

# Agenda

<b>Meeting name</b>	<b>Meeting of the Cabinet</b>
<b>Date</b>	<b>Wednesday, 11 October 2023</b>
<b>Start time</b>	<b>4.30 pm</b>
<b>Venue</b>	<b>Parkside, Station Approach, Burton Street, Melton Mowbray, Leicestershire. LE13 1GH</b>
<b>Other information</b>	<b>This meeting is open to the public</b>

Members of the Cabinet are invited to attend the above meeting to consider the following items of business.

**Edd de Coverly**  
**Chief Executive**

## Membership

**Councillors** P. Allnatt (Chair) M. Glancy (Vice-Chair)  
S. Butcher S. Cox  
P. Cumbers

**Quorum:** 3 Councillors

<b>Meeting enquiries</b>	Democratic Services
<b>Email</b>	democracy@melton.gov.uk
<b>Agenda despatched</b>	Tuesday, 3 October 2023

No.	Item	Page No.
1.	<b>APOLOGIES FOR ABSENCE</b>	
2.	<b>MINUTES</b> To confirm the minutes of the meeting held on 13 September 2023.	1 - 8
3.	<b>DECLARATIONS OF INTEREST</b> Members to declare any interest as appropriate in respect of items to be considered at this meeting.	9 - 10
4.	<b>MATTERS REFERRED FROM SCRUTINY COMMITTEE IN ACCORDANCE WITH SCRUTINY PROCEDURE RULES</b> The following items have been referred from Scrutiny Committee, in accordance with the Scrutiny Procedure Rules: <ul style="list-style-type: none"> <li>• Preparing for Regulatory Change (Housing)</li> <li>• Cattle Market Leases</li> </ul>	11 - 14
5.	<b>INTENSIVE HOUSING MANAGEMENT SERVICE REVIEW</b> A report updating Members on the Intensive Housing Management Service Review, setting out a number of recommendations and updating on the implementation of the revised support arrangements at Gretton Court, the Council's Extra Care Scheme.  To follow	



# Minutes

<b>Meeting name</b>	<b>Cabinet</b>
<b>Date</b>	<b>Wednesday, 13 September 2023</b>
<b>Start time</b>	<b>4.30 pm</b>
<b>Venue</b>	<b>Parkside, Station Approach, Burton Street, Melton Mowbray, Leicestershire. LE13 1GH</b>

## Present:

**Chair** Councillor P. Allnatt (Chair)

**Councillors** M. Glancy (Vice-Chair) S. Butcher  
S. Cox P. Cumbers

**In Attendance** Councillor M. Brown  
Councillor M. Graham  
Councillor A. Thwaites

**Officers** Chief Executive  
Director for Housing and Communities (Deputy Chief Executive)  
Director for Growth and Regeneration  
Assistant Director for Resources  
Assistant Director for Planning  
Interim Monitoring Officer  
Democratic Services Officer (CB)

Minute No.	Minute
24	<p><b>Apologies for Absence</b> No apologies were received for this meeting.</p>
25	<p><b>Minutes</b> The Minutes of the meeting held on 23 August 2023 were confirmed.</p>
26	<p><b>Declarations of Interest</b> There were no declarations of interest.</p>
27	<p><b>Matters referred from Scrutiny Committee in accordance with Scrutiny Procedure Rules</b> No items had been referred from Scrutiny Committee in accordance with the Scrutiny Procedure Rules.</p>
28	<p><b>Planning Enforcement Policy</b> This item was deferred.</p>
29	<p><b>Quarter 1 Housing Revenue Account Revenue and Capital Budget Monitoring Report 2023/24</b> The Portfolio holder for Corporate Finance, Property and Resources introduced the report the purpose of which was to provide information on actual expenditure and income incurred on the Housing Revenue Account (HRA) compared to the latest approved budget for the period 1 April 2023 – 30 June 2023 for revenue and capital budgets.</p> <p>The Portfolio holder for Corporate Finance, Property and Resources advised that this was the first report of this financial year on the HRA, the main area of concern are rent arrears which need to be addressed and resources made available to ensure rents are paid. Cabinet and Scrutiny will be keeping an eye on this.</p> <p>A comment was made that it was good to see an underspend in the repairs budget due to costs being lower than budgeted, rather than budgeted repairs not being done.</p> <p>Cabinet:</p> <ol style="list-style-type: none"> <li>1) <b>NOTED</b> the financial position on the HRA at 30 June 2023 and the year-end forecast for both revenue and capital.</li> <li>2) <b>APPROVED</b> the increase to the overall value of the HRA capital programme to include £118k for the estimated expenditure on 3 fire damaged properties to be funded from insurance and a virement from another capital programme item.</li> </ol>

*Reasons for Recommendations:*

*The Council, having set an agreed budget at the start of the financial year, needs to ensure that the delivery of the budget is achieved. Consequently, there is a requirement to regularly monitor progress so that corrective action can be taken when required, which is enhanced with the regular reporting of the financial position.*

*During this and the previous year the housing stock has been affected by a number of fires in its properties, which require capital works to remedy. The works to the properties are covered by insurance, less a £5k excess per property claim. The increase of £118k will be covered by the insurers to the value of £109k.*

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**Quarter 1 General Fund Revenue and Capital Budget Monitoring Report 2023/24**

The Portfolio Holder for Corporate Finance, Property and Resources introduced the report, the purpose of which was to provide details of service and financial performance for the period 01 April to 30 June 2023.

The Portfolio Holder for Corporate Finance, Property and Resources advised the forecast is good, however income from non-recurring grants and high interest rates are a key factor for this. Interest rates are time limited and are expected to fall again end of next year. Therefore, hard choices will need to be made to balance the budget, we will need to be committed to find savings and as a result not everything will be achievable. This administration is committed to balance the budget. The Councils future financial sustainability is a key risk that will need to be addressed.

Cabinet:

- 1) **NOTED** the year end forecast and financial position for the General Fund and Special Expenses at 30 June 2023 for both revenue and capital.
- 2) **APPROVED** the increase to the General Fund IT capital programme by £47k for the estimated increased expenditure on projects, and the additional need to draw from the IT repairs and renewals fund.

*Reasons for Recommendations:*

*The Council, having set an agreed budget at the start of the financial year, needs to ensure that the delivery of this budget is achieved. Consequently, there is a requirement to regularly monitor progress so that corrective action can be taken when required, which is enhanced with the regular reporting of the financial position.*

*Following the in-sourcing of ICT services, the increase in costs around firewall implementation and security concerns over authenticator apps, the IT capital programme needs increasing. The financing can be covered by the IT repairs and renewals fund.*

### Quarter 1 Treasury Management Update

The Portfolio Holder for Corporate Finance, Property and Resources introduced the report, the purpose of which was to provide a quarterly report of the Council's reporting procedures and a summary of the Treasury activities to the end of June 2023.

The Portfolio Holder for Corporate Finance, Property and Resources was pleased to see that we are one of the Top performers in the East Midlands within the benchmarking group that tracks our returns from investments, this additional income is very welcome and helps offset inflationary pressures seen elsewhere in the budget. The higher interest rates have been locked in long term and will continue into the next financial year. Thanks were given to the financial team as our interest rates are doing very well.

Cabinet:

- 1) **NOTED** the Quarter 1 position on treasury activity for 2023-24.
- 2) **NOTED** the Quarter 1 position on Prudential Indicators for 2023-24.

*Reasons for Recommendations:*

*The Prudential Code requires the Council to monitor and report performance on Treasury Management activities at least quarterly. As a minimum full Council need to receive an annual report on the strategy and plan for the coming financial year, a mid-year review and an annual report on performance of the treasury management function. In addition, monitoring reports should be received at least quarterly alongside revenue and capital monitoring by the cabinet as the body delegated responsibility for treasury management functions.*

*To facilitate the decision-making process and support capital investment decisions the Prudential Code requires the Council to agree and monitor a minimum number of prudential indicators.*

### Risk Management

The Portfolio Holder for Governance, Environment and Regulatory Services introduced the report which provided an update on the risk management arrangements and outlines the current significant risks that have been captured on the recent review of the Council's strategic risk register by the Senior Leadership Team.

The Portfolio Holder for Governance, Environment and Regulatory Services explained that risk management is the term of reference for Audit and Standards, and it is important that Cabinet have an oversight and awareness of the strategic risks.

These are not new risks but have been inherited from the previous administration, they will need to be dealt with effectively and efficiently. An emerging risk is lack of capacity to deliver services and projects this is due to lack of resources; this was

highlighted in the recent staff survey. This will be key when Cabinet are developing the new Corporate Plan that we strike a balance between priorities and resources available to deliver them.

She is confident that both Members and Officers are monitoring the risks the Council faces and that the Senior Leadership Team maintain oversight of the risk management arrangements in place and activities undertaken to mitigate the risks.

Cabinet:

**NOTED** the content of the report and the updated Strategic Risk Register and associated risk management action plan, as attached at Appendix A.

*Reasons for Recommendations:*

*Whilst Risk Management forms part of Audit and Standards terms of reference it is important that Cabinet have oversight and awareness of the strategic risks that could impact on the Council, to review the risk management arrangements in place and the activities that are being undertaken to mitigate those risks.*

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### **Supporting the delivery of MMDR South**

The Leader of the Council and Portfolio Holder for Housing and Landlord Services introduced the report, which set out the background to the Melton Local Plan, the key infrastructure delivery requirements to maintain an up-to-date plan and the necessity for all elements of the Melton Mowbray Distributor Road (MMDR) North, East and South to support this.

The report also set out the detail of this Council's existing commitment to Leicestershire County Council (LCC) in respect of the MMDR South (and other infrastructure in Melton) and its importance to the relevance of the Melton Local Plan.

The Leader of the Council started by thanking the Officers and County Hall for all the hard work that has been done to progress this issue and hopes as a result the outturn is good and can be built upon. Good progress was made in 2021 which led to an agreement with Homes England and LCC for the housing infrastructure. Inflation has though now created a significant funding gap for LCC. Melton Borough Council has always been committed to supporting LCC deliver the MMDR and the new Cabinet remains fully committed to continuing this.

In moving the recommendation, the Leader made a number of additional points:

- 1) In their June letter, LCC originally requested this matter be considered by Council, but given no change in our contractual position is proposed and therefore no Council resolution required, the Council confirmed to them that it was more appropriate that Cabinet consider and respond to the matters raised, which the Leader confirmed he was happy that the Cabinet did now.
- 2) Whilst the Council is happy to be as flexible as we can and look at any

options which help deliver the road, it is worth emphasising that anything MBC does in planning terms will always have to remain within the boundaries of what is possible within the relevant legislation.

- 3) On funding bids, the Council will always be happy to work with and support LCC on bids which secure additional investment into Melton, but clearly this doesn't preclude or prevent MBC from pursuing other funding bids, for any other priorities we may have, which would remain entirely a matter for ourselves.
- 4) In relation to 6.3, 2(d), it is worth highlighting that MBC recognise LCC, as the Local Education Authority, has the responsibility to provide the correct mix and number of school places to satisfy current and future education needs of a growing population. LCC are of course entitled to consider how best to meet this statutory requirement in terms of sites and locations of any schools, and MBC will always seek to support LCC as it considers its educational delivery plans, provided existing planning obligations are not prejudiced by any new arrangements.

The meeting went into exempt session at 4:50pm to enable the details with the exempt appendix to be considered and discussed.

After a private discussion the meeting resumed at 5:30pm.

Cabinet:

- 1) **CONFIRMED** Melton Borough Council remains fully committed to:
  - (i) Supporting the delivery of the Melton Mowbray Distributor Road South (MMDRS) scheme;
  - (ii) Honouring its obligations under the Staged Payment Agreement (SPA) with Leicestershire County Council dated November 2021; and
  - (iii) Discharging any other obligations arising from documents approved by Cabinet at its Meetings in September, October and December 2021.
- 2) **CONFIRMED** it remains committed to securing the delivery of the MMDRS in partnership with LCC. To that end, Cabinet:
  - (i) Noted the progress made in collaboration with LCC following receipt of their letter at Appendix A.
  - (ii) Confirmed it will explore the options and opportunities to further boost the delivery of housing and associated contributions towards the provision of road infrastructure in the short and medium term, and endorses the approach set out in paragraph 6.3 below; and,
  - (iii) Confirmed it will explore the potential to secure 3rd party funding for the road should the opportunity arise.



*Reasons for Recommendations:*

*The MMDR schemes are essential to the delivery of the Melton Local Plan, and to the success of the town as set out in the Corporate Strategy and its Priorities. Without the Local Plan the borough would be subject to unplanned speculative development which would undermine local communities' confidence in the planning system and be likely to undermine the Council's strategy for sustainable development.*

*Following the May 2023 Local Elections, and recent correspondence with Leicestershire County Council (see appendix A), the Council's new administration wishes to publicly reaffirm the Council's commitment to the terms of the agreements entered into with Leicestershire County Council (LCC) in 2021.*

*The Council also wishes to set out the basis upon which it will continue to support LCC in delivering the MMDRS, bearing in mind constraints imposed by the legal system within which it must operate.*

The meeting closed at: 5.32 pm

Chair

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## MEMBER INTERESTS

### Do I have an interest?

#### 1 DISCLOSABLE PECUNIARY INTERESTS (DPIs)

A “Disclosable Pecuniary Interest” is any interest described as such in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 and includes an interest of yourself, or of your Spouse/Partner (if you are aware of your Partner's interest) that falls within the following categories: Employment, Trade, Profession, Sponsorship, Contracts, Land/Property, Licences, Tenancies and Securities.

A Disclosable Pecuniary Interest is a Registerable Interest. Failure to register a DPI is a criminal offence so register entries should be kept up-to-date.

#### 2 OTHER REGISTERABLE INTERESTS (ORIs)

An “Other Registerable Interest” is a personal interest in any business of your authority which relates to or is likely to affect:

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority; or
- b) any body
  - (i) exercising functions of a public nature
  - (ii) any body directed to charitable purposes or
  - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

#### 3 NON-REGISTRABLE INTERESTS (NRIs)

“Non-Registrable Interests” are those that you are not required to register but need to be disclosed when a matter arises at a meeting which directly relates to your financial interest or wellbeing or a financial interest or wellbeing of a relative or close associate that is not a DPI.

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**In each case above, you should make your declaration at the beginning of the meeting or as soon as you become aware. In any other circumstances, where Members require further advice they should contact the Monitoring Officer or Deputy Monitoring Officer in advance of the meeting.**

# Declarations and Participation in Meetings

## 1 DISCLOSABLE PECUNIARY INTERESTS (DPIs)

- 1.1 Where a matter arises at a meeting which **directly relates** to one of your Disclosable Pecuniary Interests which include both the interests of yourself and your partner then:
- a) you must disclose the interest;
  - b) not participate in any discussion or vote on the matter; and
  - c) must not remain in the room unless you have been granted a Dispensation.

## 2 OTHER REGISTERABLE INTERESTS (ORIs)

- 2.1 Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests i.e. relating to a body you may be involved in:
- a) you must disclose the interest
  - b) may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter; and
  - c) must not remain in the room unless you have been granted a Dispensation.

## 3 NON-REGISTRABLE INTERESTS (NRIs)

- 3.1 Where a matter arises at a meeting, which is not registrable but may become relevant when a particular item arises i.e. interests which relate to you and /or other people you are connected with (e.g. friends, relative or close associates) then:
- a) you must disclose the interest;
  - b) may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter; and
  - c) must not remain in the room unless you have been granted a Dispensation.

## 4 BIAS

- 4.1 Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias. If you have been involved in an issue in such a manner or to such an extent that the public are likely to perceive you to be biased in your judgement of the public interest (bias):
- a) you should not take part in the decision-making process
  - b) you should state that your position in this matter prohibits you from taking part
  - c) you should leave the room.

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**In each case above, you should make your declaration at the beginning of the meeting or as soon as you become aware. In any other circumstances, where Members require further advice they should contact the Monitoring Officer or Deputy Monitoring Officer in advance of the meeting.**



To: Cabinet  
Date: 11 October 2023  
Report/Comments of: Scrutiny Committee  
Title: Scrutiny Feedback to Cabinet – Preparing for Regulatory Change (Housing)

<b>SUMMARY OF REPORT CONSIDERED</b>	
<b>Report Title:</b>	Preparing for Regulatory Change (Housing)
<b>Purpose/Description of Report:</b>	The report provides information about the work being undertaken to prepare Melton Borough Council for the introduction of the new regulatory arrangements.
<b>Key Decision:</b>	No
<b>Scrutiny Lead Member:</b>	Cllr M Brown, Scrutiny Committee Chairman
<b>Relevant Portfolio Holder:</b>	Cllr P Allnatt, Portfolio Holder for Housing and Landlord Services

## 1. Introduction and Overview

The Scrutiny Committee met on 21 September 2023 to consider a report on preparing for regulatory change (housing).

The Housing White Paper published in November 2017 suggested wide ranging changes to the way Social Housing is regulated, including moving from a reactive to a proactive regulatory approach. Work to develop and implement a new regulatory regime has taken place since, leading to the Social Housing (Regulation) Act 2023 receiving royal assent in July 2023.

The new regulation regime will apply to all social housing landlords with more than 1000 properties and will be enforced by the Regulator for Social Housing (RSH). With a stock of approximately 1800 homes, this applies to Melton Borough Council. This report provides information about the work being undertaken to prepare Melton Borough Council for the introduction of these new arrangements.

## **2. Summary of Feedback/Recommendations for Cabinet Consideration**

- The comment was made that rent arrears remains high, however Members were assured that steps are being taken, with further action proposed to ensure a significant and sustainable improvement.
- A concern was raised regarding the ability of the Council to evict tenants who damage property but are covered by statutory obligations to house them. The Committee were assured that Officers have sufficient tools to resolve these problems, but that eviction can take place, although in certain circumstance it would not be an easy process.
- Concerns were raised in the respect that 48 hours' notice for an inspection of regulatory compliance does seem like short notice and wasn't reasonable. Officers advised that considered the notice to be reasonable and would provide a realistic insight for and ability for the Regulator to check the council's landlord service at any given time.
- Members expect that the budgets are spent and were pleased to hear that budgetary spend is on target.
- Members committed to reviewing progress on preparing for regulatory change at their meeting in April 2024, and that this meeting would be hosted in a community location, and managed in a way that enables scrutiny committee members to hear directly from tenants.

**Written by: Scrutiny Committee Chairman in consultation with Members of the Scrutiny Committee**

To: Cabinet

Date: 11 October 2023

Report/Comments of: Scrutiny Committee

Title: Scrutiny Feedback to Cabinet – Cattle Market Leases

<b>SUMMARY OF REPORT CONSIDERED</b>	
<b>Report Title:</b>	Cattle Market Leases
<b>Purpose/Description of Report:</b>	<p>The report outlined the following details:</p> <ul style="list-style-type: none"> <li>• Details of current occupiers of the site.</li> <li>• How much rent is paid by each tenant.</li> <li>• What percentage of rent is paid as income to MBC.</li> <li>• The method for determining the rental values including when they were last valued and by whom.</li> </ul>
<b>Key Decision:</b>	No
<b>Scrutiny Lead Member:</b>	Cllr M Brown, Scrutiny Committee Chairman
<b>Relevant Portfolio Holder:</b>	Cllr S Cox, Portfolio Holder for Corporate Finance, Property and Resources

## 1. Introduction and Overview

The Scrutiny Committee met on 21 September 2023 to consider a report on the Cattle Market Leases.

The report was requested by the Scrutiny Committee and provided Members with details as outlined in the summary above. The report provided an overview of the operation and management of the site.

Members discussed the report in public session before a discussion took place in private session. For clarity, the comments below can be considered by the Cabinet in public session.

## **2. Summary of Feedback/Recommendations for Cabinet Consideration**

- Members noted that the term tenant is used in the report for referring to both tenants and sub-tenants which caused confusion.
- Members asked that the Council should independently review and assess the outcome of rents review undertaken by the tenant to mitigate against the conflict of interest arising from this work.
- Concern was expressed there was a lack of enforcement on the Northern Car Park accessed from Scalford Road (Area C) and the Committee commented that they would like this increased in order to maximise income off the site.
- The Scrutiny Committee recommends that Cabinet considers all options for maximising car parking income from the Cattle Market site including the site allocated for future development. The reasoning for this is that concern was expressed that the income potential for the Council was not being maximised and that there is the potential for a lack of consistency in charging arrangements between this area and Council car parks. A suggestion for maximising income was that access to the site is restricted and vehicles are then redirected to alternative car parks.
- Members were keen to see learning from the current lease arrangements embedded into any future lease arrangements and procurement of operation/management partner.

**Written by: Scrutiny Committee Chairman in consultation with Members of the Scrutiny Committee**