



MEETING OF THE
COUNCIL OF THE BOROUGH OF MELTON

PARKSIDE, STATION APPROACH, BURTON STREET, MELTON MOWBRAY

15 OCTOBER 2014

PRESENT

Councillor J. Wyatt (Mayor)
P.M. Baguley, G.E. Botterill, G. Bush, P.M. Chandler,
P. Cumbers, J.M. Douglas, A. Freer-Jones, M. Gordon,
M.C.R. Graham MBE, E. Holmes, E. Hutchison,
J. Illingworth, S. Lumley, V. J. Manderson,
J.T. Orson, P.M. Posnett, J.B. Rhodes,
J. Simpson, M.N. Twitney, D.R. Wright

Chief Executive
Head of Communications & Monitoring Officer
Head of Regulatory Services
Democracy & Involvement Officer

Young Mayor, Ashleigh Evans

The Reverend Catriona Cumming offered prayers

CO31. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Horton, O'Callaghan, Sheldon, and Slater.

CO32. MINUTES

- (1) Subject to the following amendment the minutes of the meeting held on 16 July 2014 were confirmed as a correct record and authorised to be signed by the Mayor:

Page 29 Minute CO23 penultimate paragraph to read "Councillor Freer-Jones thanked the Leader for his response and asked a supplementary question. She stated that it was important that the Council showed more commitment and could the Council ask senior officers to *look into making a contribution towards a scheme for a bypass.*"

- (2) Subject to the following amendments the minutes of the Extraordinary Council meeting held on 18 September 2014 were confirmed as a correct record and authorised to be signed by the Mayor:

- The list of Members present be amended to show Councillor Twitney's initials as M.N. and not O.
- Last sentence on page 38 Minute CO30(b) to read: "Councillor Twitney expressed concern at the commitment to the housing allocation *as there was an undertaking that these could be accommodated without significant adverse effects on our transport infrastructure until 2028...*"
- 6th line down at the top of page 39 to read: "He considered that to sign up at this meeting would be wrong *as the commitment to the housing without additional transport infrastructure could be used against the Council at a later date when asking for a bypass.*"

Councillor Botterill apologised to the Council that he had been unable to attend the Extraordinary Council meeting due to unforeseen transport difficulties.

CO33. DECLARATIONS OF INTEREST

Councillor Graham declared a personal interest in the minutes of the Planning Committee dated 4 September 2014 specifically in relation to application 14/00563/TCA as he was the applicant.

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

CO34. MAYOR'S ANNOUNCEMENTS

- (1) The Young Mayor, in coming to the end of her year of office, thanked the Council for the opportunity she had been given and said how quickly the year had passed. She had enjoyed each event she had attended and would particularly remember the experience of participating in the Remembrance Day Parade. The Young Mayor spoke about the opportunity she had to meet many new people and although she had not managed to achieve all she had set out to do, she would certainly recommend any young person to stand for election as the Young Mayor. She thanked her Deputy, Kelsey Mackie, for her help and support and to everyone else who had helped her during the past year.

Councillor Holmes voiced her concerns that the role of the Young Mayor was a very difficult one as they could set out with great expectations of what could be achieved yet the Council did not seem to help them enough. She expressed the hope that the Council could offer more help to future Young Mayors.

Councillor Gordon thanked the Young Mayor and her Deputy and said what a pleasure it had been when they had accompanied her to events during her Mayoral year.

- (2) The Mayor stated he was delighted to report on the Council's recent success in gaining the Social Inclusion Silver Award. On the 8th October 2014 the Council received the award from the IRRV (Institute Ratings, Revenues & Valuation) for Excellence in Social Inclusion. The awards panel were looking for organisations to demonstrate they have excelled in the areas of social exclusion, evidencing leading edge approaches to improving the life of those experiencing poverty or

deprivation.

This was easy for the staff at Melton Borough Council who, for many years, had worked hard with partners to develop an integrated approach to providing services around the customer and putting individuals and families first, identifying and tackling the root causes of problems and investing in early interventions.

This approach showed how we co-ordinate agencies, including the CAB, Credit Unions, the Job Centre, Money Advice Service, Probation service, Adult Social Care, Children's Centres, Voluntary agencies, drug & Alcohol services to name just a few to work together in a way that puts our customers first, ignoring departmental and agency 'silos' and merging into a shared pool of knowledge, professionalism and expertise to secure better outcomes for children, young people and families.

The way we work to help our customers at Parkside and at Me and My Learning based at Phoenix House contributed to the success of winning the silver award.

The HR & Communications Manager and the People Manager were present at the meeting to represent staff across the different services who contributed to the Council gaining this award and the Mayor asked everyone to join him in congratulating them. Members showed their appreciation by a round of applause.

(3) The Mayor stated since the last ordinary meeting of the Council in July he had attended 31 engagements and these had included:

- Judging and the prize presentation evening for the WW1 Commemoration schools competition organised by the Royal British Legion and Councillor Posnett
- The County Chairman's reception at Beaumanor
- The official unveiling of the Melton Mowbray Wellington Bomber Memorial on Saxby Road
- The Melton Borough Civic Service
- Beating Retreat and Reception to mark the centenary of WW1 in Oakham
- Dove Cottage's Moonlight Walk
- The Mayor Charnwood's Civic Service
- The National Sheep Association's Eastern Region Ram Sale
- Rainbows Hospice Open Day
- The Melton Branch RAFA Battle of Britain parade and service
- 2 Macmillan Cancer Coffee Mornings
- A reception for the Melton Belvoir Rotary Club and their twin club from Coesfeld, Germany

- The Mayor of Oadby & Wigston's Civic Service
 - The County Chairman's Civic Service
 - The Lord Lieutenant's Concert for the Centenary of WW1
 - The Chairman of Newark & Sherwood's civic service
 - The Mayor of Bourne's civic dinner
 - The Chairman of Blaby's civic service
 - Several primary school visits where he had been asked some very interesting and unusual questions.
- (4) Members were advised that the Deputy Mayor had been attending a number of engagements on the Mayor's behalf; these had included two Homecoming Parades in Kettering and Leicester, the preview evening for the WW1 Commemoration Exhibition at the Wilton Road Library, a WW1 Commemoration Service at Leicester Cathedral, and the Chairman of South Kesteven District Council's civic service. The Mayor expressed his gratitude for her continuing support;
- (5) The Mayor requested those Members who wished to attend the Remembrance Day Parade on Sunday 9 November and who had not already done so, to notify the Democracy & Involvement Officer. This year the parade would be assembling on Chapel Street car park at 10.10am with the service at 10.45am at St. Mary's Parish Church;
- (6) Members were asked to note the date for the Mayor's Carol Service which would be Thursday 11 December at 6pm at St Mary's Church. Invitations would follow in due course.

CO35. LEADER'S ANNOUNCEMENTS

The Leader, Councillor Rhodes

- (1) Referred to the national award for Excellence in Social Inclusion by the IRRV mentioned by the Mayor in his announcements and added that competition had been very stiff but Melton Borough Council had received the silver award and wished to add his own congratulations to everyone who had contributed to this achievement. He said that the really good work done by our officer team on Members' behalf was often overlooked; the approach they take through the Supporting Families programme, Me and My Learning as well as the day to day work of community safety, the housing and benefits teams was bringing about a transformation in the lives of the least well off citizens as well as improving the general well-being of everyone who lived and worked in the Borough. Well done to everyone;
- (2) Highlighted partnership working: the many links the Council had with its neighbouring Councils and the joint arrangements which were delivering better and more cost effective services were also overlooked. Currently the Council had:

- Joint arrangements for the support of IT with three other Leicestershire Councils led by Hinckley and Bosworth;
- A joint arrangement with Rushcliffe Borough Council which had delivered the Landscape Capacity & Sensitivity Study for Wind Energy which would be considered later in the meeting;
- Another joint working arrangement with Rushcliffe on working up the new schemes for delivering universal credit;
- The various Welland schemes providing cost effective legal services and a joint Independent Remuneration Panel, also part on the agenda for later in the meeting;
- Commenced support for Blaby District Council who wanted to introduce a Me and My Learning scheme like ours;
- Provided support through one of our directors to Rushcliffe Borough Council on how to relocate their council offices, a service which was being charged to that authority
- Been developing increasingly close co-operation with neighbouring councils and the county council on the future arrangements for waste collection.

The Leader added that many councils all over the country were approaching Melton to learn how we run Parkside. The local government world were realising that the “Melton Way” was delivering more cost effective services than almost any other council in the country. He told Members that they and staff had much to be proud of.

- (3) Turned to the issue of planning disputes: he expressed concern that despite all the good work going on, there were still some people who spent much of their time looking for ways to do down the Council and its officers. He found the vilification of officers in the planning department very distressing. Planning was a very difficult service to get right all of the time but he was very proud of the work done by the planning officers and the way in which they conducted themselves, often in challenging circumstances and wanted to place this on record. What was one person’s planning gain, to solve a problem or improve their lives, could be someone else’s disastrous incursion into their lives and a threat to their well-being. He urged Councillors to do all they could to support our officers in the work they do on our behalf to advise us, and defend them even when occasionally they get that advice wrong.

That meant that Councillors must listen carefully to all sides in a planning dispute and ensure that we inform ourselves accurately as to what the facts are – and then, and only then, to form a judgment. Members had a duty to explain to others, less versed in the rules and procedures, what could be done as well as what could not be done. When asked for help, a Councillor must ensure that that help is given generously and fairly by considering all sides to the issue; never jumping to conclusions and taking sides because of a predisposition as to the outcome. None of this was easy but it is what we as Councillors have signed up to. We are accountable to the electorate for all that happens at the Council – not to seek the good opinion of any pressure group of individual but just to do our duty.

- (4) was pleased to report on better news concerning the Cattle Market; the contractors had begun a programme of test borings and excavations to find out exactly what lay below the ground in the cattle market before the designs for the new buildings are finalised. This work would go on until the end of the year. This

work was so that the Council would be “shovel ready” as soon as the funding from Leicester and Leicestershire Economic Partnership became available and current indications were that this could be released much sooner than originally thought.

- (5) Informed Members that the Police & Crime Commissioner for Leicestershire, Leicester and Rutland, Sir Clive Loader, KCB OBE was to visit the Me and My Learning centre at Phoenix House on 31 October 2014 as a guest of the Community Safety Partnership (CSP). The host would be Councillor Graham in his capacity as Chairman of the CSP.

CO36. PUBLIC QUESTION TIME

There were no questions received.

CO37. PETITIONS

There were no petitions received.

CO38. RECOMMENDATIONS AND REPORTS FROM COMMITTEES

(a) Governance Committee: 22 September 2014 – Minute G32 Constitution Update

Councillor Graham moved and Councillor Manderson seconded the recommendations from the Governance Committee regarding updates to the Constitution.

Councillor Freer-Jones apologised for not being able to attend this meeting and sought clarification on the reference to “T3” in the report. She also referred to the new additional paragraph 1.3.7 concerning exemptions and exceptions to tendering procedures where no submissions had been received and wanted to know what would happen in those circumstances.

The Head of Communications explained that the reference to T3 related to the group of third tier managers. Councillor Graham replied that the new paragraph 1.3.7 concerned an area for which there had previously not been a policy but would defer to the officers for further clarification. The Chief Executive advised that it appeared to facilitate a delegation that would allow the Council’s efficient processes to continue in such circumstances. However, she would ask the Head of Central Services to send clarification on this point to all Members.

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

RESOLVED: that

- (1) the policy for the Recording of Council meetings as set out at Appendix A to the report to the Governance Committee on 22 September 2014 be approved for

inclusion in the Council's Constitution;

- (2) The additional paragraphs to the Contract Procedure Rules as contained in the report and noted above be agreed and referred to the Full Council for approval and inclusion in the Council's Constitution.

(b) Policy, Finance & Administration Committee: 30 September 2014 – Minute P.19(b) – IT Policies

Councillor Rhodes moved and Councillor Posnett seconded the recommendations from the PFA Committee regarding changes to delegated powers in respect of IT Policies. Upon being put to the vote, the motion was unanimously carried.

RESOLVED: that in respect of IT Policies, a change in Delegation be approved to allow

- (1) the Head of Central Services to approve technical policies and minor changes to all policies;
- (2) the Head of Central Services, in consultation with the Management Team, to approve procedural and advisory policies; and
- (3) the Policy, Finance & Administration Committee to approve user policies.

(c) Policy, Finance & Administration Committee: 30 September 2014 Minute P.25(e) - Items for Approval under Financial Procedure Rules

It was proposed by Councillor Rhodes and seconded by Councillor Posnett that the Council approves the update to the Financial Procedures Rules and Project Appraisal System in accordance with the recommendation from the PFA Committee. Following a vote, the motion was unanimously carried.

RESOLVED: that the Financial Procedure Rules and Project Appraisal System be updated to allow variations within the HRA Capital Programme without referral to the Policy, Finance & Administration Committee where this supports the requirement of the Housing Management Plan.

CO39. 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	12 June 2014
Planning Committee	2 July 2014
Planning Committee	24 July 2014
Planning Committee	14 August 2014
Rural, Economic & Environmental Affairs Committee	3 September 2014
Planning Committee	4 September 2014

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

(c) Councillor Graham referred to minute C26 on page 4 of the CSA Committee minutes where it had been recorded that a Member had congratulated the Chairman on supporting the refurbishment of the Waterfield Leisure Centre. Councillor Graham stated he had been that Member and emphasised that Councillor Wright had been the driving force and main architect of the project's total success.

CO40. MOTIONS ON NOTICE

There were no motions on notice received.

CO41. WELLAND PARTNERSHIP INDEPENDENT REMUNERATION PANEL

Members had before them a report prepared by the Head of Communications which asked the Council to consider the constitution of the Welland Partnership Independent Remuneration Panel following the resignation of one of its members and whether there should be a recruitment process for an additional member.

The resignation did not make the Panel inquorate as the minimum number was three members. However, the Chairman of the Panel had suggested that to ensure the Panel was able to operate effectively and with flexibility to deal with any issues around conflict or lack of availability, the optimum number would be five members. Other member authorities of the Welland Partnership were to be consulted and Harborough District Council had supported the recruitment of a new independent member subject to the agreement of the other authorities who utilise the Panel.

The Panel currently had one outstanding piece of work for Melton which related to Parish Representatives involved in Parish Councillor complaints on the Governance Committee. To enable this work to continue in the short-term, it was proposed that so long as the Panel was quorate, this work not be delayed by any recruitment process.

Councillor Graham moved that this Council agrees to the recruitment of a new independent member of the Panel and that it continue its work for Melton Borough Council pending this process providing it remained quorate. The motion was seconded by Councillor Manderson. Upon being put to the vote, the motion was unanimously carried.

RESOLVED:

- (1) That Melton Borough Council supports the recruitment of a new independent member to the Welland Remuneration Panel following the resignation of one of the existing members, subject to the agreement of the other authorities who utilise the Panel;

(2) The Panel be able to continue its work for this Council pending the recruitment process so long as the Panel is quorate.

CO42. MELTON LOCAL PLAN – LANDSCAPE CAPACITY & SENSITIVITY STUDY FOR WIND ENERGY

In a report previously circulated, the Head of Regulatory Services had provided Members with the draft Landscape Capacity and Sensitivity Study (LCSS) for Wind Energy, provided the background to the study and an explanation of its potential use in informing development proposals and in developing policies through the Melton Local Plan. The study had been considered and endorsed by the Rural, Economic and Environmental Affairs Committee on 3 September 2014.

In moving the recommendations contained in the report, Councillor Orson acknowledged there was a lot of detail to grasp and would seek to provide Members with a summary.

Councillor Orson explained that the National Planning Policy Framework placed a presumption in favour of sustainable development in general and encouraged local authorities to support the delivery of renewable and low carbon energy associated infrastructure. Reflecting this position and the need for action whilst the local plan was being prepared, Melton Borough Council has prepared a Landscape Capacity and Sensitivity Study for the Borough. For purposes of efficiency and cross boundary impacts, a joint LCSS had been prepared in partnership with Rushcliffe Borough Council.

The report before Members was the culmination of an important area of work that had been undertaken by REEA Committee which had been asked to take action about the pressure the Council was receiving from wind turbines and as such he was pleased to welcome this Study and position statement. Cllr Orson went on to say that the report provided a sound base on which to argue the landscape issues that these proposals gave rise to that had previously been lacking. Parish Councils and Ward Members were involved in its production and by working with Rushcliffe Borough Council, better value for money had been achieved. The study would strengthen the Council's position when dealing with these proposals

The Position Statement provided guidance as to how the study would be used for the development of policies within the Local Plan currently being produced by Melton, and immediately in the assessment of planning applications for wind energy development in the Borough. It was already featuring in the appeals the Council was defending at Thorpe Satchville and Somerby and would feature in any in the future.

Councillor Orson stated that many residents and a number of Members had asked him what weight would the Landscape Capacity Study be given on appeal? This was certainly the main question of concern. He had taken advice on this matter and the advice was: the study provides detailed objective evidence that until now had been missing in the "landscape debate" and as such it was expected that it would make a huge difference – plugging what was a gaping hole in the Council's position until now. However, like the Planning Committee when dealing with these

proposals, Inspectors have to reach a balanced decision and they had discretion as to the weight they gave landscape issues against others. Until the Council had its first appeal, the weight given to this study would not be fully known. Cllr Orson pointed out that Inspectors themselves had a certain amount of inconsistencies themselves at this moment in time in relation to wind turbines and housing development.

In concluding, Councillor Orson wished to place on record his thanks to the Consultants, LandUse, who had produced a very comprehensive and strong report which was going to be useful for applicants and residents as a whole. He also wished to take this opportunity to place on record his thanks to the Council's Officers for the support they gave to the REEA Committee in organising the various meetings with the Parish Councils as well as our own Ward Members. Finally, he thanked Rushcliffe Borough Council and commended them for being a wonderful Council to work with; they were outstanding and had provided efficiency, were easy to work with at both Member and Officer level, and there had been a symmetry between the two district which did bode well for future work with this authority.

Councillor Lumley seconded the motion.

In opening the discussion, Councillor Botterill welcomed the report and the collaboration with Rushcliffe but expressed concern about areas where wind turbines could be erected becoming saturated. Councillor Gordon referred to St Bartholomew's church on Welby Road behind Holwell works and expressed her concern that this Grade 2 listed building did not become overlooked. She was concerned that the Parish Council had not marked it out as a feature of special interest.

Councillor Bush added his congratulations to all those involved in the production of the report and stated that he was aware that some residents had expressed their concern that whilst the report covered rural areas and parish councils had given their input, town residents had not been given an opportunity for input. Councillor Wright referred to the aspect of the report concerning consultation and stated he had attend a recent meeting of the Bottesford Parish Council where he had expressed his disappointment that the parish council had not submitted comments on the study. The parish council were perplexed as they said their comments had been submitted and officers were asked to check this out.

Councillor Holmes referred to figure 3.4 in the study concerning primary and secondary landmarks; specifically the area of secondary landmarks from Burton Lazars up to Burrough on the Hill. She asked if officers could incorporate these secondary landmarks.

Councillor Orson then responded to the points raised:

- Councillor Botterill's point about saturation – the landscape was only one reason for refusal of an application, other reasons included noise, electromagnetic interference, aviation implications, ecology, health impacts etc. Hence landscape considerations was only one of a number of planning reasons for refusal;
- Councillor Gordon's concern about St Bartholomew's church – he could not confirm if this feature had been included but assured that if this was the case it would be put right. However on a recent appeal, the Secretary of State had

upheld refusal on the ground of this feature so it had certainly been picked up at a national level;

- Councillor Bush's point about consultation; certainly parish councils had been consulted and whilst there was no town council, ward members were consulted. Eventually this document would become part of the Local Plan so everyone in the whole Borough will have an opportunity to have their say on Melton's green energy statements;
- Councillor Wright was assured that officers would check for Bottesford parish council's submission and confirm with him;
- Councillor Holmes' point about secondary landmarks – whilst he was unable to get into detail about individual applications, the Planning Committee had made a decision and the Member's comments were noted.

A vote was then taken on the motion and it was carried unanimously.

RESOLVED: that the Council

- (1) notes the steps outlined in the report;
- (2) that the Council adopts the Landscape Capacity and Sensitivity Study: Wind Energy for use as part of the Local Plan evidence base for assisting the production of Development Plan policy for wind energy in the Borough;
- (3) adopts the position statement comprised in Appendix 2 to the report.

The meeting, which commenced at 6.30 p.m., closed at 7.20 p.m.

Mayor