

Minutes

Meeting name	Council
Date	Wednesday, 18 December 2019
Start time	6.30 pm
Venue	Parkside, Station Approach, Burton Street, Melton Mowbray LE13 1GH

Present:

Chair Councillor M. Graham MBE (Chair)

Councillors	P. Faulkner (Vice-Chair)	R. Bindloss
	R. Browne	S. Carter
	P. Chandler	R. Child
	P. Cumbers	R. de Burle
	J. Douglas	C. Evans
	C. Fisher	A. Freer-Jones
	M. Glancy	A. Hewson
	L. Higgins	E. Holmes
	S. Lumley	J. Orson
	D. Pritchett	R. Smedley
	M. Steadman	J. Wilkinson
	P. Wood	

Officers

The Reverend Kevin Ashby offered prayers.

Minute No.	Minute
CO44	<p>APOLOGIES FOR ABSENCE</p> <p>Apologies for absence were received from Councillors Illingworth, Pearson and Posnett.</p>
CO45	<p>MINUTES</p> <p>The minutes of the meeting held on 4 November 2019 were confirmed and authorised to be signed by the Chair.</p>
CO46	<p>DECLARATIONS OF INTEREST</p> <p>Councillor Orson declared a personal interest in any matters relating to the Leicestershire County Council due to his role as a County Councillor.</p>
CO47	<p>MAYOR'S ANNOUNCEMENTS</p> <p>The Mayor:</p> <ul style="list-style-type: none"> a) Thanked Members that had attended the Mayor's Christmas Carol Service and/or the Mayor's Christmas Lunch; b) Noted that he had attended many festive events including starting the Santa Fun Run and Switching on the Town's Christmas lights; c) Noted that he had assumed the role of Returning Officer for the General Election on 12 December, with the Chief Executive acting as his 'deputy' being the Acting Returning Officer, where the Chief Executive and his team had done all the work but he had had all the glory by announcing the result; d) Noted that Sally Renwick, Elections Manager, would be leaving the Council on Christmas Eve. The Council owed her a great debt in the way she had run numerous elections over the years and the assistance she had provided to Parish Councils. The Mayor expressed his thanks for Sally's hard work and dedication; e) Reminded Members that there would be light refreshments following the meeting and wished everyone in attendance a Merry Christmas.
CO48	<p>LEADER'S ANNOUNCEMENTS</p> <p>The Leader gave the following announcements:</p> <ul style="list-style-type: none"> a) Wished a Merry Christmas to Reverend Ashby and all the church leaders; b) Following approval of the Housing Improvement Plan at the last Council meeting, the Council had started to implement the agreed actions. The recruitment of the new Director for Housing and Communities was underway and there had been a really strong response to the advert with a significant number of applications received. Members of the Employment Committee would be meeting the next day to agree the long list of candidates for the first stage interviews in early January. The Council looked forward to a successful appointment by the end of January; c) Over the last month the Council had been in dialogue with the Social Housing Regulator, providing additional information as requested. Their

response was awaited and the Council would continue to work with them over the coming months. He was pleased to report that the actions being taken were improving the position in relation to health and safety compliance on a daily basis, with more and more properties having new or updated assessments for electrical and asbestos safety. Risk assessments were complete and the Council was developing work packages to implement any required actions. A more detailed update in relation to fire safety would be reported to Cabinet in January.

This had been a long standing serious issue and he was concerned that some Members may not have grasped the gravity of the situation. In the current HRA Business Plan, the risk register identified “Insufficient knowledge of current stock causes unknown liabilities” as the first risk with “critical” impact and “significant” liability. But the plan, considered by the old Community & Social Affairs Committee in January 2012, did not include enough emphasis on how to mitigate this nor did it allocate any budget to address it, nor did it return to this issue on the HRA Business Plan. This was another prime example of how the old committee system failed to grip the issues faced quickly enough and failed to show the leadership and strategic direction necessary to bring about the change required. The new Cabinet had shown they were ready to grip and lead this issue and the Housing Improvement Plan demonstrated that. It should not be underestimated that there were still some challenging times ahead as the findings of the Regulator were awaited and this Council would have to account for its past failings.

- d) The Council had a history of celebrating diversity and he and the Chief Executive would be exploring how they might develop this further over the coming months. The Council had been a Disability Confident Employer for some time but recent efforts to champion and support mental health within the council had seen the Council secure the highest possible recognition as a Disability Confident Leader. The Council were only the 4th organisation to gain this accreditation in Leicestershire and Northamptonshire and certainly the first local authority. Only 11 other Councils had achieved this across the country. This once again highlighted the value placed on staff and the Council’s renewed commitment to be a great employer as part of the Workforce Strategy.
- e) The Council also continued to follow through on commitments to customers. Earlier this month a number of members had attended a presentation from IEG4, the company commissioned to implement the Council’s new digital customer service platform. It was exciting to see the potential improvements that could be implemented by this new technology. Alongside the work being done to improve processes, this would represent a fantastic opportunity to make a massive difference to service quality.
- f) Last month it had been a pleasure to host a delegation from Sheffield City Council who came to learn from Melton Borough Council’s experience of moving from a Committee to a Cabinet system. Based on the changes and improvements made at MBC, the Local Government Association had suggested that we would be a good council to speak to, it was pleasing to see the council was building its reputation within the local government sector

	<p>and to be able to share our views with other councils.</p> <p>g) There were significant items on the agenda including the development of the work around climate change which had been incorporated into the draft Corporate Strategy, which had been published for consultation earlier in the week. The Strategy sought to invest in housing, the environment and growth as well as regeneration and utilising assets more commercially. The Leader looked forward to hearing public views and discussing the results and the proposed budget with all members at the Budget Scrutiny meeting in January. The agenda also contained the Cabinet recommendation to support the infrastructure agreement with the County Council. £65 million of government investment into Melton had been collectively secured and through the agreement with the County Council a further £35 million would be released. The work that had been done and approval of the proposal tonight would see delivery of the relief road, which had been talked about for decades, become a reality.</p> <p>h) The Leader acknowledged and congratulated the new MP following the General Election and looked forward to working closely with Alicia Kearns for the benefit of the Borough's residents. He also thanked the elections team and wider council team for the hard work that had been put into delivering a third election in nine months.</p> <p>i) The Leader finished by wishing all members and officers a very merry Christmas and Happy New Year.</p>
CO49	<p>PUBLIC QUESTION TIME</p> <p>No questions had been received from members of the public.</p>
CO50	<p>RECOMMENDATIONS AND REPORTS FROM COMMITTEES</p> <p>There were no recommendations or reports from Committees.</p>
CO51	<p>QUESTIONS FROM MEMBERS</p> <p>There were no questions received from Members.</p>
CO52	<p>MOTIONS ON NOTICE</p> <p>There were no motions on notice.</p>
CO53	<p>EQUALITY SCHEME AND EQUALITY OBJECTIVES (2020 TO 2024)</p> <p>The Portfolio Holder for Corporate Governance, Access and Engagement, Councillor Freer-Jones, introduced the report and provided a brief summary. Councillor Freer-Jones highlighted that equalities was a legal and statutory duty and should be at the forefront of decision making and policy development.</p> <p>Councillor Freer-Jones moved the recommendations in the report and Councillor Orson seconded the recommendations.</p> <p>During debate the following points were noted:</p> <ul style="list-style-type: none"> Appendix E listed the consultees, this was the list of stakeholders that was used on all such consultations but should members have additional organisations that they thought should be added to the list, they should

	<p>forward the details for inclusion on subsequent consultation exercises;</p> <ul style="list-style-type: none"> • Councillor Holmes highlighted that the National Farmers Union should be included in the list of consultees and Councillor Posnett also suggested that rural organisations were very important to ensure that any consultations were not focused on urban areas; • Councillor Freer-Jones confirmed that many of the organisations consulted, such as Vista and Age UK covered all areas not just the Town Centre. <p>RESOLVED</p> <ol style="list-style-type: none"> 1) To APPROVE the Equality Scheme and Equality Objectives at Appendix A and Appendix B of the report covering the period 2020 to 2024. 2) To DELEGATE authority to Portfolio for Corporate Governance, Access and Engagement to approve any subsequent changes to the Equality Scheme or Actions to deliver the objectives should the need arise in line with legislative and/or corporate priority changes over the next four years.
CO54	<p>DECLARATION OF A CLIMATE EMERGENCY : UPDATE REPORT</p> <p>The Leader introduced the report and moved the recommendations. The Deputy Leader seconded the recommendations in the report.</p> <p>The Leader, Councillor Orson, provided a brief summary of the report as the Portfolio Holder for Environment and Regulatory Services had been unable to attend the meeting. Councillor Orson detailed the progress made since the Council's declaration of a "Climate Emergency" and the establishment of a Policy Development Group. The report, at Appendix A, detailed short-term and long-term proposals which would be developed further and progressed through the appropriate decision making channels of Cabinet and/or Council. This was a long-term programme and recommendations which may not be affordable or practical in the immediate term, may be achievable later in the programme.</p> <p>During debate the following points were noted:</p> <ul style="list-style-type: none"> • Councillor Evans stressed the use of the word "Emergency" and noted that the current state of affairs had been caused by previous actions and industry and technology companies blocking more energy efficient options. This Borough Council could not solve all the problems itself, but could make a local impact and must start working towards changes as soon as possible. <p>RESOLVED</p> <p>To NOTE the progress to date made by the Climate Emergency Policy Development Group.</p>
CO55	<p>REVIEW OF POLLING DISTRICTS AND POLLING PLACES</p> <p>The Chief Executive introduced the report and provided a brief summary. He also thanked the staff that supported the recent election and in particular Adele Wylie, Director for Governance and Regulatory Services, who had provided exceptional</p>

	<p>leadership and support. The Chief Executive thanked Sally Renwick, Elections Manager, who would be leaving the Council on Christmas Eve following 30 years of dedicated service.</p> <p>Councillor Freer-Jones moved the recommendations in the report and Councillor Orson seconded the recommendations.</p> <p>RESOLVED</p> <ol style="list-style-type: none"> 1) To APPROVE the proposals in respect of this review as set out in Appendix A. 2) To DELEGATE authority to the Returning Officer to make, where necessary alterations to the designation of any Polling Place prior to the next full review in consultation with Ward Members and Group Leaders.
CO56	<p>APPOINTMENT OF SUBSTITUTES 2019 20</p> <p>The Director for Governance and Regulatory Services introduced the report and provided a brief summary.</p> <p>Councillor Freer-Jones moved the recommendations in the report and Councillor Orson seconded the recommendations.</p> <p>RESOLVED</p> <ol style="list-style-type: none"> 1) To APPROVE the Group Leaders' nominations of substitutes for Audit and Standards Committee for 2019/20 as set out at paragraph 3.4 of the report. 2) To APPROVE the minor amendment to the Substitute Procedure Rules as detailed in paragraph 3.3 of the report.
CO57	<p>CABINET RECOMMENDATIONS TO COUNCIL</p> <p>1) Mid-Year Report on the Treasury Management Activities and Prudential Indicators 2019/20.</p> <p>The Portfolio Holder for Corporate Finance and Resources introduced and moved the recommendations in the report. The Portfolio Holder highlighted the continuing difficult economic environment; the introduction of the statutory override to mitigate the effect of any fluctuations in investments on the General Fund; the higher than expected return on investments due to higher reserves than predicted; and that the Capital Funding requirement remained static and total debt position remained unchanged.</p> <p>The recommendations were seconded by Councillor Orson.</p> <p>During debate the following points were noted:</p> <ul style="list-style-type: none"> • The conclusion of the General Election had had a positive impact on the Stock Market, this would take some time to filter through to the

return on investments and would have some impact on the return currently being achieved, but it was unlikely to be significant.

RESOLVED

To **APPROVE** the recommendations from Cabinet:

- a) That the mid-year position on treasury activity for 2019-20 be noted.
- b) That the mid-year position on the prudential indicators for 2019-20 be approved.
- c) To approve that a new Treasury Management Provision Reserve be established from 2019/20, with delegated authority given to the Director for Corporate Services to determine the affordable amount to contribute into this each year during the statutory override period.

2) Infrastructure Funding with Leicestershire County Council

The Leader introduced and moved the recommendations in the report. The Leader highlighted that for generations people had been talking about the congestion in Melton. In 2016 the Council started working with the County on submitting a business case to Government. Two years later £50 million was secured to support construction of the Northern and Eastern sections. In February this year a further £15million had been secured to support the Southern section. The Leader paid tribute to the former MP, Sir Alan Duncan who played a pivotal role in securing both bids. The total cost of the road would be approximately £100million, the significant local contribution of £35million would be funded through income generated by growth and developer contributions. Over the last year the Council had been working with Leicestershire County Council to agree an infrastructure funding agreement to support and share the risks associated with meeting these costs. The report set out the components of the agreement that had been reached. It meant that Melton Borough Council would make a contribution of £6million up to 2035 from the benefits of growth from income received from new homes. He confirmed that there was protection for the Medium Term Financial Strategy as only income over and above that required to support core services would be used and there would be the opportunity to review the agreement should funding streams change. The agreement balanced the desire to support infrastructure investment in Melton with prudence and protection for the future of the Council. All members had had the opportunity to understand the details of discussions and the basis of the agreement through informal meetings.

Councillor Higgins seconded the recommendation in the report and reserved his right to speak until later in the debate.

Councillor Evans proposed an amendment to the motion as detailed at d) below:

That Council approves the recommendations from Cabinet:

- a) To approve that Melton Borough Council enters into an infrastructure funding agreement with Leicestershire County Council.
- b) To delegate authority to the Chief Executive in consultation with the Leader, the Director for Governance & Regulatory Services and the Director for Corporate Services to negotiate the terms of the legal agreement with the County Council.
- c) To delegate authority to the Director for Governance and Regulatory Services to complete the associated legal documentation.
- d) To agree that a report providing a summary of the key terms and principles of the final agreement is presented to Council for approval prior to completion of the agreement.**

The amendment was seconded by Councillor Holmes.

Councillor Evans noted that negotiations had been difficult at times up to this point and that could result in further changes being required which all members should have the opportunity to consider. All Councillors would be held to account for the decision and so all Councillors should be involved in the decision on the final agreement.

During debate on the AMENDMENT the following points were noted:

- Councillor Orson confirmed that any material deviations from the substantive, explicit clauses set out in the report would result in the report being brought back to Council for consideration, therefore the amendment duplicated the intention in the report and could cause unnecessary delay;
- The Mayor suggested that the original motion could be amended to include a provision that any material changes would result in the agreement being brought back to Council. This was rejected by Councillor Evans;
- Councillor Pritchett did not feel that the report contained sufficient detail on the risks and due diligence completed so far;
- Councillor Higgins confirmed that the Sports Centre had been removed from the agreement through mutual agreement and that there had also been compromise in relation to Secondary School funding. The Leader had been careful to secure support from his Group as well as other members and he could see no reason for further delay;
- Councillor Chandler requested further information on the position if the New Homes Bonus was withdrawn. It was confirmed this would be dealt with by the review trigger as detailed in section 9.4 of the report;

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Clarification was requested as to whether the agreement related to the northern section of the road and whether this affected a members potential interest. The Monitoring Officer advised that ultimately any requirement to declare an interest was a matter for individual members. It was confirmed that the decision before Council extended the original agreement reached with the County Council in December 2017 to now include the southern section in addition to the northern section.

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The Leader requested a recorded vote in accordance with Chapter 3, Part 1, Procedure Rule 17.5 b). This was supported by Councillors Higgins and De Burle.

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On being put to the vote the AMENDMENT FELL (was not carried).

For:

Bindloss; Carter; Evans; Hewson; Holmes; Pritchett; Wood.

(7)

Against:

Browne; Child; Cumbers; De Burle; Douglas; Faulkner; Fisher; Freer-Jones; Glancy; Higgins; Lumley; Orson; Smedley; Steadman; Wilkinson.

(15)

Abstentions:

Chandler; Graham.

(2)

During debate on the SUBSTANTIVE MOTION the following points were noted:

- Councillor Higgins highlighted that although Melton Borough Council would receive 50% of the New Homes Bonus from the development of several sites resulting in approximately 4000 new houses, the development of these sites was dependent on the agreement. All projects contained an element of risk, but in this case the risk had been calculated and balanced against the benefits in terms of economic growth, employment and improved amenities which would result from the agreement. Delay could increase the economic risks;
- Councillor Evans raised a point of interest that his amendment had not been intended to cause delay;
- The Mayor reminded Councillor Evans that debate should now be restricted to the substantive motion as the amendment had fallen.

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The Leader requested a recorded vote in accordance with Chapter 3, Part 1, Procedure Rule 17.5 b). This was supported by Councillors Higgins and De Burle.

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RESOLVED

To **APPROVE** the recommendations from Cabinet:

- a) To approve that Melton Borough Council enters into an infrastructure funding agreement with Leicestershire County Council.
- b) To delegate authority to the Chief Executive in consultation with the Leader, the Director for Governance & Regulatory Services

and the Director for Corporate Services to negotiate the terms of the legal agreement with the County Council.

- c) To delegate authority to the Director for Governance and Regulatory Services to complete the associated legal documentation.

For:

Bindloss; Browne; Child; Cumbers; De Burle; Douglas; Faulkner; Fisher; Freer-Jones; Glancy; Higgins; Lumley; Orson; Smedley; Steadman; Wilkinson.

(16)

Against:

Carter; Evans; Hewson; Wood.

(4)

Abstentions:

Chandler; Graham; Holmes; Pritchett.

(4)

3) New Finance System

The Portfolio Holder for Corporate Finance and Resources introduced and moved the recommendations in the report. The Portfolio Holder provided a brief summary of the report confirming that support for the current system was due to end in 2021 and that advances in technology meant that a replacement system would bring advantages both in terms of functionality and ease of use, as well as being less expensive. There had been a procurement exercise and the details of the criteria and evaluation resulting in the choice of the preferred bidder could be found in the report.

RESOLVED

To **APPROVE** the recommendation from Cabinet:

To allocate £250k from the Corporate Priorities Reserve in order to fund the new finance system.

The meeting closed at: 7.58 pm

Mayor