

12 July 2011

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 Scalford Hall, Scalford Road, Melton Mowbray, LE14 4UB on **Wednesday 20 July 2011 at 7 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 Meeting of the Council held on 20 April 2011 (b) To confirm the Minutes of the Annual Meeting of the Council held on 19 May 2011
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
5.	LEADER'S ANNOUNCEMENTS
6.	QUESTIONS BY MEMBERS OF THE PUBLIC 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 and Part 2 of the Petitions Scheme, 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>Overview, Scrutiny and Audit Committee : 14 June 2011</u> <u>Minute OS15/11 : Annual Report 2010/11</u></p> <p>RESOLVED that the Annual Report for 2010/11 be noted and referred to the Council for consideration.</p> <p>The Council to consider the above.</p>																				
9.	<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 data-bbox="319 952 1404 1332"> <tbody> <tr> <td>Special Overview, Scrutiny & Audit Committee</td> <td>11 April 2011</td> </tr> <tr> <td>Policy, Finance & Administration Committee</td> <td>20 April 2011</td> </tr> <tr> <td>Development Committee</td> <td>21 April 2011</td> </tr> <tr> <td>Development Committee</td> <td>25 May 2011</td> </tr> <tr> <td>Overview, Scrutiny and Audit Committee</td> <td>14 June 2011</td> </tr> <tr> <td>Rural, Economic & Environmental Affairs Committee</td> <td>15 June 2011</td> </tr> <tr> <td>Development Committee</td> <td>16 June 2011</td> </tr> <tr> <td>Community and Social Affairs Committee</td> <td>22 June 2011</td> </tr> <tr> <td>Policy, Finance & Administration Committee</td> <td>5 July 2011</td> </tr> <tr> <td>Development Committee</td> <td>7 July 2011</td> </tr> </tbody> </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>	Special Overview, Scrutiny & Audit Committee	11 April 2011	Policy, Finance & Administration Committee	20 April 2011	Development Committee	21 April 2011	Development Committee	25 May 2011	Overview, Scrutiny and Audit Committee	14 June 2011	Rural, Economic & Environmental Affairs Committee	15 June 2011	Development Committee	16 June 2011	Community and Social Affairs Committee	22 June 2011	Policy, Finance & Administration Committee	5 July 2011	Development Committee	7 July 2011
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10.	<p>REPORTING OF A FINDING OF 'MALADMINISTRATION' ARISING FROM AN OMBUDSMAN REPORT</p> <p>The Head of Regulatory Services to submit a report which states</p> <p>(a) The purpose of this report is to consider an Ombudsman's report that concludes with a finding of maladministration and recommendations for mitigation, and to determine the response to this finding. The report relates to the determination of a planning application in July 2008 and the full Ombudsman's report is appended to this report as Appendix A;</p> <p>(b) The Ombudsman's recommendation for mitigation in respect of his finding is as follows :</p> <ul style="list-style-type: none"> • a 'before and after' valuation be carried out on the complainants' property. This should ascertain the impact of the new dwelling on the complainants' property • the Council should pay the complainants any difference in value and; • £500 for their time and trouble in pursuing their complaint
11.	<p>EQUALITIES : LEAD MEMBERS</p> <p>In order to assist with capacity for the Council's forthcoming inspection against the Equality Framework for Local Government (EFLG), it is considered that a second Equalities Lead Member is needed.</p> <p>The Council to consider the appointment of Councillor P.M. Posnett as an additional Lead Member for Equalities</p>
12.	<p>REVIEW OF THE COUNCIL'S CONSTITUTION 2010-11</p> <p>The Monitoring Officer to submit a report which was deferred by the Council Meeting on 20 April 2011 and</p> <p>(a) requests the Council to consider a list of proposed amendments to the Constitution that were considered by the Constitution Review Task Group on 29 March 2011 and the Overview, Scrutiny and Audit Committee on 11 April 2011. The detail and associated appendices are enclosed at Appendix A;</p> <p>(b) requests the Council to note that there have been two items approved for inclusion in the Constitution at Council Meetings in the last Civic Year and they are as follows :-</p> <ul style="list-style-type: none"> • the Petitions Scheme including E-Petitions • the Reduction in Site Visit Allowance for Members to £25 to allow a £5 contribution to a buffet between the Site Visit and the Committee meeting

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-PREJUDICIAL INTEREST

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-prejudicial interest. You also have a personal and non-prejudicial interest if the issue relates to an interest you must register.

You must state that you have a personal and non-prejudicial interest and the nature of your interest. You may stay, take part and vote in the meeting (*unless the interest is also prejudicial).

PERSONAL AND PREJUDICIAL INTEREST

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 personal and prejudicial 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 Standards Committee.

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 personal and prejudicial interest*.

BIAS AND PREDETERMINATION

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) or where you have given the impression that you have firmly and fixedly made up your mind on the issue prior to the meeting (predetermination) 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 and Prejudicial Interest will take precedence over Bias and Predetermination

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 the Code of Conduct and Guidance.