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17 February 2015

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 25 February 2015 at 6.30 p.m.**

Yours faithfully

Lynn Aisbett  
Chief Executive

## **AGENDA**

<b>Item No.</b>	<b>Item</b>
1.	<b>APOLOGIES FOR ABSENCE</b>
2.	<b>MINUTES</b> To confirm the minutes of the Meeting held on 4 February 2015.
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 ANNOUNCEMENTS</b> Including an update on the activities of the Young Mayor
5.	<b>LEADER'S ANNOUNCEMENTS</b>
6.	<b>PUBLIC QUESTION TIME</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.

Item No.	Item
7.	<p><b>PETITIONS</b></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><b>WELLAND INDEPENDENT REMUNERATION PANEL – PAYMENT FOR PARISH REPRESENTATIVES WHEN DEALING WITH PARISH COUNCILLOR COMPLAINTS</b></p> <p>The Head of Communications to submit a report concerning the Welland Independent Remuneration Panel's report regarding an allowance for the Parish Representatives when they are involved in a Governance Sub Committee meeting. The Chair of the Panel to be in attendance</p>
9.	<p><b>RECOMMENDATIONS AND REPORTS FROM COMMITTEES</b></p> <p><b><u>Governance Committee: 11 February 2015</u></b></p> <p>To consider the following recommendations from the Governance Committee in respect of updating the Council's Constitution :-</p> <p>9(a) <b>(a) <u>Whistleblowing Policy</u></b></p> <p><b>2.1 To approve the revised Whistleblowing Policy at Appendix A.</b></p> <p>9(b) <b>(b) <u>Constitution Update</u></b></p> <p><b>2.1 To agree that the membership of the Staff Joint Working Group at Part 3 of the Constitution be amended to remove reference to the MPO member and the non Union representatives and GMB to have 2 places, therefore the membership be amended to read as follows :-</b></p> <p style="text-align: center;"><b>STAFF JOINT WORKING GROUP</b></p> <p><b><u>MEMBERSHIP:</u></b> 7 members (politically balanced)  3 UNISON representatives  2 GMB representatives  Quorum: 2 Members and 2 Staff  Chair to alternate annually between employers and staff side unless agreed otherwise by the Group.</p> <p><b>2.2 To note the revised Members' Allowances Scheme following the NJC Pay Award of 2.2 % as set out at Appendix A;</b></p> <p><b>2.3 To agree the proposed Calendar of Meetings for 2015-16 as set out at Appendix B subject to any change to the budget setting process for 2015-16 being approved at Full Council on 4 February 2015 which may bring forward the PFA Committee meeting date in Cycle 4.  <i>(The Calendar at Appendix B has been updated to reflect the new dates for PFA and Full Council in Cycle 4.)</i></b></p> <p><b>2.4 To agree updating the Contract Procedure Rules under the heading</b></p>

of 'General Exceptions from Contract Procedure Rules' (page 112 Appendix A) to include the Strategic Directors and Head of Regulatory Services to be able to approve over £25,000 in an emergency. The changes proposed are in red :-

**'General Exceptions from Contract Procedure Rules**

**(c) Works or services procured in an emergency because of a need to respond to events that were beyond the control of the Council (e.g. natural disasters such as flooding or fires) as long as any expenditure in excess of £25,000 is first approved by the Chief Executive, Strategic Director or the Head of Regulatory Services. Any contract entered into by the Council under this Exemption must not be for a term of more than 6 months.'**

*A copy of the Monitoring Officer's reports to the Governance Committee on 11 February 2015 have been re-circulated with this agenda.*

10. **QUESTIONS FROM MEMBERS**

(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 :-

Planning Committee	27 November 2014
Policy, Finance & Administration Committee	2 December 2014
Planning Committee	18 December 2014
Rural, Economic & Environmental Affairs Committee	7 January 2015
Community & Social Affairs Committee	21 January 2015
Policy, Finance & Administration Committee	27 January 2015
Planning Committee	29 January 2015

(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.

(i) In accordance with Council Procedure Rule 10.5(a), the following question was received from Councillor J.T. Orson on 16 February 2015 :-

*'Defending our planning decisions in the appeal process is a significant aspect of our planning team's work. Appeals are an integral part of the system however, the appeal process brings with it the danger of an award of costs. Costs are incurred where we have got it wrong – you don't get them just for losing an argument, it is when you have no case or no evidence to back up your reasons. I am aware we have had costs awarded against us and ask if the Leader can set out the extent of these costs and the staff time involved in this process for the past 5 years.'*

The Leader to respond

Item No.	Item
11.	<p><b>MOTIONS ON NOTICE</b> Motions received in accordance with Procedure Rule 11.1</p> <p>There were no motions were received by the deadline.</p>
12.	<p><b>COUNCIL TAX 2015/16</b> The Head of Central Services to submit a report which enables the Council to calculate and set the Council Tax for 2015/16 as required under the Local Government Finance Act 1992.</p> <p><b>The Leicestershire County Council figures are subject to approval at their meeting on 18 February 2015.</b></p>
13.	<p><b>PAY POLICY 2015/16</b> The Head of Communications to submit a report to gain Full Council approval for the Annual Pay Policy Statement so that it can be published in line with the requirements of the Localism Act 2011</p>
14. To follow	<p><b>MELTON LOCAL PLAN – CONSULTATION AND SELECTION PROCESS FOR SITES SUBMITTED UNDER THE ‘SHLAA’ PROCESS (‘CALL FOR SITES’)</b> The Head of Regulatory Services to submit a report reporting the additional submissions of available land and the selection process</p> <p><i>A full copy of the SHLAA 2014/15 update is immediately available in the Members’ Room or a hard copy is available on request</i></p>
15.	<p><b>MELTON LOCAL PLAN – STRATEGIC DISTRIBUTION STUDY</b> The Head of Regulatory Services to submit a report to update the Council on the receipt of the Leicestershire Strategic Distribution Study and an explanation of its potential use in informing development proposals and in developing policies through the Melton Local Plan</p>
	<p><b><u>EXCLUSION OF THE PUBLIC</u></b></p> <p><b>RECOMMENDED that the Public be excluded during 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.</b></p>
16.	<p><b>ICT DELEGATED SERVICE</b> The Solicitor to the Council to submit a report for Members to consider extending the existing delegation of the ICT provision to Hinckley &amp; Bosworth Borough Council (HBBC) until 31 March 2021 to enable HBBC to complete the procurement of a new ICT supplier as the existing contract is due to expire 31 March 2016.</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.