



MEETING OF THE
COUNCIL OF THE BOROUGH OF MELTON

PARKSIDE, STATION APPROACH, BURTON STREET, MELTON MOWBRAY

12 DECEMBER 2012

PRESENT

Councillors J. Illingworth (Mayor)
P.M. Baguley, M.W. Barnes, G.E. Botterill, G. Bush, P.M. Chandler, P. Cumbers,
A. Freer-Jones, M. Gordon; M.C.R. Graham MBE, E. Holmes,
L. Horton, E. Hutchison, S. Lumley, V.J. Manderson, T. Moncrieff,
M. O'Callaghan, J.T. Orson, P.M. Posnett, J.B. Rhodes,
M.R. Sheldon, J. Simpson, N. Slater, M. Twitney, J. Wyatt

Chief Executive
Strategic Director (KA)
Head of Central Services; Head of Communications & Monitoring Officer
Head of Regulatory Services; Place Manager
Senior Democracy Officer

The Reverend Kevin Ashby offered prayers

The Mayor welcomed everyone to the meeting and congratulated the new Councillor, Mark Twitney, on his recent election and added that he looked forward to working with him.

CO45. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Douglas, Moulding and Wright.

CO46. MINUTES

- (a) Councillor Gordon requested that the word 'felt' in the third paragraph on page 41, be changed to 'stated'.
- (b) Subject to the foregoing, the minutes of the Council Meeting held on the 10 October 2012 were confirmed and authorised to be signed by the Mayor.

CO47. DECLARATIONS OF INTEREST

Minute CO52 : Recommendations and Reports from Committees

(b) Governance Committee : 20 November 2012

Minute G46 – Police and Crime Panel Protocol – Overview and Scrutiny

Councillor Orson declared a personal interest in Minute CO52(b) due to his role as a Leicestershire County Councillor on the Police and Crime Panel.

Councillor Rhodes declared a personal interest in Minute CO52(b) due to being the Council's representative on the Police and Crime Panel.

Minute CO57 : Localising Support for Council Tax

Councillor Orson stated that he had taken advice on his interest relating to second homes in the Borough. The advice had referred to the code and stated that a Member with a second home that may be empty could be financially affected by the recommendations in the report. Therefore he declared a personal and pecuniary interest in this item and stated that he would leave the room when it was considered.

Councillor Chandler stated that she was involved in a tenanted property which was sometimes empty and she could be affected by the report. Therefore she declared a personal and pecuniary interest in this item and stated that she would leave the room when it was considered.

Councillors Gordon and Slater declared a personal and pecuniary interest in this item due to being in receipt of Council Tax Benefit.

Councillor Rhodes declared a personal and pecuniary interest in this item due to owning a second home.

Councillors Bush, Holmes and Simpson declared a personal and pecuniary interest in this item.

Minute CO53 : Questions from Members

Governance Committee – 20 November 2012 – Minute G47 – SB014 - Sharing Learning from Appeal Decision

Councillor Homes declared a personal and pecuniary interest in this item.

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

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

CO48. MAYOR'S ANNOUNCEMENTS

The Mayor stated

(a) he had been very busy since the last Council Meeting and he had attended

- a mock Council Meeting for Local Democracy Week for brownies and cubs which they had all enjoyed
- the Stamford Mayor's Ball
- Brooksby Melton College Dedication Ceremony for a commemorative plaque for Robert Bakewell who had been a livestock breeder
- a Mayor's quiz at Grantham
- the Waterfield Leisure Pool reopening
- Melton Indoor Bowls national youth finals
- Leicestershire and Rutland RBL Remembrance Concert at De Montfort Hall
- Egerton Lodge Bonfire Party
- Community Awards at the MV16 Centre and he congratulated Councillor O'Callaghan on receiving the Community Spirit Award
- The RBL's Remembrance Parade which he understood had been the biggest ever and the best turnout in terms of support
- Rotary Charter Dinner at Brooksby Hall
- History of Hunting Talk at the Hunting Museum
- A Rotary Club meeting and given a talk on being Mayor
- The annual Christmas Tree Festival which had been a fantastic event and a most impressive show of trees
- Christmas lights switch on
- Victorian Christmas Fayre which had been excellent
- Crown Court Opening Service at Leicester Cathedral
- LOROS Concert
- Judging at the Melton Fatstock Show as well as the Dinner
- His combined Civic and Carol Service which had been a wonderful event and on which he had received good feedback

He welcomed one of the Council's two independent persons, Len Tempest, to the public gallery.

He stated that Councillor Posnett had been asked to read out the new Young Mayor's Announcement but wished to state that Melton had a good tradition of Young Mayors and there were very few across the country. He added that he considered the latest incumbent, Georgia Paddock, to be as talented as the previous Young Mayors he had met and that she was a credit to the office.

On behalf of the Young Mayor, Georgia Paddock, Councillor Posnett read out the Young Mayor's update as follows :-

'I am sorry I cannot be there to accompany you all this evening, however I have written something for you all.

So far I have really enjoyed my time being Young Mayor and it has really opened my eyes as to what is offered and appreciated in the town and I am privileged to be apart of it.

As you should know, as Young Mayor, my main aim was to re-open a youth cafe for the younger generation of Melton and surrounding areas, and I am slowly reaching this vision as Dave Cowell from the Melton Learning Hub also had this vision

through previous students that attended the hub.

He invited me to a meeting about this on Wednesday the 5th December and we have a brilliant £8,000 that has been donated by the PERA Foundation to refurbish and rent a venue, so far we have been looking for a venue which suits the other population of Melton.

We have our minds set on good intentions for youths and hope you are excited about the idea also! If you have any questions or concerns about any of which I have stated please come forward and state your opinion.

Thank you for your time.'

CO49. LEADER'S ANNOUNCEMENTS

The Leader, Councillor Rhodes, made the following announcements :-

- (a) There had been a few events over the last few months and welcomed Councillor Twitney to the Council and congratulated him on his victory.
- (b) On the same as the Egerton Ward By-Election, a new Police and Crime Commissioner had been elected and he referred to his own appointment as the Council's representative on the Police and Crime Panel and that he would provide updates to Members as this role developed.
- (c) He referred to the Council's recent achievements including that the Waterfield Leisure Pool was now fully open and had been a great success so far, in that there were 3 times as many members of the gym than previously.
- (d) The relaying of the Burton Street Car Park would be starting in February and this would greatly enhance the town and the footpath would also be improved.
- (e) Everyone was pleased with the Christmas Tree at the front of the building.
- (f) He was looking forward to setting the budget and its structure was to be changed due to the Council Tax benefit support system, the business rates retention and some other changes. He advised that the settlement would be available on 19 December and arrangements would be able to be reviewed after that date.
- (g) He congratulated the Development Committee on how well the wind turbine applications had been handled so far. The applications had attracted lots of controversy and at times the Council Chamber had been full of interested parties. Some applications had been permitted and some refused. He was concerned about the whole issue and had moved a motion at the County Council which he hoped would set out a better way forward by urging the Government to adopt an improved policy in favour of smaller turbines.

- (h) The Council continued to move forward with its troubled families programme and he had given a speech at the Conservative Party Conference and written an article for VOICE, the Conservative magazine. He stated that Melton was a beacon Council on this work which had been developed over the past five years and was probably the best in the country. He was trying to arrange a visit by the Secretary of State in the New Year to meet the team and this could result in the work being translated into national policy.
- (i) He referred to the inhouse programme called 'Turning the Tanker' the aim of which was to make a change in emphasis on the way the Council was being run. The Council had been concentrating on people for a long time and there were a lot of place programmes that needed to progress. Therefore to achieve a better balance and change the emphasis on some people's jobs, this initiative was moving forward. This would help with the investment in the Cattle Market, development of a Leisure Centre and encourage economic growth in the Borough.
- (j) He referred to a recent report to the Policy, Finance and Administration Committee on the Transformation Programme which would involve new modernised ICT systems to improve the Council's efficiency and put the Council ahead of others when the work had been completed. He stated that nobody had a fully integrated ICT system. There had also been modifications to the website which meant a customer could now click on a map to find a planning application.
- (k) Sainsbury's was to start work soon on the Nottingham Road site and there would be a Member Briefing on 8 January 2013 to update Members on Sainsbury's plans.
- (l) The Council was preparing for the Melton Local Development Framework examination that would take place on 18 December which would be about processes and Members were welcome to attend.
- (m) On the following evening (13 December), the Deputy Mayor was hosting a reception to recognise those who took part and helped to organise Melton's Olympic celebrations.
- (n) There had been difficulties at the Leicestershire County Council and the Deputy Leader had stepped down. Due to this, he had been appointed as the Acting Deputy Leader on a temporary basis. He advised that this would not affect his Leadership at Melton and there was no conflict of interest.

CO50. PUBLIC QUESTION TIME

There were no questions received.

CO51. PETITIONS

There were no petitions received.

CO52. RECOMMENDATIONS AND REPORTS FROM COMMITTEES

(a) Governance Committee : 20 November 2012 **Minute G45 – Petitions Scheme**

RECOMMENDED that the current Petitions Scheme be retained including the changes highlighted at Appendix A and remove the e-petitions element thereby making an annual subscription saving.

Motion

The Chair of the Governance Committee, Councillor Graham, proposed the recommendation and Councillor Sheldon seconded.

Amendment

Councillor O'Callaghan proposed an amendment that the wording of the recommendation be amended to stop after the words 'Appendix A'. He considered that the e-petitions facility should be retained as it was a good method of collecting people's views who could not get into town to sign a hard copy petition. It gave more opportunity for people to have a voice and express views and was a good way forward especially for Melton, being a rural Council.

Councillor Moncrieff seconded the amendment and stated that he considered it strange that the Council should consider taking away a modern addition to the website when the Council was looking to have integrated ICT systems. He considered this to be a mixed message.

Councillor Graham responded that 20 signatures were needed for a hard copy petition and as there had only been 4 e-petitions in the past two years, the facility was costing £1,000 per petition.

Councillor Twitney added that he was a supporter of petitions and people having electronic access to government channels. He understood the saving aspect and asked if the Council would be willing to accept e-petitions from other sites which were set up for this purpose and were free of charge.

Councillor Graham welcomed Councillor Twitney to the Council and responded that there had to be ways of stopping people from signing twice and checking signatures therefore a robust system was required. This meant there was expense involved and he reiterated the cost of the e-petitions received so far being £1,000 per petition and yet all that was needed was 20 signatures on a sheet of paper to enable a Committee to consider an issue. Therefore he stated that he could not support the amendment.

Amendment Vote

On the amendment being put to the vote, there were 9 in favour, 14 against and 1 abstention therefore the amendment was lost.

There was some clarification on whether the amendment was a direct negative and the Mayor explained that the amendment was a variance to the existing words and therefore was not a direct negative.

There was a comment that e-petitions expected people to be computer efficient and this type of person dominated this type of communication and therefore they could throw out the balance of whether a petition subject matter was representative of the

whole community.

Motion Vote

On the motion being put to the vote, there were 14 in favour, 9 against and 1 abstention therefore the motion was carried.

RESOLVED that the current Petitions Scheme be retained including the changes highlighted at Appendix A and remove the e-petitions element thereby making an annual subscription saving.

(b) Governance Committee : 20 November 2012
Minute G46 – Police and Crime Panel Protocol – Overview and Scrutiny

RECOMMENDED that

- (1) the Governance Committee recommend to Full Council that the overview and scrutiny arrangements for the Police and Crime Panel Procedures lie with the Community and Social Affairs Committee;
- (2) the procedural documents set out in Appendix A be approved and Document B be proposed for inclusion in the Constitution;
- (3) any amendments to the proposed procedures as they develop be dealt with under the Council's existing urgency processes within the Constitution;
- (4) a review of the arrangements to be carried out in 12 months, in liaison with other principal Councils.

RESOLVED that

- (1) the overview and scrutiny arrangements for the Police and Crime Panel Procedures lie with the Community and Social Affairs Committee;
- (2) the procedural documents set out in Appendix A be approved and Document B be proposed for inclusion in the Constitution;
- (3) any amendments to the proposed procedures as they develop be dealt with under the Council's existing urgency processes within the Constitution;
- (4) a review of the arrangements to be carried out in 12 months, in liaison with other principal Councils.

(c) Policy, Finance and Administration Committee : 4 December 2012
Minute P51 - Corporate Issues

RECOMMENDED that Full Council be requested to amend the Delegation Arrangements for Committees to delegate oversight and Member management of Equalities to the Governance Committee.

RESOLVED that the Delegation Arrangements for Committees be amended to delegate oversight and Member management of Equalities to the Governance Committee.

CO53. QUESTIONS FROM MEMBERS

(a) The Chairmen of Committees were 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 :-

Development Committee	26 July 2012
Development Committee	27 September 2012
Development Committee	18 October 2012
Rural, Economic & Environmental Affairs Committee	31 October 2012
Development Committee	8 November 2012
Community & Social Affairs Committee	14 November 2012
Governance Committee	20 November 2012
Policy, Finance & Administration Committee	4 December 2012

Rural, Economic & Environmental Affairs Committee – 31 October 2012 Minute R31 - Melton Mowbray – Fairtrade Town

Councillor Gordon referred to Minute R31 on page 2 relating to Fairtrade and stated that she did not consider that Melton should be called a Fairtrade town as it was unfair on other companies and traders in the town. She proposed that this matter be referred back to the Rural, Economic & Environmental Affairs (REEA) Committee to be discussed in more detail.

There was no seconder for the motion therefore it failed.

Rural, Economic & Environmental Affairs Committee – 31 October 2012 Minute R35 – Capital Programme 2012-17

At the same meeting, Councillor O'Callaghan raised the matter of funding for a bus shelter on Asfordby Road and that this was showing as not available in the Capital Programme report at that meeting. He noted that this item had been transferred into next year's Capital Programme and yet at the Town Area Working Group it had shown as being in this year's programme.

Councillor Rhodes raised a point of order that the item referred to was not included in the minutes of the meeting and therefore could not be discussed.

The Mayor allowed the discussion to continue as the matter was referred to in the Capital Programme report at the meeting.

Councillor O'Callaghan proposed that the bus shelter at Asfordby Road scheme be referred back to the Committee and Councillor Bush seconded the motion.

The Chair of the Committee, Councillor Orson, stated that the matter had been considered by the Working Group but no firm decision had been made and he recommended that Members attend the Budget Away Day to put forward items for next year's budget.

Councillor O'Callaghan raised a point of order that the item was already included in this year's budget, it just needed the work to be carried out.

Councillor Holmes asked a point of clarification as why the Town Councillors were

involved in such matters relating to the REEA Committee.

Councillor Orson responded that Parish Councils took care of bus shelters in the rural areas and as the town did not have a Parish Council, the Town Area Working Group dealt with such matters and referred them to the relevant Committee.

The Head of Central Services explained that as the work had not been carried out in this financial year, the scheme had been moved into the budget process for next year.

The Leader stated that this matter was not included in the minutes of the meeting but had been part of the papers received by the Committee. He stated that the issue needed further examination. He added that he did not support motions to the Council that affected the budget and such changes related to the budget needed notice. He advised that he would consult the Chief Executive and Section 151 Officer to ensure that this matter did not receive any less favourable treatment than last year and deliver the scheme as soon as practical if Councillor O'Callaghan was to withdraw his motion.

Councillor O'Callaghan stated that the issue did not change the budget and asked how long it took to build a bus shelter. He stated that he would not withdraw the motion to refer the matter back to the REEA Committee.

On the motion being put to the vote there were 9 in favour, 14 against and 1 abstention therefore the motion failed.

Rural, Economic & Environmental Affairs Committee – 31 October 2012
Minute R31 - Melton Mowbray – Fairtrade Town

Councillor Cumbers stated that she was pleased to see that Melton as a Fairtrade town had been considered and she was proud of the status. She stated that Fairtrade had gone from strength to the strength in the town and there was no competition as people did not have to buy it. She asked the Chair of the REEA Committee about becoming a Fairtrade Borough and how this was progressing.

Councillor Orson stated that he would respond to the Councillor after the meeting.

Community and Social Affairs Committee – 14 November 2012
Minute C17 – Gas and Oil Maintenance Contract

Councillor Holmes asked if Members could be sure that the new contract arrangements would be in place by the end of the 6 month extension.

The Vice Chair of the Committee, Councillor Manderson responded that she would respond to the Councillor after the meeting.

(Councillor Holmes declared a personal and pecuniary interest in Minute G47 of the Governance Committee held on 20 November 2012 and here left the meeting.)

Governance Committee – 20 November 2012
Attendance

Councillor Gordon requested that the minutes be amended to reflect her attendance as this was not recorded. It was noted that this amendment would be referred to the next meeting of the Governance Committee.

Governance Committee – 20 November 2012

Minute G41 – Update on Decisions

Councillor Gordon requested that this item be reworded relating to the planning application matter.

The Chair of the Committee, Councillor Graham requested that the revised wording be forwarded to him and the relevant Officers so that it could be raised at the next meeting of the Committee.

(Councillor Holmes here re-entered the meeting.)

CO54. MOTION ON NOTICE

In accordance with Council Procedure Rule 11.1, the following motion on notice was received from Councillors Chandler and Cumbers on 29 November 2012 :-

This Council notes the Government's intention to extend permitted development rights for householder extension applications as announced by the Secretary of State on 6 September 2012;

This Council believes that this change is unnecessary and dilutes the democratic control of sustainable and suitable development in our local area;

This Council states that democratically elected and accountable Councillors are best placed to make the right decisions on development and evidence shows that Councils across the country have a demonstrable record of achieving the correct balance between promoting sustainable and suitable development while having proper regard for residents' objections;

This Council resolves to write to the Planning Minister and our local MP to highlight our concerns on this issue and also to propose that the Government uses the Growth and Infrastructure Bill to give Councils the powers to set out permitted development rights locally, thereby allowing local policies to boost small scale development or facilitate change of use to stimulate growth in a way that caters to local needs and is accountable to local people.

The Chair of the Development Committee, Councillor Chandler proposed the above motion as a result of the announcement by the Secretary of State to extend permitted development rights to allow people to make extensions to their homes to help invigorate the building trade. Councillor Chandler expressed her concern at the scheme relating to separation and other issues ie. development could be out of keeping with the area, neighbours would have concerns. She further stated that the Localism Act allowed people to have a say but should not enforce proposals on people and she felt the Council must have regard for objections to planning applications. She asked for the Council's support.

The Vice Chair of the Development Committee, Councillor Cumbers seconded the motion.

Councillor O'Callaghan stated that he did not like 'round robin' motions as he preferred motions that were personalised to the Council and attributable to the Councillor. He stated that this motion came from the Conservative Government which set out to be environmentally friendly and protect the countryside and now there was a problem on planning policy in that the government wanted to foster economic development by allowing people to make extensions without planning permission. He considered that without a proper process in place, this would make war between neighbours. He advised that his group would support this motion but considered it a poor reflection on the government's planning.

Councillor Orson raised a point of order that it was not a Conservative Government but a Coalition Government.

As a Member of the Development Committee, Councillor Moncrieff expressed his support for the motion.

On being put to the vote, the motion was unanimously carried.

RESOLVED that

- (1) this Council notes the Government's intention to extend permitted development rights for householder extension applications as announced by the Secretary of State on 6 September 2012;
- (2) this Council believes that this change is unnecessary and dilutes the democratic control of sustainable and suitable development in our local area;
- (3) this Council states that democratically elected and accountable Councillors are best placed to make the right decisions on development and evidence shows that Councils across the country have a demonstrable record of achieving the correct balance between promoting sustainable and suitable development while having proper regard for residents' objections;
- (4) this Council resolves to write to the Planning Minister and our local MP to highlight our concerns on this issue and also to propose that the Government uses the Growth and Infrastructure Bill to give councils the powers to set out permitted development rights locally, thereby allowing local policies to boost small scale development or facilitate change of use to stimulate growth in a way that caters to local needs and is accountable to local people.

CO55. ALLOCATION OF SEATS ON COMMITTEES, A SUB-COMMITTEE AND WORKING GROUPS

The Chief Executive

- (a) submitted a report (copies of which had previously been circulated to Members) which
 - (i) stated that following a change in political group memberships and a by-election held on 15 November 2012, the Council was requested to review its political balance arrangements;

(ii) due to (i) above, the Council was also requested to consider the proposals of the political groups in respect of its membership of committees, a sub committee and working groups;

(b) circulated to Members at the meeting revised Appendices A.2 and B.2 which showed the political groups' allocation of Members to Committees and Working Groups.

Councillor Holmes requested that Councillor Twitney be the Independent Group's representative on the Budget and Strategic Planning Working Group.

RESOLVED that

(1) the revised political balance percentages and number of seats allocated to each political group as set out in the following table be approved;

Group	No. of Councillors	Percentage		Allocation of Seats over 6 Committees
Conservative	18	64%	(64.28)	36.48 = 36
Labour	6	22%	(21.42)	12.54 = 13
Independent	4	14%	(14.28)	7.98 = 8
Totals	28	100%	99.98	57 seats

(2) the allocation of Councillors to each Committee and a Sub-Committee as set out in the following table be approved;

2012/13	APP	CSA	DEV	GOV	PFA	REEA	TOTAL
Conservative	3 (3.20%)	7 (6.40%)	7 (7.04%)	6 (6.40%)	6 (6.40%)	7 (7.04%)	36
Labour	1 (1.10%)	2 (2.20%)	2 (2.42%)	3 (2.20%)	3 (2.20%)	2 (2.42%)	13
Independent	1 (0.70%)	1 (1.40%)	2 (1.54%)	1 (1.40%)	1 (1.40%)	2 (1.54%)	8
Totals	5	10	11	10	10	11	57

(3) the allocation of Councillors to Committees and a Sub Committee including substitutes as submitted by the Political Group Leaders for the remainder of the Civic Year to the Annual Meeting in 2013 as set out below be approved :-

Committee	Membership Dec 2012	Substitutes Dec 2012
Appeals 5 Members Political Balance Required 3 Conservative 1 Labour 1 Independent	Conservative P. Cumbers (C) S. Lumley (VC) N. Slater	Conservative J.T. Orson J. Simpson
	Labour M. O'Callaghan	Labour G. Bush

Substitutes 2 Conservative 1 Labour 1 Independent	Independent A. Freer-Jones	Independent E. Holmes
Community & Social Affairs 10 Members Political Balance Required 7 Conservative 2 Labour 1 Independent Substitutes 3 Conservative 2 Labour 2 Independent	Conservative P.M. Chandler M.C.R.Graham MBE S. Lumley V.Manderson(VC) P.M. Posnett J. B. Rhodes D.R. Wright (C)	Conservative J. Douglas M.R. Sheldon N. Slater
	Labour T. Moncrieff J. Moulding	Labour M. Gordon L. Horton
	Independent M. Twitney	Independent E. Holmes
Development 11 Members Political Balance Required 7 Conservative 2 Labour 2 Independent Substitutes 3 Conservative 2 Labour 2 Independent	Conservative P. Baguley G.E. Botterill P.M. Chandler (C) P. Cumbers (VC) J. Douglas J. Simpson J. Wyatt	Conservative J.B. Rhodes M.R. Sheldon
	Labour M. Gordon T. Moncrieff	Labour
	Independent A. Freer-Jones E. Holmes	Independent E. Hutchison M. Twitney
Governance 10 Members Political Balance Required 6 Conservative 3 Labour 1 Independent Substitutes 3 Conservative 2 Labour 2 Independent	Conservative J. Douglas (VC) M.C.R. Graham MBE (C) V.J. Manderson J.T. Orson M.R. Sheldon N. Slater	Conservative G.E. Botterill P.M. Chandler
	Labour M. Gordon G. Bush Vacancy	Labour
	Independent A. Freer-Jones	Independent M. Twitney

Committee	Membership Dec 2012	Substitutes Dec 2012
Policy, Finance & Administration 10 Members Political Balance Required 6 Conservative 3 Labour 1 Independent Substitutes 3 Conservative 2 Labour 2 Independent	Conservative M.W. Barnes P. Cumbers P.M. Posnett (VC) J.B. Rhodes (C) D.R. Wright J. Wyatt	Conservative G.E. Botterill J.T. Orson
	Labour G. Bush M. O'Callaghan Vacancy	Labour T. Moncrieff
	Independent E. Hutchison	Independent A. Freer-Jones
Rural, Economic and Environmental Affairs 11 Members Political Balance Required 7 Conservative 2 Labour 2 Independent Substitutes 3 Conservative 2 Labour 2 Independent	Conservative P. Baguley M.W. Barnes G.E. Botterill J.T. Orson (C) J.B. Rhodes M.R. Sheldon (VC) J. Simpson	Conservative P.M. Chandler N. Slater D.R. Wright
	Labour M. Gordon L. Horton	Labour G. Bush T. Moncrieff
	Independent E. Holmes E. Hutchison	Independent A. Freer-Jones M. Twitney
Council Business Development Sub-Committee 6 Members Political Balance Required 4 Conservative 1 Labour 1 Independent Substitutes 2 Conservative 1 Labour 1 Independent	Conservative M.C.R.Graham MBE P.M. Posnett J.B. Rhodes (C) D.R. Wright (VC)	Conservative S. Lumley J. Wyatt
	Labour G. Bush	Labour
	Independent M. Twitney	Independent E. Holmes

The following Committee is not required to be politically balanced :-		
Committee	Membership Dec 2012	Substitutes Dec 2012
Licensing & Regulatory 10 Members Political Balance Not required Substitutes 3 Conservative 2 Labour 2 Independent	Conservative M.W. Barnes (C) P. Baguley P.M. Chandler P. Cumbers P.M. Posnett N. Slater J. Wyatt (VC)	Conservative
	Labour G. Bush	Labour T. Moncrieff
	Independent E. Holmes	Independent E. Hutchison

- (4) the allocation of Councillors to the Working Groups as submitted by the Political Group Leaders, including Councillor Twitney on the Budget and Strategic Planning Working Group, for the remainder of the Civic Year to the Annual Meeting in 2013 as set out below be approved :-

Working Group	No. of Cllrs	Membership Dec 2012
Budget & Strategic Planning Working Group Political Balance required: 4 Conservative 1 Labour 1 Independent	6	Conservative M.C.R. Graham MBE J.T. Orson J.B. Rhodes D.R. Wright
		Labour G. Bush
		Independent M. Twitney
Cattle Market Working Group Political Balance required: 5 Conservative 2 Labour 1 Independent	8	Conservative P.M. Chandler M.C.R. Graham MBE J.T. Orson P.M. Posnett J. Simpson J. Wyatt
		Labour M. O'Callaghan M. Gordon
		Independent E. Holmes

Joint Staff Working Group Political Balance required: <i>4 Conservative</i> <i>2 Labour</i> <i>1 Independent</i>	7	Conservative P. Cumbers J. Douglas P.M. Posnett J. Simpson
		Labour G. Bush M. Gordon
		Independent A. Freer-Jones
Melton Local Development Framework Working Group Political Balance required: <i>4 Conservative</i> <i>2 Labour</i> <i>1 Independent</i>	7	Conservative P.M. Chandler V. Manderson J. Simpson D.R. Wright
		Labour G. Bush M. Gordon
		Independent E. Hutchison
Working Groups – not politically balanced		
Planning Enforcement Working Group Political Balance not required	5	P. Baguley G.E. Botterill P.M. Chandler P. Cumbers J. Wyatt
Waterfield Leisure Pools Working Group Political Balance not required	5	M.W. Barnes M.C.R. Graham MBE P.M. Posnett N. Slater D.R. Wright

- (5) it be noted that political balance is not required for the Licensing & Regulatory Committee.
- (6) it be noted that in accordance with the political balance rules set out in the Local Government and Housing Act 1989, S15-17 (as amended) political balance is to be achieved in total across all the Committees and within all individual Committees requiring political balance and to note also that political balance applied to Sub-Committees as required.

CO56. MID YEAR REPORT ON THE TREASURY MANAGEMENT ACTIVITIES AND PRUDENTIAL INDICATORS 2012-13

Councillor Rhodes proposed the recommendations in the report and Councillor Posnett seconded the motion.

The Head of Central Services' report (copies of which had previously been circulated to Members)

- (a) stated that revisions to the regulatory framework of Treasury Management during 2009 introduced a requirement that the Council receive a mid year treasury review in addition to the annual report and strategy on treasury management;
- (b) met the requirement and incorporates the needs of the Prudential Code to ensure adequate monitoring of capital expenditure and the Council's prudential indicators (PI's). The treasury strategy and PI's were previously reported to Council on 1 February 2012. Revisions to future years were provided where required;

She further reported that there had been a change to the recommendation from previously at 2.2 that they were now to be noted and approved.

Councillor Wyatt raised a query on page 5 of the strategy relating to whether £45 x £1000 was correct. The Head of Central Services responded that this was correct and the heading explained the position that the Council was authorised but not to exceed that amount.

Councillor O'Callaghan congratulated the Head of Central Services and her staff for the report. He also stated that in his opinion in future the relevant Chair should present their reports at Full Council meetings rather than Officers.

On being put to the vote, the motion was unanimously carried.

RESOLVED that

- (1) the mid year position on treasury activity for 2012-13 be noted;
- (2) the mid year position on prudential indicators be noted and approved.

(Councillor Orson declared a personal and pecuniary interest in the following item due to owning a second home and here left the meeting.)

(Councillor Chandler declared a personal and pecuniary interest in the following item due to being involved in a tenanted property and here left the meeting.)

(Councillors Gordon and Slater declared a personal and pecuniary interest in the following item due to being in receipt of Council Tax Benefit and here left the meeting.)

(Councillor Rhodes declared a personal and pecuniary interest in the following item due to owning a second home and here left the meeting.)

(Councillors Bush, Holmes and Simpson declared a personal and pecuniary interest in the following item and here left the meeting).

CO57. LOCALISING SUPPORT FOR COUNCIL TAX

Motion

Councillor Posnett proposed the recommendations in the report and Councillor Sheldon seconded the motion.

Councillor Posnett introduced the report and stated that the government insisted on this change in benefit arrangements and this had not been initiated by the Council; the government had passed the responsibility onto Councils to adopt a benefits scheme. She stated that Melton had worked with other Councils in Leicestershire and the issues were complex. The new scheme was set out in the report. She added that the scheme would affect working families and some Council Tax payers that were receiving support may not in the future. She explained that there would be a small Hardship Fund for extreme cases.

The Place Manager outlined the content of the report, (copies of which had previously been circulated to Members) the purpose of which stated :-

- (a) the Local Government Finance Act 2012 set out measures that would require all Council Tax billing authorities to devise a local Council Tax Support (CTS) Scheme to replace the current national Council Tax Benefit Scheme from 1 April 2013;
- (b) the report set out the Council's response to the measures laid out in the Act including a new local scheme and asked Council to support the recommendations proposed to ensure that these were put in place within the designated timescales.

He also circulated a revised Appendix A which also set out the changes from the previously circulated Appendix A.

The Head of Central Services advised that there had been a number of late notifications and therefore recommendation 2.9 had been amended to read :-

2.9 That the portion of the grant attributable to parishes is allocated to Parish Councils up to the limit of their estimated loss, with delegation given to the Section 151 Officer in liaison with the Leader of the Council to agree the method of distribution and accounting changes required in respect of the Council Tax-Base and funding for local preceptors (parishes) technical paper.

The proposer and seconded accepted the amendment at 2.9 into the original motion.

Councillor Sheldon declared that as a Parish Councillor he had a personal and pecuniary interest but under paragraph 13(3)(g) of the Code of Conduct, as a member of another local authority, he was able to be in attendance for this item.

Amendment

Councillor O'Callaghan proposed an amendment to recommendation 2.1 of the report as follows :-

That this Council informs the government of its unwillingness to pass on cuts in benefits to those assessed as being fully entitled to them.

Councillor Moncrieff seconded the motion.

The Chief Executive sought clarification on the amendment that the original 2.1 was to be deleted which related to the adoption of the scheme and was required by law. She further stated that the Council had until 31 January 2013 to put a scheme in place.

The Place Manager added that if the Council did not adopt a scheme then a default scheme would be imposed on the Council and the Council would have to pick up the funding for this.

Councillor O'Callaghan stated that the proposals were a fundamental change in this country. He explained that currently a person was assessed and entitlement was given, however the new scheme changed the rules. As the government wanted to make cuts, each Council had to make a benefits scheme which meant that even though a person was entitled, the Council would have to give them less. The proposals included everyone not only those who did not work, although pensioners were exempt. The government was 'passing the buck' to local Councils to come up with their own scheme. He asked why didn't the government change the scheme and apply it. Under these rules the system would change from Council to Council although Leicestershire would all be the same, other areas would be different. Lots of Councils were opposing this move and if the government wanted to make cuts then let them make a scheme. This was a step too far and the Council should reject it. The Council had until 31 January and hopefully there would be enough Councils opposing the initiative to make the government back down and a new system would come in. The Council should stand up for the vulnerable who had no voice and operate a universal benefits system and not a postcode lottery. He questioned what would happen next in terms of other entitlements and stated this was the thin end of a very thick wedge.

Councillor Graham stated that the government was changing the emphasis of how things were paid for and in the past those who were working had suffered and people on benefits had been protected and the government was now trying to redress the balance. He was sympathetic to the vulnerable but everyone had had to take a hit and this report was for those on benefits.

Councillor Sheldon asked what would be the implications if the Council did not adopt a scheme.

The Place Manager responded that a scheme would be imposed and the implications would be that the Council would have to make its own funding arrangements.

Councillor Moncrieff stated that the scheme was complicated and ill thought out and people did not understand it. He stated that he agreed with Councillor O'Callaghan that this scheme attacked the wrong people. He added that working people were also going to suffer, not just the unemployed. He considered that the Council should not be forced into making a decision.

Amendment Vote

On the amendment being put to the vote, there were 3 in favour, 13 against and no abstentions therefore the amendment was lost.

Councillor Graham asked if the Hardship Fund be officer run with criteria set by Councillors and Councillors not be involved in its distribution, he also asked if war widows catered for. He also asked the Head of Central Services if it would be possible to send the settlement and how it affected Melton to Councillors before Christmas.

The Place Manager responded that the Hardship Fund would be run by officers and the scheme would help people with signposting too if the Council could not help. He advised that there were no changes to the war widows and they were not adversely affected under the new scheme.

The Head of Central Services advised that she was planning to send out information on the settlement to Members before Christmas.

Councillor Freer-Jones stated that when this matter was discussed at the Policy, Finance and Administration Committee the pilot scheme had been promoted as a holistic change to the benefits system. But this was not how it appeared and she asked how the Council was going to help individuals who may now need financial help due to these changes.

The Place Manager advised that everyone affected had been advised of the changes. They had also written to under-occupiers of properties and officers were talking to those involved to work out their position. During the pilot, Officers were involved in identifying barriers and working through these to reach solutions such as to get people back into work and helping them with training and job opportunities.

Councillor Freer-Jones stated that those families that were working and on low incomes and that would now become affected by the Council Tax benefit reduction could become below the line and fall into a category that needed more assistance.

The Mayor explained that there were sufficient mechanisms in place to help those most in need.

Councillor Twitney stated that it was difficult for the Council as the initiative had been imposed by central government but it was good that the Council had tried to consult people and there was the assurance of the annual review. He asked whether the Council would make the commitment to review the scheme annually.

The Mayor responded that the longest the Council would have to live with any issues it may wish to reconsider, would be 12 months.

Motion Vote

On the motion being put to the vote, there were 13 in favour, 3 against and no abstentions therefore the motion was carried.

RESOLVED that

- (1) the scheme as shown at the revised Appendix A be adopted as the localised Council Tax Support Scheme for Melton Borough Council, including the maximum liability for those currently receiving 100% Council Tax Benefit is 91.5% of Council Tax Support and the removal of second adult rebate, subject to legal approval and the outcome of the financial settlement;

- (2) any minor amendments needed for the scheme following this Full Council meeting and prior to 31 January 2013 be delegated to the Chief Executive in liaison with the Leader of the Council;
- (3) from 1 April 2013, the Council adopts a discount of 50% for up to 12 months for all vacant properties that meet the existing Class A criteria (Appendix D refers);
- (4) from 1 April 2013. The Council adopts a discount of 100% for one month (30 days) for all vacant properties that meet the existing Class C criteria (Appendix D refers);
- (5) from 1 April 2013 all properties identified as second homes, a 0% discount is awarded for council taxpayers with second homes (Appendix D refers);
- (6) from 1 April 2013 all properties that have been empty and unfurnished for at least two years will attract an empty homes premium of 50% except in the following circumstances :
 - A dwelling which is the sole or main residence of a member of the armed forces, who is absent from the property as a result of such service
 - An annex deemed unoccupied because it is being treated by the occupier of the main dwelling, as part of that main dwelling
 - The property is exempt from Council Tax
- (7) the proposed Localised Council Tax Support Scheme - Discretionary Discount Fund as set out at Appendix B be approved;
- (8) the financial support offered by major preceptors in respect of the proposed Discretionary Council Tax Discount Fund (paragraph 3.4 refers) and the additional administrative costs incurred under the proposed new arrangements (paragraph 10.6 refers) be noted;
- (9) the portion of the grant attributable to parishes is allocated to Parish Councils up to the limit of their estimated loss, with delegation given to the Section 151 Officer in liaison with the Leader of the Council to agree the method of distribution and accounting changes required in respect of the Council Tax-Base and funding for local preceptors (parishes) technical paper.

(Councillors Bush, Chandler, Gordon, Holmes, Orson, Rhodes, Simpson and Slater here re-entered the meeting.)

CO58. GAMBLING ACT 2005 STATEMENT OF PRINCIPLES

The Head of Regulatory Services submitted a report (copies of which had previously been circulated to Members) which invited Members to consider and approve the Gambling Act 2005 Statement of Principles.

RESOLVED that the Gambling Act 2005 Statement of Principles be approved.

(Councillor Gordon requested that her abstention from voting on the previous decision be recorded.)

The Mayor wished everyone a Happy Christmas and prosperous and challenging New Year.

The meeting, which commenced at 6.30 p.m., closed at 8.25 p.m.

Mayor