

10 April 2012

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 18 April 2012 at 6.30 p.m.**

Yours faithfully

Lynn Aisbett  
Chief Executive

## AGENDA

Item No.	Item
1.	<b>APOLOGIES FOR ABSENCE</b>
2.	<b>MINUTES</b> (1) To confirm the minutes of the Extraordinary Meeting held on 15 February 2012; (2) To confirm the Minutes of the Meeting of the Council held on 23 February 2012
3.	<b>DECLARATIONS OF INTEREST</b> Members to declare any interest as appropriate in respect of items to be considered at this meeting
4.	<b>MAYOR'S AWARDS</b> The Mayor to present her Annual Awards
5.	<b>MAYOR'S ANNOUNCEMENTS</b> Including an update on the activities of the Young Mayor
6.	<b>LEADER'S ANNOUNCEMENTS</b>
7.	<b>QUESTIONS BY MEMBERS OF THE PUBLIC</b> 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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8.	<p><b>PETITIONS</b></p> <p><b>(1)</b> 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>A petition was received on 10 April 2012 from the Melton Action Group containing 2,423 signatures which states:</p> <p><b>‘Melton North Action Group oppose the Melton Borough Council’s preferred urban extension to the North of the town.</b></p> <p><b>1000 homes have been proposed to be built as part of Melton Borough Council’s proposed sustainable urban extension, this number could rise to 3400. The Melton North Action Group oppose this plan and are asking the council to reconsider the extension of the town to the North and consider alternative options.’</b></p> <p>At the express request of the petition organisers, this petition is not for debate but is submitted as part of the consultation for the Core Strategy. Constitutional procedure rules require that receipt of this petition is reported.</p> <p><b>(2) PETITIONS DEALT WITH UNDER THE STATUTORY PETITIONS SCHEME</b></p> <p>Petitions received under the statutory petitions scheme which contain 1,500 signatures or more will be scheduled for a Council debate. The petition is to be discussed by Councillors for a maximum of 15 minutes. The Council will decide how to respond to the petition at this meeting.</p> <p>A combined paper petition and e-petition was received on 10 April 2012 from local residents containing a combined 1864 signatures (subject to verification) which states:</p> <p><b>‘We the undersigned petition Melton Borough Council to reconsider the proposed changes to the waste management contract because a £32 charges is unfair, and a universal service would be more effective.’</b></p>																
9.	<p><b>QUESTIONS FROM MEMBERS</b></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="343 1713 1428 2004"> <tbody> <tr> <td>Standards Committee</td> <td>6 February 2012</td> </tr> <tr> <td>Overview, Scrutiny &amp; Audit Committee</td> <td>7 February 2012</td> </tr> <tr> <td>Ad Hoc Community &amp; Social Affairs Committee</td> <td>13 February 2012</td> </tr> <tr> <td>Development Committee</td> <td>23 February 2012</td> </tr> <tr> <td>Rural, Economic &amp; Environmental Affairs Committee</td> <td>7 March 2012</td> </tr> <tr> <td>Licensing Committee</td> <td>13 March 2012</td> </tr> <tr> <td>Development Committee</td> <td>15 March 2012</td> </tr> <tr> <td>Community &amp; Social Affairs Committee</td> <td>20 March 2012</td> </tr> </tbody> </table>	Standards Committee	6 February 2012	Overview, Scrutiny & Audit Committee	7 February 2012	Ad Hoc Community & Social Affairs Committee	13 February 2012	Development Committee	23 February 2012	Rural, Economic & Environmental Affairs Committee	7 March 2012	Licensing Committee	13 March 2012	Development Committee	15 March 2012	Community & Social Affairs Committee	20 March 2012
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	<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>(c) Councillor Moncrieff submitted the following question on 5 April 2012:-</p> <p><i>Phase 1 of the Fairmead Regeneration Plan has been approved by the CSA Committee. A number of residents are concerned that any delay in implementing the plan could blight the area. How is it proposed to take forward this plan, what timescales are involved, what funding would be necessary for its implementation and what are the likely sources of this funding?</i></p> <p>The Leader to respond.</p> <p>(d) Councillor Moncrieff submitted the following question on 5 April 2012:-</p> <p><i>Is it intended that the new Leisure facilities for Melton will contain a gym?</i></p> <p>The Leader to respond.</p>
10.	<p><b>MOTION FROM COUNCILLORS O'CALLAGHAN AND MONCRIEFF: WASTE MANAGEMENT CONTRACT</b></p> <p>In accordance with Council Procedure Rule 11.1, Councillors O'Callaghan and Moncrieff submitted the following motion on 5 April 2012 :-</p> <p><i>Council notes:</i></p> <p><i>The short timescale in which a decision on the waste management contract was made</i></p> <p><i>The financial structure of outsourced contracts which include significant overhead charges</i></p> <p><i>The current financial situation of Biffa</i></p> <p><i>The petition regarding the charge for garden waste with over 1,300 signatures and the online petition with almost 500 signatures.</i></p> <p><i>That no full equality impact study was conducted as part of the decision making process for this contract and as a result a number of disadvantaged individuals and groups are being unfairly affected by the new contract.</i></p> <p><i>Council resolves:</i></p> <p><i>To fund the collection of the green waste out of reserves for this year</i></p> <p><i>In the short term to look at ways of mitigating the effect of the charge for disadvantaged individuals/groups</i></p>

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	<p><i>To reconsider the latest Biffa contract to get a better deal so that future green waste collection could be included in the council tax</i></p> <p><i>To investigate the possibility of ending the Biffa contract and consider alternatives including an in-house bid for the waste collection contract</i></p>
11.	<p><b>MOTION FROM COUNCILLORS RHODES AND POSNETT: OVERVIEW &amp; SCRUTINY COMMITTEE</b></p> <p>In accordance with Council Procedure Rule 11.1, Councillors Rhodes and Posnett submitted the following motion on 7 April 2012 :-</p> <p><i>That the Council:</i></p> <ol style="list-style-type: none"> <li><i>1. Notes the decision taken by the Council on 14th December 2011 to support the introduction of a Governance Committee;</i></li> <li><i>2. Notes the decision of the Policy, Finance and Administration Committee on 25th January 2012 to present a paper to the Council before the annual meeting with terms of reference and functions for a Governance Committee;</i></li> <li><i>3. Notes that the proposed terms of reference transfer the responsibilities for Audit, Constitution and Governance, Consultation and Engagement, Electoral Matters, Mayoralty, Members' support and training, Performance Management and Value for money, Risk management and internal control, Voluntary and community sector relationships and Ethics and probity to the proposed Governance Committee;</i></li> <li><i>4. Notes that the Localism Act 2011 permits the abolition of Overview and Scrutiny Committees in fourth option councils after the 4th May 2012.</i></li> </ol> <p><i>Accordingly the Council considers that a separate Overview and Scrutiny Committee will no longer serve a useful purpose when the Governance Committee is established and therefore resolves to abolish the Overview, Scrutiny and Audit Committee at the earliest opportunity.</i></p> <p><i>The Council requests the Chief Executive to bring a paper to the annual meeting of the Council to enable the constitution to be changed to bring that into effect.</i></p>

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12.	<p><b>MOTION FROM COUNCILLORS MONCRIEFF AND O'CALLAGHAN : SOLAR PANEL SCHEME</b></p> <p>In accordance with Council Procedure Rule 11.1, Councillors O'Callaghan and Moncrieff submitted the following motion on 9 April 2012:</p> <p><b><i>Housing Repairs Task Group</i></b> – Consideration of a solar panel scheme as proposed by TFEC</p> <p><i>Council notes</i></p> <p><i>The difficulties and confusion faced by the Housing Repairs Task Group with regards putting solar panels on Council House properties</i></p> <p><i>The decision by the CSA committee not to pursue an offer from Venturetricity to carry out a scheme which would have cost MBC nothing and put solar panels on about 600 roofs by June of this year</i></p> <p><i>The Government's decision to reduce the FIT tariff may well mean that this offer can never be repeated</i></p> <p><i>Council resolves</i></p> <p><i>To suspend the Council's contract procedure rules and instruct officers to proceed with all haste to facilitate the securing of a contract(s) in the context of the above to fit Solar Panels, on as many Council house roofs as is possible by the date that the FIT tariff drops.</i></p>
13.	<p><b>PAY POLICY</b></p> <p>The Head of Communications to submit a report outlining a the Pay Policy Statement for approval</p>
14.	<p><b>REVIEW OF THE COUNCIL'S CONSTITUTION 2011-12</b></p> <p>The Monitoring Officer to submit a report which</p> <p>(a) requests the Council to consider a list of proposed amendments to the Constitution;</p> <p>(b) requests the Council to consider a substitute policy.</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-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**

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 and Prejudicial 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 the Code of Conduct and Guidance.