



POLICY, FINANCE AND ADMINISTRATION COMMITTEE
PHOENIX HOUSE, NOTTINGHAM ROAD, MELTON MOWBRAY

2 MARCH 2011

PRESENT:-

Councillors M.C.R. Graham MBE (Chairman)
N.R.G. Angrave, A. Jackson, R. Marks, M. O'Callaghan,
J.T. Orson, P.M. Posnett, J.B. Rhodes, D.R. Wright

Chief Executive
Strategic Director (KA)
Head of Central Services
Head of Communications, Head of Regulatory Services
Corporate Property Officer
Senior Democracy Officer

P79. APOLOGIES FOR ABSENCE

There were no apologies for absence.

P80. MINUTES

The minutes of the meeting held on 26 January 2011 were confirmed and authorised to be signed by the Chairman.

P81. DECLARATIONS OF INTEREST

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

P82. RECOMMENDATIONS FROM OTHER COMMITTEES

There were no recommendations from other Committees.

P83. UPDATE ON DECISIONS

The Chief Executive submitted an update on decisions from previous meetings of the Committee.

RESOLVED that the Update on Decisions document be updated to reflect progress and work completed.

P84. HEALTH AND SAFETY POLICIES

The Head of Regulatory Services submitted a report (copies of which had previously been circulated to Members) which sought approval of the following policies :

- Control of Substances Hazardous to Health - COSHH (new policy)
- First Aid at Work (new policy)
- Infectious Diseases in the Workplace (new policy)
- Manual Handling (new policy)
- Personal Protective Equipment (new policy)

Members asked questions relating to the use of wipes by staff and were satisfied that these were provided by the Council and staff used them when they considered they were at risk. It was noted that there was a First Aid facility in the new Council Offices and that flu vaccinations for staff were being investigated.

RESOLVED that

- (1) the above Health and Safety Policies be approved with immediate effect;
- (2) the Head of Regulatory Services be granted delegated authority to amend the policies in line with Health & Safety legislation and best practice guidance.

(Councillor Jackson entered the meeting during the preceding item.)

P85. COMMUNITY CONSULTATION STRATEGY

The Head of Communications submitted a report (copies of which had previously been circulated to Members) which

- (a) advised the Committee of the Council's duty to consult its people on matters that affect them and use that information to improve services and performance;
- (b) requested approval of the Community Consultation Strategy which set out a corporate process for consultation and formalised existing consultation arrangements.

The Chairman considered that there should be a stronger reference to the role of decision-making by Members and circulated some additional wording which he considered should be included in 'The 7 Key Rules of Consultation' which was as follows :-

1. Consultation and the Democratic Process

- *Councillors and officers will always need to weigh the views expressed through consultation against a wide range of other factors: such as legislation and*

- government guidance; demographic data; financial costs; environmental impact*
- *Councillors and officers will often have to make their own judgment about the weight to be given to one or other of the views expressed. They may also have to consider carefully whether the aspirations and needs of future generations – who will perhaps be more affected by any change – might differ significantly from those of today’s population*
- *The results of consultation cannot be a substitute for the democratic process – and do not replace the legitimate role of Councillors in decision-making*

There was also a request to include ‘why’ and ‘when’ before the 5 Stages of Consultation in the Toolkit be started. This would create 2 levels to the process being the pre-consultation questions ie. ‘why’ and ‘when’, before the 5 stage process could be started.

RESOLVED that

(1) the Community Consultation Strategy be approved subject to

(a) the addition of the following as the first Key Rule of Consultation :-

1. Consultation and the Democratic Process

- *Councillors and officers will always need to weigh the views expressed through consultation against a wide range of other factors: such as legislation and government guidance; demographic data; financial costs; environmental impact*
- *Councillors and officers will often have to make their own judgment about the weight to be given to one or other of the views expressed. They may also have to consider carefully whether the aspirations and needs of future generations – who will perhaps be more affected by any change – might differ significantly from those of today’s population*
- *The results of consultation cannot be a substitute for the democratic process – and do not replace the legitimate role of Councillors in decision-making*

(b) the addition of a pre-consultation level to consider ‘Why’ and ‘When’ before starting the 5 Stages of Consultation process in the Toolkit;

(2) the Head of Communications be granted delegated authority to make amendments to the strategy in line with legislation and good practice.

P86. CAPITAL PROGRAMME MONITORING TO JANUARY 2011

The Head of Central Services submitted a report (copies of which had previously been circulated to Members) which updated the Committee on the progress of schemes within the Capital Programme to 31 January 2011.

RESOLVED that the progress on each capital scheme be noted.

P87. BUDGET MONITORING : APRIL TO DECEMBER 2010

The Head of Central Services submitted a report (copies of which had previously

been circulated to Members) which provided information on actual expenditure and income incurred on this Committee's services compared to the latest approved budget for the period 1 April 2010 to 31 December 2010.

The Head of Central Services responded to Members' questions relating to certain budgets and in particular they were concerned with the decrease in income on car parking, planning fees etc. It was noted that planning fees were set nationally and other fees such as Building Control were set locally. From 1 April, planning fees could be set locally and these were currently under review by officers. With regard to car parking, a car parking strategy was being developed as part of the Melton Local Development Framework.

RESOLVED that the financial position on each of this Committee's services to 31 December 2010 be noted.

P88. **REGULATION OF INVESTIGATORY POWERS ACT**

The Head of Central Services submitted a report on behalf of the Strategic Director (CM) (copies of which had previously been circulated to Members) which

- (a) allowed the Committee to consider a proposed new internal policy relating to the Regulation of Investigatory Powers Act 2000 (RIPA);
- (b) informed the Committee of changes to RIPA legislation relating to the role of the Council;
- (c) informed the Committee of the Council's use of RIPA for the period April 2010 onwards.

It was considered that the wording of recommendation 2.2 could be misleading however after further consideration, the majority were happy with the wording.

RESOLVED that

- (1) the revised Melton Borough Council RIPA Policy and Guidance as set out in Appendix A of the report be approved. The Policy was approved for referral to Policy, Finance & Administration Committee by Overview Scrutiny and Audit Committee on 8 February 2011;
- (2) it be approved that the Overview, Scrutiny and Audit Committee reviews the authority's use of RIPA and set the policy on an annual basis and also consider internal reports on the use of RIPA on at least a quarterly basis to ensure that it is being used consistently with the Council's policy. Such reports will be sent to the Members of this Overview, Scrutiny and Audit Committee in the form of an exempt report following any use of RIPA alternatively by email in respect of a nil return;
- (3) it be noted that Melton Borough Council has had no requirement to use RIPA procedures for the period 1 April 2010 to 31 December 2010.

P89. CORPORATE ISSUES

The Chief Executive submitted a report (copies of which had previously been circulated to Members) which updated the Committee on the progress with respect to certain Corporate Issues and the known implications arising from Countywide Developments. Members supported the need for clarity in the coming financial year.

It was noted that there was an 's' was missing from page 2 of the report under 3.4 – 'Policy Committee'. It was felt that this type of spelling error may mislead the reader and it was requested that it be minuted that the error be amended.

RESOLVED that

- (1) the report be noted;
- (2) the timetable and next steps proposed for the Improvement Plan and Corporate Plan developed through the Performance Management Task Group be approved.

P90. URGENT BUSINESS

There was no urgent business.

EXCLUSION OF THE PUBLIC

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

P91. COUNCIL OFFICES AND MAJOR PROJECTS UPDATE

The Corporate Property Officer

- (a) submitted a report on behalf of the Strategic Director (CM) (copies of which had previously been circulated to Members) which updated the Committee on the progress with the exempt matters relating to the New Council Offices and other major projects;
- (b) circulated at the meeting, site plans relating to the potentially surplus properties;
- (c) responded to Members' questions and concerns relating to the projects and the potentially surplus properties update.

When reviewing the list of potentially surplus properties, it was agreed that the Community and Social Affairs Committee be requested to review the Council's garage sites entire portfolio as to suitability, feasibility for demolition and redevelopment. Some examples were given of garage sites suitable for re-

development, for example Rudbeck Avenue, where there may be potential for land assembly and a strategy should be in place for managing these sites.

It was commented that the previously circulated report by Rose Regeneration relating to the Cattle Market was informative and it was requested that it be circulated to the Committee for information.

RESOLVED that

- (1) Members noted that EC Harris had received a formal delay notice from Hallam Contracts for 21 days relating to the exceptional inclement weather in December 2010 and January 2011. The claimed affect of delays incurred to date amount to approximately 11 weeks entitlement leading to a completion date of 1 August 2011; however Hallam Contracts was currently projecting a revised completion date of 18 July 2011. The project remained within budget and the remaining contingency budget was noted;
- (2) Members noted that detailed monthly reports were prepared by EC Harris and reported to the Council Business Development Sub-Committee and these were available for Members' inspection;
- (3) Members noted that Hallam Contracts had made good progress on site since the cold spell in November/December 2010;
- (4) Members noted the decommissioning update in the report and the update in respect of Phoenix House;
- (5) Members noted that progress on the licence to Leicestershire Partnership Trust to occupy the new Council offices and delegations that were agreed by the Council Business Sub Development Committee giving authority to the Strategic Director in consultation with the Head of Central Services to finalise the terms of the agreement;
- (6) the revised proposals relating to Property disposals in relation to properties that had been previously declared surplus as shown on the Schedule be approved;
- (7) a budget of £12,000 from the Corporate Priorities Reserve be approved for officers to apply for planning permission on 3 plots prior to disposal.

RECOMMENDED that the Community and Social Affairs Committee be requested to review the Council's garage sites portfolio as to suitability, feasibility for demolition and redevelopment.

The meeting which commenced at 6.30 p.m., closed at 7.40 p.m.

Chairman