

Minutes

Meeting name	Meeting of the Council
Date	Monday, 4 November 2019
Start time	6.30 pm
Venue	Parkside, Station Approach, Burton Street, Melton Mowbray LE13 1GH

Present:

Chair Councillor M. Graham MBE (Mayor) and Councillor P. Faulkner (Deputy Mayor)

Councillors

T. Bains	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
J. Illingworth	J. Orson
A. Pearson	P. Posnett MBE
D. Pritchett	R. Smedley
J. Wilkinson	P. Wood

Officers

Chief Executive
 Deputy Chief Executive & Director for People & Communities
 Director for Corporate Services
 Director for Growth and Regeneration
 Director for Governance & Regulatory Services
 Planning Policy Manager
 Democratic Services Manager
 Democratic Services Officer (CR)

The Reverend Kevin Ashby offered prayers.

Minute No.	Minute
	<i>(The Deputy Mayor in the Chair)</i>
CO31	<p>APOLOGIES FOR ABSENCE</p> <p>An apology for late attendance was received from the Mayor and therefore the Deputy Mayor was in the Chair.</p> <p>Apologies for absence were received from Councillors Lumley and Steadman.</p>
CO32	<p>MINUTES</p> <p>The minutes of the meeting held on 17 July 2019 were confirmed and authorised to be signed by the Mayor.</p>
CO33	<p>DECLARATIONS OF INTEREST</p> <p>Councillors Pearson, Posnett MBE and Orson declared personal interests in any matters relating to the Leicestershire County Council due to their roles as County Councillors.</p>
CO34	<p>LEADER'S ANNOUNCEMENTS</p> <p>The Leader presented his report which contained the following updates :</p> <p>(a) despite the summer recess it had been an extremely busy time since the last meeting and he had to start with the fantastic announcement on Friday 1 November of the Council's success in securing a further £15m to support the southern section of the relief road. This brought the total amount secured from government to £65m and he had to pay tribute to the fantastic support that Melton had enjoyed from its outgoing MP Sir Alan Duncan. He had been such a strong advocate for this project and its success was in no small part to his support and work within government. He wished him all the best for the future following 27 years of dedicated service to his constituency. In due course this Council would need to consider whether to enter into an infrastructure funding agreement with the County Council and this would be considered in detail at a future meeting;</p> <p>(b) whilst referring to the County Council, the Council had recently received their business case into a single unitary for Leicestershire which was due to be considered at the County Council meeting in December. It was disappointing that the County Council had time and again failed to more proactively involve the districts in the development of these proposals. The County Council had spoken with town and parish councils as part of developing them, but not any of the 7 districts, despite numerous requests for the County Council to work with the districts and to look more collaboratively at options for improvement. According to government's own announcements, any proposals for structural change in local government should have a strong local consensus and it was hard to see this emerging when all 7 districts had stated their opposition to this 'one size fits all' approach. This viewpoint was mirrored by the 7 Leicestershire</p>

MPs who had also been critical of the County's plan. As a Council we would ultimately need to look at the County's plans in more detail but he would resist any plan which made finances the main driver and failed to consider a multitude of options. Ultimately democracy costs and Melton Borough Council was a lean and agile organisation and well connected to its communities. The Council must ensure any proposals for change don't undermine this because quite clearly big was not always beautiful;

- (c) alongside the Council's success with the HIF bid, the Council had also recently secured £200k of revenue funding to support the development of proposals for a Food Enterprise Centre and to further support development of proposals at the Sports Village site. Securing major infrastructure investment, regenerating our town and finding a sustainable future for the Borough's leisure facilities would be key parts of the Council's new Corporate Strategy. At that meeting the Council would consider the Housing Improvement Plan which would form another key part of the Council's plans and which would see over £2m invested in to the management and maintenance of council homes over the next 3 years. This represented a huge investment and would enable the Council to deliver a step change in the quality of its housing services and to correct some long standing under investment. The new Corporate structure was due to be considered at the Employment Committee later that week and he looked forward to another significant milestone being achieved as the Council reunified the housing teams and bolstered senior capacity and expertise to lead the Council's housing improvement journey;
- (d) our developing new corporate strategy would also strengthen the Council's ability to tackle issues that mattered most to residents. Issues like litter, dog fouling and anti-social behaviour could really affect the lives of the Borough's residents. Last year the Council invested in a new Environmental Enforcement Officer and he was delighted that the Council would be going further by creating two additional enforcement roles to strengthen the approach to tackling planning, licensing and tenancy issues. This followed the approval, by Cabinet in the previous week, of the new Public Spaces Protection Order, further demonstrating that the Council was delivering on its commitments to tackle the things that mattered most to residents;
- (e) the developing Corporate Strategy responded to many of the issues that residents told the Council about in the comprehensive residents survey undertaken over the summer. More than 1,700 responses were received and later that week the results would be published as well as our investment proposals so the Council could hear what residents think about the areas the Council wanted to invest in and make better. The consultation would last for the next four weeks and the feedback would be used to finalise plans before seeking final approval, alongside setting the budget in February next year;
- (f) following the Council's declaration of a climate emergency the climate change task group had now met and had started its work on formulating a plan for the Council to consider. The Council had had a number of flooding events recently

	<p>and whilst the County Council was the main flood authority, he had asked the group to ensure it looked carefully at what more the Borough Council could do to support residents who were directly affected when severe weather hit;</p> <p>(g) the Council had also recently concluded the procurement for a new digital self-service platform, which would support the customer-focussed process improvement work already underway. The strategy would continue to focus on ensuring the Council delivered outstanding services to its customers and he was very much looking forward to seeing the outcomes from the excellent work being done across the organisation in this area.</p>
	<p><i>(The Mayor entered the meeting during the preceding item. The Mayor in the Chair.)</i></p>
CO35	<p>PUBLIC QUESTION TIME</p> <p>In accordance with the Constitution, Members of the Council may answer questions from the public of which notice had been given.</p> <p>(a) The following question was received from Mr Mark Faulkner. Mr Faulkner was present at the meeting and read out his question :</p> <p><i>‘Following the licensing decision to inspect all of my vehicles following a spurious complaint. How many other vehicles have subsequently been inspected by the licensing team? As I was told other vehicles will be called in for inspection.’</i></p> <p>Councillor John Illingworth, the Portfolio Holder for Environment and Regulatory Services, responded as follows :-</p> <p><i>‘I am informed that an initial complaint was received from a member of the public in respect of diesel fumes emanating from two licensed vehicles. A further complaint was received in respect of a vehicle failing to comply with the policy. The Council’s policy stipulates that it will check that vehicles are suitable for the purpose, safe to operate and maintained to the appropriate standard and that authorised officer may carry out checks at any time, it was clearly necessary for the Council to investigate this further.</i></p> <p><i>In light of the fact that there were only 9 vehicles in the fleet in consultation with the company a decision was taken to inspect all 9 vehicles to ensure that the vehicles were suitable and to mitigate any further complaints. The inspections proved useful as a number of minor defects were identified and advice was given. No formal action was necessary and the complaints were ultimately not upheld.</i></p> <p><i>In the past 12 months the two Licensing Officers have inspected approximately 14-15 vehicles, totalling approximately 30 vehicles. Since this particular complaint was received, two further vehicles have been inspected.</i></p> <p><i>The Council has however recognised that the Licensing Team require additional</i></p>

resources and as part of the developing Corporate Strategy is making commitments to boost our ability to take enforcement action and increase administrative resources. The administrative capacity of the Licensing team has recently been increased and on Wednesday 30th October Cabinet agreed to the creation of a new Enforcement Officer who will assist with these issues, and in the meantime the existing Environment Enforcement Officer offering support. Cabinet also decided that the Licensing function will be included in a new dedicated Regulatory Services team, within a newly formed directorate for Governance and Regulatory Services providing focus and priority to this area of our work. We are confident this will ensure we can be more effective and proactive in these matters in future.'

Mr Faulkner asked the following supplementary question :

'According to Kieran Stockley, for the council to investigate complaints, some evidence is required to corroborate the process. Please can you tell me what evidence and corroboration was sought before the decision to investigate was taken? To my knowledge, no vehicle was being used illegally and neither complainant had travelled in either car.'

Councillor Illingworth advised that a full written response would be provided to Mr Faulkner following the meeting.

(b) The following question was received from Mr Gareth Batchelor. Mr Batchelor was not present at the meeting, therefore in accordance with the procedure rules, the Mayor read out the question :

'Regarding concerns for improved patient care and another Doctors' surgery for Melton and due to current pressures on the local health service and the expected increase in housing as a result of the bypass, what progress has been made by the Council in securing this provision with professional healthcare services and developers?'

Councillor Joe Orson, Leader of the Council, responded as follows :

'The question is very timely. Working with the CCG to secure a second GP surgery for Melton will be one of the aspirations within our new corporate strategy. We have already started on working to achieve that aim and only two weeks ago, the Council's Deputy Leader, Chief Executive and Assistant Director held a very productive meeting with the Chief Operating Officer for the CCG responsible. We have made a strong case for a second GP surgery in Melton and whilst the decision will ultimately be a matter for them and naturally there are a number of factors they will need to consider, we know they are listening to us and are keen to work with us in finding the best outcome for our residents. We will naturally be having further important discussions over the coming months and I will keep Council appraised as things develop.'

There was no supplementary question.

CO36	<p>QUESTIONS FROM MEMBERS There were no questions received.</p>
CO37	<p>MAYOR'S ANNOUNCEMENTS The Mayor</p> <p>(a) thanked the Deputy Mayor for chairing the first part of the meeting;</p> <p>(b) referred to the long period of time since the last meeting in July during which he had made preparations for the family parachute jump by losing 2 stones in weight before he could join in the team. He, the Mayoress and other members of his family had completed the parachute jump on 23 September in aid of his Mayor's Appeal for Rainbows and thanked everyone for their sponsorship which had totalled £20,000 so far;</p> <p>(c) referred to the success of his Civic Service held at Sproxton Church on 22 September and special thanks to Councillor Chandler who gave a reading in the service;</p> <p>(d) also thanked the Deputy Mayor for representing him at the Remembrance Service on Sunday 10 November as he would be out of the country;</p> <p>(e) introduced the appointment of the new Mayor's Cadet, a role which had been initiated in 2016 by former Mayor, Councillor Wright. He referred to the difficulty in selecting the new Mayor's Cadet as all the candidates were so impressive and he thanked all those who had taken part in the selection process. After outlining the purpose and function of the role he thanked the outgoing Mayor's Cadet, Cadet Flight Sergeant Olivia Browne, who gave a presentation on her year in office. The Mayor commemorated her year in office with a framed certificate. He then invited the Air Training Corps' nominated candidate, Cadet Sergeant Alexia Agrafioti to be officially appointed as the 2019/20 Mayor's Cadet and would assist the Mayor at key functions such as the Remembrance Day parade during her term of office. Cadet Sergeant Agrafioti was presented with the specially commission brassard which was to be worn when supporting the Mayor;</p> <p>(e) reported that he had agreed to move the scheduled date of the December Council meeting to Wednesday 18 December in order to accommodate the Parliamentary Election arrangements and Members had been advised.</p>
CO38	<p>MOTIONS ON NOTICE There were no motions on notice received.</p>
CO39	<p>CABINET RECOMMENDATIONS TO COUNCIL The Porfolio Holder for Growth and Prosperity (and Deputy Leader) proposed the recommendation at 2.1(a) and thanked the Council and especially those who represented the Sysonby and Newport wards for bringing this matter to the</p>

	<p>attention of the Council. He referred to the cemetery having received a green flag award and being an outstanding piece of sanctuary for residents in difficult times. He highlighted the changes in relation to child burial plots, which would be free of charge with effect from December 2019. The Leader seconded the motion.</p> <p>It was noted that recommendation 2.1(b) in the report had been withdrawn due to the announcement on the Housing Infrastructure Fund not being received in time for the report to be considered at the 30 October Cabinet meeting.</p> <p>On being put to the vote, the motion was carried.</p> <p><u>RESOLVED</u> that the use of special expense reserve to cover the one-off cost for the Cemetery Improvement Plan as detailed in the report be approved.</p>
CO40	<p>RECOMMENDATIONS AND REPORTS FROM COMMITTEES</p> <p>There were no recommendations and reports received.</p>
CO41	<p>STATEMENT OF COMMUNITY INVOLVEMENT (SCI)</p> <p>The Portfolio Holder for Growth and Prosperity (and Deputy Leader) proposed the recommendations and provided a brief summary of the report. The Portfolio Holder noted that the report set out the proactive approach that was being taken and provided clarity on the approach to consultation with the community on planning applications and planning policy documents.</p> <p>The Leader seconded the motion.</p> <p>During debate the following points were noted:</p> <ul style="list-style-type: none"> • Training events on planning were very important for Parish Councils; • It was important to engage the public as early as possible to ensure all stakeholders are involved through key stages; • It was clear that some policy wording could be ambiguous and that those making decisions on applications must adopt a sensible and consistent approach when balancing relevant considerations in accordance with the development plan; • The Chair of Planning Committee and Portfolio Holder for Growth and Prosperity were available to discuss planning matters and were very involved in improving the quality of planning applications coming forward by involving developers, the community and key stakeholders, including Ward Councillors and Parish Councils; and • The document was the result of a lot of hard work and would be an useful reference document by Councillors. <p><u>RESOLVED</u></p> <p>(1) To NOTE the responses given to consultation comments as outlined in Appendix 3 of the report;</p>

	<p>(2) To APPROVE the adoption of the Statement of Community Involvement which appears at Appendix 1 of the report.</p>
CO42	<p>HOUSING IMPROVEMENT PLAN</p> <p>The Leader proposed the recommendations in the report and noted the following:</p> <p>(a) over the last 18 months, the Council had reinvested in housing services, following a number of years of decline and under investment. In 2018 the Council worked to rebuild the tenancy function, creating two housing officer roles and three neighbourhood support officers to refocus on priority neighbourhoods. In early 2019 the Council introduced a new Fire Safety and Scooter policy and through the newly established Fire Safety Management Group had worked closely with the fire service to improve all the Council did in this important area;</p> <p>(b) despite these positive steps, over recent months it had become increasingly apparent that over a number of years the Council had not invested sufficiently in its housing stock and some significant issues had developed which now must be addressed. Since 2010 the number of non-decent homes had steadily risen to an unacceptable level, without effective intervention or oversight. The HRA Business Plan was last published in 2012 and was in significant need of a refresh. Over a number of years the Council rationalised and eroded resources in housing services, unnecessarily in his view, and when things started to deteriorate there did not appear to have been any effective strategic action to address them prior to my time as Leader.</p> <p>(c) he was convinced that one of the key reasons for this was the significant lack of strategic grip and transparency caused by the former governance processes. In 2018 as part of the LGA Governance review, they were clear that there were significant issues in terms of leadership and accountability at the Council and that the old committee system was a key part of the problem. That was why he was delighted that the new Cabinet had made resolving these issues such a key part of its early work. Councillor Pearson had shown great leadership and determination to put these issues right and he was delighted that the work he had done with officers in developing the Housing Improvement Plan provided such a strong and rigorous response to the issues faced. No-one could now say there was no transparency or accountability and that as a Council they were now demonstrating a desire to put this right;</p> <p>(d) The Council had much work to do and it would take some time to put it right. The Council was taking immediate action to ensure compliance with health and safety requirements and would work closely with the Regulator for Social Housing and Local Government Association to ensure the Council had the support required to make the improvements. The Council would be creating a new housing directorate, investing in more officers and refreshing the HRA Business Plan to ensure the Council was clear and focussed on what needed to be done. The Council had come a long way over the last two years and he was very confident that with the additional resources and actions proposed in this</p>

report that the Council would rebuild its housing services and ensure that tenants had the high quality homes and landlord services they deserved.

The Portfolio Holder for Housing and Communities seconded the motion and reserved his right to speak until later in the debate.

During debate the following points were noted:

- Councillor Evans stated that the position outlined in the report was unfortunate and Melton borough Council was not wholly responsible. Funding cuts and lack of investment by Central Government had made it very difficult to manage this service effectively;
- Councillor Cumbers and Councillor Holmes highlighted the work of the Housing Voids and Temporary Accommodation Task and finish Group. The Group had found that the quality of some housing was very poor and that void periods were costing the Council in excess of £150,000 per year. The group were collecting evidence from key stakeholders and were hoping to provide some recommendations for improvement within the scope of their review early in 2020;
- Councillor Chandler knew of examples of tenants who had had to wait a significant amount of time for electrical rewiring and she felt they were insufficiently compensated for required redecoration by being given only £50;
- Councillor Browne had been asked to review the report and recommendations therein by the Leader. Councillor Browne believed that the issues in landlord health and safety had come about due to poor governance and leadership from members and officers, resulting in neglect of the service between 2012 and 2018. Tenants had been let down, but there was now a clear commitment to turn this around by Members and the new leadership team. In 2018 there had been a report which suggested that the Council was 100% compliant with Landlord Health and Safety checks, this did not now appear to represent the true picture. There was a period where there had been lack of investment in the housing stock leading to the current situation. Most of the leadership team during this period had now left the Council, but Members should still reflect and ensure that this did not happen again, the consequences of these issues could have been very serious. There was finally a plan in place and these issues would now be dealt in an open and transparent way, thanks to the commitment of the Chief Executive and the Director for Growth and Regeneration;
- Councillor Illingworth accepted the criticism towards the previous administration, but that tenants were also responsible for ensuring that properties were maintained and vacated in a good state of repair;
- Councillor Wilkinson noted that it was unacceptable that around 30% of the Councils Housing was considered non decent. He believed that now more than ever the council's new Governance model would be important. He asked for assurance that the nine new fixed term posts being created be subject to regular reviews;
- Councillor Higgins emphasised that this report was not about tenants

behaviours but about the Housing Stock and Landlord Safety checks. He urged all members to seek out more information about the Housing Revenue Account;

- Councillor Child noted the open and transparent approach to coming to these proposals through Cabinet and Officers working together;
- Councillor Freer-Jones commented that reflecting on the past to make things better for the future was a positive way to proceed. It was reassuring to see how the customer had been kept at the forefront in considerations as reflected in Section 6.20 of the report;
- Councillor Pearson, Portfolio Holder for Housing and Communities, noted that the Council was investing in people through housing, providing the right conditions through better quality housing would have a positive impact overall on the lives of tenants. Members had historically received information that did not show the full picture, now that issues had been identified the council was responding as quickly as possible. The new Executive Model of Governance would provide adequate transparency, safeguards and scrutiny. The government Green Paper on social housing recommended giving more power to tenants, so they could demand safe places to live. This plan would allow investment in people through the housing stock;
- Councillor Orsen, Leader of the Council, confirmed that the report had the support of the Tenants Forum Executive Committee. A letter had been received from the Regulator asking for further information, with a timeframe for response. The focus was now on the safety of tenants through implementation of the plan. The changes to the governance structure had been difficult to implement but this was a good example of how the changes had resulted in greater accountability and the ability to respond in a timely way when issues were identified.

RESOLVED

- (1) To **APPROVE** the Housing Improvement Plan at paragraphs 6.10 to 6.18 of the report and any associated financial and resource commitments;
- (2) To **DELEGATE** authority to the Chief Executive in consultation with the Director for Corporate Services to access the HRA Development and Regeneration Reserve to fund works in support of the HIP and Health and Safety Works;
- (3) To **NOTE** the specific remedial actions taken and proposed with regard to landlord health and safety;
- (4) To **NOTE** the proposed governance arrangements as set out at paragraph 6.19 of the report to ensure effective oversight and monitoring of progress in relation to the Housing Improvement Plan.

CO43

REVIEW OF THE CONSTITUTION - GENERAL UPDATE

The Portfolio Holder for Corporate Governance, Access and Engagement proposed the recommendation and added that there was no surprise that amendments were required to the Constitution due to the restructuring of the Council's governance arrangements over such a short period of time. The Leader seconded the motion.

During debate points were made relating to the introduction of substitute members at the Audit and Standards Committee. The Director for Law and Governance advised that she would consult with the Leader on these appointments and bring the matter back to the Council in December.

With regard to replacement Councillors attending task groups, the Director felt that mostly these relied on continuity and a set number of people being committed. She also advised that it depended on how the group had been constituted and whether substitutes had been agreed.

During debate the following points were noted:

- The named substitutes on Audit and Standards Committee would be approved by Council in December;
- Substitutes would only be allowed on Working Groups where the Terms of Reference specifically allowed. In some cases it was not appropriate to allow substitutes on Working Groups in order to preserve continuity.

RESOLVED

To **APPROVE** the proposed amendments to the Melton Borough Council Constitution at Appendix A of the report.

The meeting closed at: 8.00 pm

Mayor