <td>Planning Committee</td> <td>23 May 2013</td> </tr> <tr> <td>Rural, Economic & Environmental Affairs Committee</td> <td>29 May 2013</td> </tr> <tr> <td>Licensing and Regulatory Committee</td> <td>4 June 2013</td> </tr> <tr> <td>Ad Hoc Governance Committee</td> <td>13 June 2013</td> </tr> <tr> <td>Planning Committee</td> <td>13 June 2013</td> </tr> <tr> <td>Community & Social Affairs Committee</td> <td>19 June 2013</td> </tr> <tr> <td>Governance Committee</td> <td>24 June 2013</td> </tr> <tr> <td>Policy, Finance & Administration Committee</td> <td>10 July 2013</td> </tr> </table> <p>(b) The Mayor, the Leader and the Chairmen of Committees 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 has been given in accordance with Council Procedure Rule 10.5.</p> <p>There are no questions received under Procedure Rule 10.5(a)</p>	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
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11.	<p>MOTIONS ON NOTICE</p> <p>There were none received</p>																				
12.	<p>MEMBER APPOINTMENTS : LICENSING & REGULATORY COMMITTEE AND PLANNING ENFORCEMENT WORKING GROUP</p> <p>Further to the Member appointments made at the Annual Meeting on 8 May 2013, the Chief Executive to</p> <p>(a) report that as Deputy Mayor, Councillor Wyatt would no longer hold the position of the Vice Chairman of the Licensing and Regulatory Committee;</p> <p>(b) advise that Councillor Baguley had been nominated to take up the role;</p> <p>(c) request the Council's approval to this nomination;</p> <p>(d) request 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;</p> <p>(e) request a nomination from the Independent Group to join the Planning Enforcement Working Group</p>																				

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13.	<p data-bbox="327 210 1091 241">REGULATION OF INVESTIGATORY POWERS ACT</p> <p data-bbox="327 248 1257 280">The Monitoring Officer to submit a report, the purpose of which is</p> <ul style="list-style-type: none"> <li data-bbox="327 322 1449 465">(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; <li data-bbox="327 508 1449 683">(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; <li data-bbox="327 725 1449 790">(c) to inform Members of the Council's use of RIPA for the period 1 April 2012 to 31 March 2013
14.	<p data-bbox="327 831 1426 902">ANNUAL REPORT ON THE TREASURY MANAGEMENT ACTIVITIES AND ACTUAL PRUDENTIAL INDICATORS 2012-13</p> <p data-bbox="327 909 1449 1014">The Head of Central Services to submit a report which provides a summary of the Treasury activities in 2012-13 and covers the actual position on the Prudential Indicators in accordance with the Prudential Code</p>

Advice on Members' Interests

COUNCIL MEETINGS - COMMITTEE MINUTES : DECLARATION OF INTERESTS

Interests need not be declared at Full Council in relation to Committee Minutes which do not become the subject of debate at Full Council (ie. Minutes referred to solely on a page by page basis when working through the Minutes of each Committee.)

An interest must be declared at Full Council as soon as it becomes apparent that a relevant Committee Minute is to be debated – this applies even if an interest has been declared at Committee and is recorded in the Minutes of that Committee.

PERSONAL AND NON-PECUNIARY INTERESTS

If the issue being discussed affects you, your family or a close associate more than other people in the area, you have a personal and non pecuniary interest. You also have a personal interest if the issue relates to an interest you must register under paragraph 9 of the Members' Code of Conduct.

You must state that you have a personal and non-pecuniary interest and the nature of your interest. You may stay, take part and vote in the meeting.

PERSONAL AND PECUNIARY INTERESTS

If a member of the public, who knows all the relevant facts, would view your personal interest in the issue being discussed to be so great that it is likely to prejudice your judgement of the public interest and it affects your or the other person or bodies' financial position or relates to any approval, consent, licence, permission or registration then **you must state that you have a pecuniary interest, the nature of the interest and you must leave the room***. You must not seek improperly to influence a decision on that matter unless you have previously obtained a dispensation from the Authority's Governance Committee.

DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS

If you are present at any meeting of the Council and you have a disclosable pecuniary interest in any matter to be considered or being considered at the meeting, if the interest is not already registered, you must disclose the interest to the meeting. You must not participate in the discussion or the vote and you must leave the room.

You may not attend a meeting or stay in the room as either an Observer Councillor or *Ward Councillor or as a member of the public if you have a pecuniary or disclosable pecuniary interest*.

BIAS

If you have been involved in an issue in such a manner or to such an extent that the public are likely to perceive you to be biased in your judgement of the public interest (bias) then you should not take part in the decision-making process; you should leave the room. **You should state that your position in this matter prohibits you from taking part.** You may request permission of the Chair to address the meeting prior to leaving the room. The Chair will need to assess whether you have a useful contribution to make or whether complying with this request would prejudice the proceedings. A personal, pecuniary or disclosable pecuniary interest will take precedence over bias.

In each case above, you should make your declaration at the beginning of the meeting or as soon as you are aware of the issue being discussed.*

*There are some exceptions – please refer to paragraphs 13(2) and 13(3) of the Code of Conduct.