



MEETING OF THE  
COUNCIL OF THE BOROUGH OF MELTON

PARKSIDE, STATION APPROACH, BURTON STREET, MELTON MOWBRAY

22 JULY 2015

PRESENT

Councillor J. Douglas (Mayor)  
P.M. Baguley, T.S. Bains, G.E. Botterill, P.M. Chandler,  
T. Culley, P. Cumbers, R. de Burle, P. Faulkner, M. Glancy,  
M.C.R. Graham MBE, T. Greenow, L. Higgins,  
E. Holmes, E. Hutchison, J. Hurrell, J. Illingworth, S. Lumley,  
V. Manderson, J.T. Orson, A. Pearson, P.M. Posnett, J.B. Rhodes,  
J. Simpson, D.R. Wright

Chief Executive  
Strategic Director (KA), Strategic Director (CM)  
Monitoring Officer, Head of Regulatory Services,  
Central Services Manager, Solicitor to the Council,  
Local Plan Manager,  
Democracy & Involvement Officer

Young Mayor (Tara Dudhia)

The Reverend Kevin Ashby offered prayers

---

CO15. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Beaken, Sheldon, and Wyatt.

CO16. MINUTES

The minutes of the Meeting of the Council held on 22 April 2015 were confirmed and authorised to be signed by the Mayor.

The minutes of the Annual Meeting of the Council held on 21 May 2015 were confirmed and authorised to be signed by the Mayor.

## CO17. DECLARATIONS OF INTEREST

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

Councillor Greenow declared a personal and pecuniary interest in minute R.13 of the REEA Committee minutes dated 3 June 2015 concerning the Cattle Market Update arising from his employment and indicated he would leave the room if this was discussed.

Councillor Faulkner declared a personal and pecuniary interest in minute R.9 of the REEA Committee minutes dated 3 June 2015 concerning Taxi Licensing Enforcement arising from his employment.

### Minute CO29 – Melton Local Plan Evidence Update

Councillor Orson declared a personal and pecuniary interest in this item due to possible land ownership and would leave the meeting when this was considered.

Councillor Holmes declared a personal and pecuniary interest in this item due to possible land ownership and would leave the meeting when this was considered.

Councillor Graham declared a personal and pecuniary interest in this item due to being a Trustee of the Sir John Sedley Foundation and would leave the meeting when this was considered.

## CO18. MAYOR'S ANNOUNCEMENTS

(a) The Mayor welcomed Mr Michael Cooke from the Belvoir Castle & Countryside Trust. Mr Cooke gave apologies from Mr Darren Bicknell, the Director of the Trust who was unable to attend due to another commitment. Mr Cooke then outlined the history behind the formation of the Trust which had developed from a children's group called the Belvoir Bees. The Trust had been formed with support from the Duke and Duchess of Rutland and now raised in the region of £95K a year. Mr Cooke thanked the Mayor for choosing the Trust as one of her charities and expressed the view that it was a good fit with the Borough and the importance of getting children active at an impressionable age. Members then viewed a short video presentation which highlighted the number of projects run by the charity including activities for children with additional needs and projects to introduce children to the countryside. Mr Cooke concluded by advising Members that there would be a Quiz Evening on 30 October at Parkside in aid of the Mayor's charities.

Councillor Hurrell commented that when she had been a head teacher, children from her school had attended the charity's projects and stated how brilliant and worthwhile their experience had been; she whole heartedly recommended the work of the charity to everyone.

(b) The Mayor welcomed Mr Mir Juma, Chief Executive of Emmaus Leicestershire & Rutland who was accompanied by Simon who had been supported by the charity.

Mr Juma began by thanking the Mayor for choosing Emmaus as one of her chosen charities and explained the charity had existed from 1949 as a movement and opportunity for self help and mutual aid; it had grown to over 300 communities worldwide. Emmaus Leicestershire & Rutland was formed in 2011 and registered as a charity in 2012 in response to the growing numbers of people sleeping rough in Leicestershire. Its formation in the county had been made possible through support from the PERA Foundation based in the town. Emmaus was a homeless charity with a difference as its ethos was based on supporting people to get back on their feet again with social enterprise as the focus of its model. It was not about handouts but about mending lives and getting people back into society. Mr Juma then introduced Simon who had been supported by the charity for the last 2 and a half years. Simon told members about his personal problems which had affected all aspects of his life; he said if it had not been for Emmaus he would not be here now and been able to turn his life around. He was now a responsible companion to help and guide others seeking Emmaus' help.

(c) The Mayor then addressed the Council on her recent activities and:

- commented that 2 months had already passed since she took office; she thoroughly recommended the role to other Members as she had been made very welcome by the public and had attended a wide variety of events;
- stated that she had attended 25 events so far and her Deputy, Councillor Lumley had attended 5 on her behalf;
- referred to some of the more serious obligations such as the Civic Service held the previous Sunday for which she thanked Rev'd Ashby for his support; the Fly the Flag ceremony for the Armed Forces which she had hosted a Parkside in June, and the visit to the twin town of Sochaczew with her Consort, the Deputy Mayor, and Councillor Posnett. The trip had been very successful and she paid tribute to the excellent hospitality of their Polish hosts;
- outlined some highlights of the other events she had attended and spoke about how her confidence in speech writing was growing with each event.

(d) The Young Mayor reported on her recent activities: she had been involved in 2 projects to provide stress relief for students during exam time and to encourage engagement in sports. She had managed to combine both by starting a yoga club during the recent exam season and said she was very proud of this. The Young Mayor then referred to another issue she wanted to address having been made aware of the dangers for children cycling along the very busy Asfordby Road. She was concerned about the behaviour of young cyclists and the dangers of cycling on busy town roads and was hoping to pursue this.

(d) The Chief Executive reported that she had received notification from the Conservative Group that due to genuine reasons cited, under her delegated authority she had given effect to the Group's wishes to appoint Councillor Hurrell to Councillor Posnett's seat on the Community & Social Affairs Committee and that Councillor Posnett would take Councillor Hurrell's seat on the Planning Committee.

## CO19. LEADER'S ANNOUNCEMENTS

The Leader, Councillor Rhodes

(a) began by welcoming Councillors Manderson and Hurrell to the meeting who had both been indisposed due to health reasons since the elections in May. He expressed the hope that they were now on the way to recovery and able to take an active part in the deliberations. Councillor Botterill had also recently been in hospital and so it was good to see that he was also able to attend the meeting;

(b) outlined progress with the Council's development programmes:

- The planning application for the Cattle Market had been submitted and would be considered in the near future. If this went well, it was anticipated that building would start in the spring of next year;
- Reported the purchase of the former King Edward VII playing fields, sports hall and facilities had been completed and SLM, the Council's leisure contractor, had begun a 2 year contract to operate the site whilst the Council developed the medium and long term plans. Members were informed that there was already an increase in activity on the site and a new atmosphere of enthusiasm with Melton Football Club preparing for its move to the new facilities being prepared for them. The Working Group, chaired by Councillor Higgins, will meet for the first time the following evening and begin its work to deliver a first rate sports and leisure facility for the Borough;
- Reported that the third report to support the campaign for a Melton Bypass was slightly delayed but he had been assured it would be out in September. However, the campaign was on track and he continued to be optimistic about succeeding in our objective;
- Advised that he had attended a meeting of the County Economic Growth Board on 25 June the subject of discussion being Combined Authorities. In light of the Government's wish to devolve powers and responsibilities to local areas, the County and City Councils together with the 7 District Councils forming the County Economic Growth Board together with the Chairman of the LLEP, had agreed to put in an expression of interest and outline bid to create a Combined Authority for Leicestershire including Leicester and the Districts to take some of these powers on offer. At this stage, the bid was for powers to develop Economic, Employment, and Skills, to create a Transport Authority and to create a Body to carry out the Strategic Planning for the whole county. He hoped that detailed proposals could be brought forward before the end of the year;
- Reported that East Midlands Councils – of which this Council had been a members since it was set up – was doing well and should be able to continue with its services, such as training for Councillors, for the foreseeable future;
- Referred to the recent Budget and the issue of the National Living Wage which would impact on Councils, particularly those with large numbers of low paid staff or with contractors with low paid staff. Members were advised that Melton appeared to be in a better position than others as it already paid all its employees at or above the Living Wage which was currently more than the National Living Wage will be from April next year. However, the details would not be known until the Autumn;

- Expressed his thanks to Mr Luke Fleming, Local Plan Manager, who would be leaving the Council to join the Planning Inspectorate at the end of the Month. Luke had made a significant contribution to the Council in the short time had had been here as the Melton Local Plan was now well on the way to completion. He asked Members to join him in wishing Luke well in his new role.

The Mayor agreed to a request from Councillor Holmes to make a comment on an issue referred to in the Young Mayor's report. Councillor Holmes referred to the concern about the safety of cyclists and mentioned the recent fatality of a cyclist at Belvoir and another serious accident that had occurred on Scalford Road. Councillor Holmes stated she would be meeting with the Police on 2 August to discuss this issue. Councillor Holmes stated that cyclists needed to be more aware and heed to the rules of the highway and she was pleased that the Young Mayor had raised this matter.

#### CO20. PUBLIC QUESTION TIME

There were no questions received.

#### CO21. PETITIONS

There were no petitions received.

#### CO22. RECOMMENDATIONS AND REPORTS FROM COMMITTEES

##### **(a) Governance Committee: 29 June 2015 – Minute G.13 Members Code of Conduct in Relation to Planning Matters**

Councillor Chandler requested that this item be withdrawn as the matter had been deferred for further discussion at a future meeting of the Governance Committee.

Following a vote, it was

**RESOLVED:** To withdraw the above item to enable further consideration by the Governance Committee.

##### **(b) Governance Committee: 29 June 2015 – Minute G.14 Constitution Updates 2015-16**

Councillor Chandler moved the recommended updates to the 2015/16 Constitution as set out in the Order Paper circulated at the meeting. The motion was seconded by Councillor Simpson

Following a vote, it was unanimously

**RESOLVED:** That the following updates to the Constitution be adopted

(1) the changes to the 'Arrangements for Site Inspections for Planning Applications' as set out in the report to the Planning Committee at Appendix A which sets out the proposed changes to Appendix 3 of the Site Inspections Protocol. This document sits within the Code of Conduct for Members and Officers dealing with Planning Matters;

(2) a new Officer Delegation to the Head of Central Services in consultation with the Head of Communities and Neighbourhoods being item 73 as follows :-

*'In consultation with the Head of Communities and Neighbourhoods to adopt local business rate relief schemes, where it is in the interest of local businesses and the Council to do so, following guidance from Central Government'*

(3) a new Officer Delegation to the Head of Communities and Neighbourhoods being item 84 as follows :-

*'To approve the opening of additional toilet facilities for key events in the town centre as designated by Members or additional events where it is considered there is a need that should be filled through the council.'*

(4) a transfer of an Officer Delegation no. 17 from the Solicitor to the Council which as follows :-

*'17 To administer, effect and make all necessary decisions in respect of the Sale of Council Houses under the Right to Buy Scheme.'*

and transfer the above Officer Delegation to the Head of Communities and Neighbourhoods in consultation with the Solicitor to the Council and this be item 85 and read as follows :-

*'In consultation with the Solicitor to the Council to administer, effect and make all necessary decisions in respect of the Sale of Council Houses under the Right to Buy Scheme.'*

### **(c) Governance Committee: 29 June 2015 – Minute G.11 A Town Area Committee for Melton Mowbray**

**AND**

### **Policy, Finance & Administration Committee: 7 July 2015 : Minute P4 A Town Area Committee for Melton Mowbray**

In moving the recommendation before members as set out in the Order Paper which included the additional proposal to appoint Councillor Greenow as its chairman and Councillor Posnett as the Vice Chairman, Councillor Rhodes stated that the establishment of this new Committee was in response to demand that had existed for a number of years. It would provide more focus and representation for affairs which only affected the town and were met from the Special Expenses budget. Councillor Posnett seconded the motion stating it would be greatly appreciated by the residents of the town. She commended the forward thinking of Members to nominate a newly elected Member to chair the Committee which would bring a fresh

pair of eyes to take the work forward. Upon being put to the vote, it was unanimously

**RESOLVED:**

- (1) To approve the establishment of a Town Area Committee for Melton Mowbray covering the Wards of Craven, Dorian, Egerton, Newport, Sysonby and Warwick;
- (2) The Constitution Part 3 – Delegation of Functions be amended to include specific delegations to the Town Area Committee together with amendments to the delegation to the Community and Social Affairs Committee as set out in Appendix 1 and 2 of the report presented to the Governance Committee on 29 June 2015 and the Policy, Finance and Administration Committee on 7 July 2015;
- (3) A report be made to Policy, Finance and Administration Committee later in the year to assess the resources and the capacity needed to support the new Committee, and;
- (4) The Chair and Vice Chair special responsibility allowances be charged to the Special Expenses Account;
- (5) That Councillor Tom Greenow be appointed as the Chairman of the Town Area Committee and Councillor Pam Posnett, the Vice-Chairman.

**CO23. QUESTIONS FROM MEMBERS**

- (a) In accordance with Procedure Rule 10.1, the Chairmen of Committees were to respond to any questions upon items of reports of Committees when those items were received or were under consideration by the Council as follows :-

Planning Committee	23 April 2015
Rural, Economic & Environmental Affairs Committee	3 June 2015
Planning Committee	4 June 2015
Community & Social Affairs Committee	17 June 2015
Ad Hoc Planning Committee	22 June 2015
Planning Committee	25 June 2015
Governance Committee	29 June 2015
Policy, Finance & Administration Committee	7 July 2015

- (b) It was reported that there were no questions received under Procedure Rule 10.5.

**RESOLVED:** To note the reports of Committees.

**CO24. MOTIONS ON NOTICE**

There had been no motions on notice received by the deadline in accordance with Procedure Rule 11.1.

The Mayor had agreed to take the following motion as a matter of urgency having regard to the impact on Planning Committee members and the fact that the next Full Council meeting is not until 14 October 2015.

The following motion was proposed by Councillor Illingworth and seconded by Councillor Simpson.

*“That the arrangements in part 6, page 3, as added by Full Council on 16<sup>th</sup> October 2013 of the Council’s Constitution for the provision of a light buffet on Planning Committee Site Inspection day be amended as follows:-*

*(b)(i) to read.....a payment of £30.66 be made to Planning Committee Members upon attendance at site visits, and the subsequent Members briefing;*

*(b)(ii) to read.....When the number and duration of site visits, combined with the duration of the Members briefing reaches a level where the Head of Regulatory Service in consultation with the Chairman of the Planning Committee deems it appropriate, a light buffet shall be provided for the Members, without any deduction from their Attendance Allowance.”*

Speaking in support of his motion, Councillor Illingworth explained that the Planning Committee agenda was becoming lengthier – 8 to 9 applications with a corresponding number of site visits made for a long day for the Members and officers involved. Indeed, it would be waste of officer time to have to wait until Members had reconvened. He therefore proposed an amendment to the Constitution that the Head of Regulatory Services, in consultation with the Chairman of the Committee, deems it necessary to provide buffet refreshments without a deduction from Members’ Attendance Allowance.

A vote was then taken on the motion, and it was unanimously

**RESOLVED:** to approve the following amendment to the Council’s Constitution:

That the arrangements in part 6, page 3, as added by Full Council on 16<sup>th</sup> October 2013 of the Council’s Constitution for the provision of a light buffet on Planning Committee Site Inspection day be amended as follows:-

(b)(i) to read.....a payment of £30.66 be made to Planning Committee Members upon attendance at site visits, and the subsequent Members briefing;

(b)(ii) to read.....When the number and duration of site visits, combined with the duration of the Members briefing reaches a level where the Head of Regulatory Service in consultation with the Chairman of the Planning Committee deems it appropriate, a light buffet shall be provided for the Members, without any deduction from their Attendance Allowance.

## **CO25. ANNUAL REPORT ON THE TREASURY MANAGEMENT ACTIVITIES AND ACTUAL PRUDENTIAL INDICATORS 2014-15**

The report (copies of which had previously been circulated to Members) was presented by the Leader who explained this technical report to the Council was



required by law and contained an analysis of how the Council's money was managed and that it had stayed within the recommended limits of borrowing. Accordingly, he moved approval of the report which was seconded by Councillor Posnett. Following a vote, it was unanimously

**RESOLVED** that

- (1) the Treasury Management Annual Report for 2014-15 be approved;
- (2) the actual position on Prudential Indicators for 2014-15 be noted.

[The Chief Executive and the Monitoring Officer here left the meeting.]

**CO26. THE LOCAL AUTHORITIES (STANDING ORDERS) (ENGLAND) (AMENDMENT) REGULATIONS 2015**

The Leader presented a report prepared by the Solicitor to the Council (copies of which had previously been circulated to Members) which concerned a requirement to amend the relevant sections of the Council's Constitution under the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 to take account of changes to the procedural arrangements in conducting disciplinary action against the Head of Paid Service, the Monitoring Officer, or the Chief Finance Officer. The report set out the detail of the new arrangements and appended the recommended changes to Part 4 of the Constitution.

The Leader referred to the requirement to appoint a panel where there is an allegation of misconduct by a statutory officer which would then report to the Full Council. The Council was under a legal obligation to amend its standing orders in line with the 2015 Regulations and in moving the recommendation, he expressed some concern that the Government would issue guidelines to enable local authorities to implement these requirements in an orderly way. The motion was seconded by Councillor Posnett. A vote was taken and it was unanimously

**RESOLVED:**

- (1) That the amendments to the Officer Employment Procedure Rules set out in Part 4 of the Constitution as set out in Appendix A to the report circulated be approved;
- (2) That authority be given to the Policy Finance and Administration Committee to consider more detailed disciplinary and dismissal procedures for the Head of Paid Service, Chief Finance Officer and Monitoring Officer incorporating the requirements of the amended Officer Employment Procedure Rules and the 2015 Regulations.

[The Chief Executive and the Monitoring Officer here returned to the meeting.]

## CO27. WASTE MANAGEMENT TASK GROUP

Members were advised that at its meeting on 3 June 2015, the Rural, Economic and Environmental Committee resolved that the Members of the Waste Task Group are: Councillors Orson, Sheldon, Botterill, de Burle, Hutchison, and Culley. Since that meeting Councillor Graham had been nominated as the final member of the Waste Management Task Group and the Council was asked to note this position. This was so moved by the Chairman of the Committee, Councillor Orson and seconded by the Vice Chairman, Councillor Hutchison. Accordingly, after a vote it was unanimously

**RESOLVED:** to note that Councillor Graham MBE has been nominated as the final member of the Waste Management Task Group.

## CO28. SPORTS, LEISURE & CULTURE WORKING GROUP TERMS OF REFERENCE

Members were reminded of the purpose of the Sports, Leisure and Culture Working Group that had been set up at the Council's Annual Meeting and that would produce for recommendation to the Council a comprehensive business case for the Sports & Leisure Village to deliver the outcomes sought. In that regard, the Council was asked to approve the Terms of Reference for the Working Group.

The Chairman of the Working Group, Councillor Higgins, moved the proposed Terms of Reference as set out in the Order Paper before Members stating that the Working Group would strive to put forward a first rate facility for the Borough in delivering a comprehensive business case. The motion was seconded by Councillor Posnett who stated she had been involved since the inception when a public consultation had been launched. Councillor Posnett said she looked forward to working with the Group to bring the Council's aspirations to fruition. A vote was taken on the motion which was carried unanimously.

**RESOLVED:** That the Terms of Reference for the Sports, Leisure & Culture Working Group are:

- To recommend to Full Council a comprehensive Business Case for the delivery of the Melton Sports & Leisure Village.
- To determine the most effective and efficient procurement for the Design, Build, Operate & Manage (DBOM) process.
- To oversee and coordinate current service improvements and enhancement, to include relevant events whilst developing the Business Case working in partnership with SLM (Management Contractor 'Everyone Active')
- To oversee the discussions with Sporting National Governing Bodies (NGB's) and other potential funders leading to relevant bids for funding and other applications.
- To effectively oversee and build good relationships with current users and future users of the facility and coordinate the development of appropriate agreements in line with the development of the Sports & Leisure Village
- To make recommendations for implementation of the phases of the Project.
- To ensure that all development options are aligned to National, Regional and sub-regional strategies and policies.

- To make regular updates and monitoring reports to the Full Council and other partners as required.

[Councillors Graham, Holmes, and Orson here left the meeting.]

## CO29. MELTON LOCAL PLAN EVIDENCE UPDATE

Members had before them a report prepared by the Head of Regulatory Services which sought approval for a number of technical evidence base documents for use in informing the preparation of the Preferred Options (Draft Local Plan) scheduled for public consultation in October 2015. Accompanying the report were a number of appendices which covered a list of the evidence already considered by the Council and a summary of the findings from evidence base reports. The detailed versions of these evidence base reports were available on the Council's website.

In presenting these documents to the Council, Councillor Chandler stated that the process of preparing the draft Melton Local Plan was advancing well. The Council would be asked to consider further Local Plan evidence in October which would be followed by a 12 week consultation period. She then gave a brief outline of the following evidence base reports and moved that the Council approve the documents as technical evidence to inform the Melton Local Plan. The Council would be asked to consider further Local Plan evidence in September:

- 5 year Housing Land Supply Update
- Employment Land Study
- Settlement Roles and Relationships Study
- Alternative Large Scale Strategic Sites Study
- Melton Retail Study
- Strategic Flood Risk Assessment

In seconding the motion, Councillor Illingworth welcomed the fact that the reports would be a material consideration in determining planning applications and was very pleased that the development of the Local Plan had reached this stage.

Councillor Greenow drew Members' attention to Appendix 2C (Settlement Roles and Relationships Study) and tables 2 and 3 therein which set out the 20 year housing distribution trend and the pattern of distribution between the main urban area and the primary rural service centre. He was specifically concerned at the increased distribution figure from 55% to 65% towards the urban area and the percentage for secondary rural service centre staying the same. He suggested greater use should be made of the primary rural service centres to take the pressure off the town.

A discussion ensued during which the following points were raised:

- Regarding development within the rural settlements it was important to ensure that the transport and economic infrastructure of the villages was supported;
- the progress made with the input from the various reference groups which would take into consideration economic and employment factors not just for the town but the Borough as a whole;

- without the necessary infrastructure, the Borough would not be able to accommodate the extra housing required and these evidence base reports would support the Council in pushing forward for the type of infrastructure required;
- concern over the shortfall of 629 houses which already existed in the Borough and pending application for large developments at Frisby and Kirby Bellars.

The Leader acknowledged there was a considerable amount of material to absorb and this represented the tremendous amount of hard work that had gone on behind it. He emphasised the dramatically changing demography of the Borough towards an aging population. If more housing was not provided over the next 20 years, the Borough would lose about a third of its working population. It was therefore important for the area to be a buoyant and expanding economic base that it had a supply of people of working age to support it. The crucial debate was where the new housing would be built and the emphasis tended to be to build as close as possible to the places of employment. The evidence base reports explained this in more detail and set out the implications.

As mover of the motion, Councillor Chandler responded to the debate by reminding Members that the Local Plan was not all about housing provision but also planned for the Borough's economic growth over the next 20 years. In response to the concern raised by Councillor Greenow, Councillor Chandler explained that the 65% distribution figure for the urban area and 35% for the rural area had arisen from work with the reference groups; she acknowledged that some villages could take further housing development but they did not have the infrastructure – shops, car parks, sewerage facilities and electricity supply – to support them. She commended the motion before Members and accordingly, following a vote it was unanimously

**RESOLVED:** That

- (1) the information be noted;
- (2) the information be a material consideration in determining planning applications for relevant development;
- (3) the information be approved as technical evidence to inform the Melton Local Plan.

The meeting, which commenced at 6.30 p.m., closed at 7.54 p.m.

Mayor