



Rural Capital of Food

Agenda

Meeting name	Meeting of the Full Council
Date	Wednesday, 11 October 2017
Start time	6.30 pm
Venue	Parkside, Station Approach, Burton Street, Melton Mowbray LE13 1GH
Other information	This meeting is open to the public

Members of the Full Council are summoned to the above meeting to consider the following items of business.

Edd de Coverly
Chief Executive

Membership

Councillors	P. Baguley	T. Bains (Chair)
	P. Chandler (Vice-Chair)	T. Beaken
	M. Blase	G. Botterill
	R. de Burle	P. Cumbers
	J. Douglas	P. Faulkner
	A. Freer-Jones	M. Glancy
	M. Graham	T. Greenow
	L. Higgins	E. Holmes
	J. Hurrell	E. Hutchison
	J. Illingworth	S. Lumley
	J. Orson	A. Pearson
	P. Posnett	B. Rhodes
	M. Sheldon	J. Simpson
	D. Wright	J. Wyatt

Quorum: 14 Councillors

Meeting enquiries	Lena Shuttlewood
Email	lshuttlewood@melton.gov.uk
Agenda despatched	Tuesday, 3 October 2017

No.	Item	Page No.
1.	APOLOGIES FOR ABSENCE	
2.	MINUTES To confirm the minutes of (a) the Extraordinary Meeting held on 4 July 2017; and (b) the Ordinary Meeting held on 19 July 2017	1 - 30
3.	DECLARATIONS OF INTEREST Members to declare any interest as appropriate in respect of items to be considered at this meeting.	31 - 32
4.	MAYOR'S ANNOUNCEMENTS The Mayor (a) to make his announcements, including a presentation to the outgoing Mayor's Cadet and appointment of the new Mayor's Cadet; and (b) to request that the Council considers moving the date of its December meeting to Tuesday 12 December having regard to the special service taking place at St Mary's Parish Church on Wednesday evening 13 December to mark the re-opening of the church.	
5.	LEADER'S ANNOUNCEMENTS	
6.	PUBLIC QUESTION TIME <i>The Leader and Chairs of Policy Committees to answer any questions from the public of which notice has been given in accordance with Council Procedure Rule 9 of the Constitution.</i> <i>No questions were received by the deadline.</i>	
7.	PETITIONS In accordance with Procedure Rule 24.1, the Chief Executive shall report the receipt of a petition to the next meeting of the Council where there shall be no debate or comment thereon. There are no petitions received.	
8.	RECOMMENDATIONS AND REPORTS FROM COMMITTEES	
	a) CONSTITUTION UPDATE 2017/2018	33 - 42

	<p><u>Governance Committee: 19 September 2017 – Minute 26 Constitution Update</u></p> <p>RECOMMENDED:</p> <p>(1) To approve the consequential changes to the Constitution listed at Appendix A which are as a result of the recent Senior Management Restructure;</p> <p>(2) Recommendations from the Rural, Economic and Environmental Affairs Committee held on 7 June 2017 :-</p> <p>(a) the Constitution set the name of this Committee as Melton Economic and Environmental Affairs Committee;</p> <p>(b) To consider amending that the Terms of Reference of the policy committees as follows:-</p> <p><u>Policy, Finance and Administration Committee have included new delegations as follows:-</u></p> <p>To deal with all responsibilities within the remit of this Committee in accordance with the best interests of all local communities, including rural.</p> <p><u>Community and Social Affairs Committee and those of this Committee as retitled be amended as follows: -</u></p> <p>To deal with all responsibilities within the remit of this Committee in accordance with the best interests of all local communities, including rural.</p> <p>(3) Subject to approval at the Community and Social Affairs Committee to be held on 13 September 2017 the following new Officer delegation be approved to the Head of Communities and Neighbourhoods :-</p> <p>In consultation with the Corporate Director to re-set the Housing Revenue Account existing fees and charges.</p> <p><i>A copy of the original report to the Governance Committee is recirculated with this agenda. Appendices A1 and A2 are available here.</i></p>	
	<p>b) SUBSISTENCE ARRANGEMENTS</p> <p><u>Governance Committee: 19 September 2017 – Minute G27 Subsistence Arrangements</u></p> <p>RECOMMENDED: That Full Council be asked to consider a trial for 6 months being implemented on an enhanced offer of non perishable snacks including healthy choices catering for a variety of dietary needs to be provided before all Full Council and committee meetings, extraordinary council, ad hoc</p>	43 - 60

	<p>meetings, task groups and working groups.</p> <p><i>A copy of the original report to the Governance Committee is recirculated with this agenda.</i></p>																													
	<p>c) DISCIPLINARY AND DISMISSAL PROCEDURES FOR STATUTORY OFFICERS.</p> <p><u>Policy, Finance & Administration Committee – 26 September 2017: Minute P.26 Disciplinary and Dismissal Procedures for Statutory Officers</u></p> <p>3) To recommend to Full Council that the Policy, Finance and Administration Committee be appointed as an Investigating and Disciplinary Committee which is politically balanced with no less than 5 Members which is set out in appendix C. Appendix C to be amended to include the Section 151(Chief Finance Officer) and the Monitoring Officer.</p> <p><i>A copy of the original report (and Appendix C) to the Policy, Finance & Administration Committee is recirculated with this agenda.</i></p>	61 - 68																												
9.	<p>QUESTIONS FROM MEMBERS</p> <p>(a) The Chairmen of Committees to answer any questions upon items of reports of Committees when those items are being received or under consideration by the Council in accordance with Council Procedure Rule 10.1 of the Constitution :-</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 70%;">Planning Committee</td> <td style="text-align: right;">6 July 2017</td> </tr> <tr> <td>Ad hoc Community & Social Affairs Committee</td> <td style="text-align: right;">12 July 2017</td> </tr> <tr> <td>Ad hoc Rural, Economic & Environmental Affairs Committee</td> <td style="text-align: right;">12 July 2017</td> </tr> <tr> <td>Town Area Committee</td> <td style="text-align: right;">24 July 2017</td> </tr> <tr> <td>Planning Committee</td> <td style="text-align: right;">27 July 2017</td> </tr> <tr> <td>Planning Committee</td> <td style="text-align: right;">17 August 2017</td> </tr> <tr> <td>Town Area Committee</td> <td style="text-align: right;">21 August 2017</td> </tr> <tr> <td>Rural, Economic & Environmental Affairs Committee</td> <td style="text-align: right;">30 August 2017</td> </tr> <tr> <td>Planning Committee</td> <td style="text-align: right;">7 September 2017</td> </tr> <tr> <td>Community & Social Affairs Committee</td> <td style="text-align: right;">13 September 2017</td> </tr> <tr> <td>Town Area Committee</td> <td style="text-align: right;">18 September 2017</td> </tr> <tr> <td>Governance Committee</td> <td style="text-align: right;">19 September 2017</td> </tr> <tr> <td>Ad hoc Rural, Economic & Environmental Affairs Committee</td> <td style="text-align: right;">25 September 2017</td> </tr> <tr> <td>Policy, Finance & Administration Committee</td> <td style="text-align: right;">26 September 2017</td> </tr> </table>	Planning Committee	6 July 2017	Ad hoc Community & Social Affairs Committee	12 July 2017	Ad hoc Rural, Economic & Environmental Affairs Committee	12 July 2017	Town Area Committee	24 July 2017	Planning Committee	27 July 2017	Planning Committee	17 August 2017	Town Area Committee	21 August 2017	Rural, Economic & Environmental Affairs Committee	30 August 2017	Planning Committee	7 September 2017	Community & Social Affairs Committee	13 September 2017	Town Area Committee	18 September 2017	Governance Committee	19 September 2017	Ad hoc Rural, Economic & Environmental Affairs Committee	25 September 2017	Policy, Finance & Administration Committee	26 September 2017	69 - 160
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	<p>(b) In accordance with Procedure Rules 10.3 and 10.5, a Member may ask the Mayor, Leader or the Chairman of any committee or sub-committee, a question on any matter in relation to which the Council has powers or duties or which affects the Melton Borough.</p> <p>No questions were received by the deadline.</p>	
10.	<p>MOTIONS ON NOTICE <i>There were no Motions received in accordance with Procedure Rule 11.1</i></p>	
11.	<p>PARTICIPATION IN THE LIGHT BULB PROJECT The Head of Strategic Planning & Regulatory Services to submit a report seeking approval for the details of the Council's involvement in the 'Lightbulb' project.</p>	161 - 168
12.	<p>COMMITTEE AND OTHER TASK/WORKING GROUP MEMBERSHIP CHANGES (1) The Chief Executive to report at the Annual Meeting held on 16 May 2017</p> <p>(a) Councillor Rhodes had been appointed to the Governance Committee. At the request of the Leader, Councillor Rhodes to be replaced by Councillor Glancy on this Committee;</p> <p>(b) Councillor Wright had been appointed to the Licensing & Regulatory Committee. At the request of the Leader, Councillor Wright to be replaced by Councillor Faulkner on this Committee;</p> <p>(c) Councillor Rhodes had been appointed to the Melton Local Plan Working Group. At the request of the Leader, Councillor Rhodes to be replaced by Councillor Wyatt on the Working Group.</p> <p>(d) Councillor Orson had been appointed as the Lead Member for Performance Management and his membership of the Performance Management Task Group was essential to that role. To request that</p> <p style="padding-left: 40px;">(i) Councillor Orson be appointed to the Performance Management Task Group</p> <p style="padding-left: 40px;">(ii) the Terms of Reference of the Performance Management Task Group be amended to include the following :-</p> <p style="padding-left: 40px;">'The Lead Member for Performance Management be included in the membership of the Performance Management Task Group'</p> <p>(2) The Council is asked to approve these changes.</p>	



EXTRAORDINARY MEETING OF THE COUNCIL
OF THE BOROUGH OF MELTON

PARKSIDE, STATION APPROACH , MELTON MOWBRAY

4 JULY 2017

PRESENT

Councillor T.S. Bains (Mayor)
P. Baguley, T. Beaken, P.M. Chandler,
P. Cumbers, R. De Burle, J. M. Douglas,
P. Faulkner, A. Freer-Jones, M. Glancy, M.C.R. Graham MBE,
T. Greenow, L. Higgins, E. Hutchison, J. Illingworth,
S. Lumley, A. Pearson, P.M. Posnett MBE,
D.R. Wright, J. Wyatt

Chief Executive
Head of Communications & Monitoring Officer,
Head of Regulatory Services, Planning Policy Officer,
GIS Technician, Democracy & Involvement Officer

CO19. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Blase, Botterill, Holmes, Orson, Rhodes, Sheldon, and Simpson . Councillor Hurrell was not present. The Mayor advised that Councillor Greenow had given apologies for late attendance.

CO20. DECLARATIONS OF INTEREST

Councillor Graham declared a pecuniary interest by virtue of being a representative on the Sir John Sedley Educational Trust and left the meeting before the discussion on the Melton Local Plan commenced.

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

CO21. DRAFT MELTON LOCAL PLAN: PROGRESS AND ISSUES OVERVIEW – NEXT STEPS

The Chair of the Melton Local Plan Working Group, Councillor Chandler presented the report before Members which had been prepared by the Head of Regulatory Services to update the Council on the progress and issues around the Local Plan

preparation and to seek agreement for the next steps. Councillor Chandler made the following points:

- the report represented an aide memoir to the journey travelled and brought Members up to date with activity up until now. A huge amount of work had been completed to keep up with the changes and all the representations. The task for this meeting was how to take all of this forward to produce a better and more up to date Plan;
- the report explored different approaches that could be taken but was strongly influenced by the need to get a Plan in place as soon as possible but without taking excessive risk; it was not however a risk free exercise;
- an approach of 'focussed changes', alongside much more modifications was proposed. The report speculated what these may be based upon the remainder of the agenda and calculated what a revised timetable might look like, leading to submission in the Autumn;
- this was dependent on the content of the changes arising from debate at this meeting. Members were reminded that 'focussed changes' could only go so far: any fundamental changes to the Plan would not be the appropriate approach.

Without prejudice to all the difficult issues that needed to be considered at this meeting, Councillor Chandler moved the recommendations (i) to (vii) contained in the report. Councillor Illingworth, as Chair of the Planning Committee, seconded the motion, reserving the right to speak later in the debate should he so wish.

The Deputy Leader, Councillor Higgins:

- indicated his support for the motion. He thanked the members of the Local Plan Working Group, Officers, and the public and other stakeholders for submitting representations;
- highlighted the importance of progressing the Draft Local Plan without which there was no defence against large scale development in the Borough and the Council had to be guided by the national planning policy framework which presumed in favour of development;
- referred to the opportunity for communities to gain funding from development and potential for economic growth but without the Local Plan this would be in doubt;
- conveyed the support of Councillor Blase for the recommendations although he was unable to attend the meeting.

The Mayor called for a vote on the motion which was subsequently carried unanimously.

RESOLVED: That

(1) the progress and issues pertaining around local plan preparation since the Pre Submission Draft Melton Local Plan was published be noted;

(2) the Addendum to the Community Consultation and Engagement Statement in Appendix 1 of this report be agreed;

- (3) the new information that is being taken into account in finalising the draft Local Plan for submission to the Planning Inspectorate for Examination be noted;
- (4) the steps that need to be taken up to and including submission of the draft Local Plan for Examination be agreed;
- (5) a Draft Melton Local Plan Addendum of 'Focused Changes' be prepared and subject to 6 weeks of public and other consultations, in accordance with Regulation 19 of the Town and Country Planning (Local Planning)(England) Regulations 2012;
- (6) the broad scope of the proposed Addendum of Focused Changes referred to in recommendation (iv) above subject to consideration of the issues described be noted; and
- (7) the implications on the timetable to adoption of the additional step outlined in recommendation (iv) above be noted.

[Councillor Greenow entered the meeting during the following item.]

CO22. DRAFT MELTON LOCAL PLAN: HOUSING REQUIREMENTS

The Chairman of the Melton Local Plan Working Group, Councillor Chandler presented the report prepared by the Head of Regulatory Services which addressed the implications of two recent reports affecting the housing requirement figure set out in the draft Local Plan and invited consideration of the appropriate housing requirement. Councillor Chandler stated:

- that the report concerned the latest evidence on housing need and considered its implications alongside the many representations received on this matter;
- housing requirements were a keystone of the Local Plan on which much else depended and was affected by. The HEDNA and related 'towards a housing target' report was new evidence based on the most up to date statistics. They represented a range of housing needs from 170 per year through to 280 and several levels in between;
- the report explored the pros and cons of the various levels in terms of what the Plan was seeking to achieve, and there were inevitably pros and cons with each approach; some objectives were served better from a smaller quantity, some required larger;
- when taken as a whole, it seemed clear that a figure of 245 was the best balance. It went a long way towards fulfilling the Council's ambitions for growth, including the ring road for Melton, providing a sustainable workforce to sustain businesses and allow them to grow whilst still providing a reasonable level of affordable housing;
- HEDNA did not provide evidence solely about Melton, it related to the whole of the housing market area and had forewarned of difficult issues to come in terms of the demands emerging outside of this Borough and the prospect of 'unmet need' arising elsewhere. The Council was committed to addressing this with its neighbours and was invited to join the Memorandum of Understanding (MOU) recommended in the report;

- that it was therefore recommended that the Council publish this information for consultation purposes and also sign the MOU. However for the Plan going forward, the most important recommendation was that the Plan be based on a figure of 245 having regard to the contribution that level will make to the fulfilment of the Plan's aims and objectives.

Accordingly, Councillor Chandler moved the recommendations numbered (i) to (v) in the report. Councillor Illingworth, as Chair of the Planning Committee, seconded the motion, reserving the right to speak later in the debate should he so wish.

A discussion ensued during which points were made on:

- the Borough had the highest economic growth rate in the East Midlands and therefore it needed more housing to support this growth;
- meeting the housing needs of the Borough was key to boosting the economy, as was helping people to lead more prosperous lives, and supporting the development of the road infrastructure;
- the need for starter homes which would help residents invest in their local communities;
- a mix of housing types was needed to accommodate all ages and to help people, live, stay and work in the Borough;
- concern regarding the use of the Council owned garage sites for development. The Chief Executive replied that the Council was dealing today with the overarching policies and the direction of travel. As landowner, the Council would be mindful of the overarching policies when considering any such sites for development in an appropriate way having regard to the need for localised parking as well as the need for homes.

The Mayor called for a vote on the motion which was subsequently carried unanimously.

RESOLVED: That

(1) the following evidence documents as evidence to inform the production of the Local Plan be accepted and that they are published alongside a proposed 'Addendum of Focussed Changes':

- *Leicestershire and Leicester Housing and Economic Development Needs Assessment* (January 2017)
- *Towards a Housing Requirement for Melton Borough* (GL Hearn, Jan 2017) and its associated Addendum (GL Hearn, June 2017)
- *SA Addendum* (LUC, February 2017)

(2) the contents of this report be noted and the conclusions set out agreed;

(3) the housing requirement within the Local Plan of 245d.p.a. remains unchanged from the Pre Submission Draft Plan;

(4) the preparation of revised 'reasoned justification' for inclusion in a proposed Addendum of Focussed Changes be authorised; and

(5) the Joint Statement of Co-operation Relating to Objectively Assessed Needs for Housing (Appendix 4 of the report) be agreed for adoption.

CO23. DRAFT MELTON LOCAL PLAN: SPATIAL STRATEGY (CHAPTER 4 OF THE PRE-SUBMISSION LOCAL PLAN WITH THE EXCEPTION OF POLICIES SS4 AND SS5 (SUSTAINABLE NEIGHBOURHOODS))

The Chairman of the Melton Local Plan Working Group, Councillor Chandler presented the report of the Head of Regulatory Services which highlighted the issues raised in the representations received to Chapter 4 Policies SS1 – SS3 and SS6, *and recommended the suggested responses to the representations resulting in proposed changes to draft Policy SS2 and SS3 and the supporting reasoned justifications.*

Councillor Chandler advised the Council

- That as a consequence of this exercise, sites had come forward in locations where previously none were proposed, and in some locations sites were calculated to be able to accommodate a different number. This in turn enabled the Council to step away from the redistribution exercise that had been a feature of the previous version of the Plan and was widely criticised. Instead, between them all of the sites in both Service Centres and Rural Hubs meet the necessary quantity without having to transfer the burden elsewhere, and it was therefore proposed to delete the complete tables explaining the reallocation process;
- The report also addressed the Sustainable Neighbourhoods north and south of Melton. To the north, various amendments were proposed to the Policy to offer greater protection to Melton Country Park, to place the references to the Greenway in a different section of the Plan and to reduce affordable housing to 15%;
- In respect of the South Sustainable Neighbourhood, there was a particular issue regarding the alignment of the south boundary. It was depicted as a jagged line following various hedgerows in the Plan to date, but if it was realistically to become a significant road forming the edge of the town, it needed smoothing out. The process for doing so moved closer to the St Lazarus scheduled monument near Burton Lazars and this has attracted objection from Historic England who were concerned about harm to its setting. However there was a contrary view and a study had been carried out that reached an opposite conclusion; on this basis it was considered that a new line, a little further south, could be accepted. This would coincide with the current planning application which had a strong prospect of determination in advance of the Local Plan being adopted and would resolve the issue.

Councillor Chandler moved the recommendations numbered (i) to (vi) in the report. Councillor Illingworth, as Chair of the Planning Committee, seconded the motion, reserving the right to speak later in the debate should he so wish.

Discussion opened with the Deputy Leader thanking the Local Plan Working Group for listening to concerns previously raised regarding Policy SS3 as this would now allow Ward Councillors to drive through what was needed at the Planning Committee and empower that Committee to make a decision on a local basis. Another Member also stated she was pleased to see that Policy SS3 was not as restrictive and more tuned to local needs, commenting that any development must

contribute to the sustainability of the community and be in keeping with the settlement.

A Member pointed out an inconsistency in the wording of the first and second bullet points of the second part of the recommendation pertaining to the percentage figures of housing need.

The mover of the motion and seconder accepted the amendment. Councillor Illingworth spoke about the frustration of the national planning policy framework overriding local concerns. As Members, Councillors were there to listen to and understand local views. When the Local Plan was in place, these local views could be given real weight and the Committee could make decisions for the benefit of the people they were there to represent. He concluded by urging Members to support the recommendations before the Council.

A vote was then taken on the motion, subject to the amended wording on the second bullet point of recommendation (ii), and this was carried unanimously.

RESOLVED: That

(1) the responses to representations outlined in Appendix 1 be agreed;

(2) the amendments to Policy SS2 and its 'reasoned justification' as a 'Focussed Change' for consultation (full details are contained within Item 3I of this agenda) be agreed as follows:

- insert 'approximately' into Policy SS2 , i.e. :
"Melton Mowbray Main Urban Area is the priority location for growth and will accommodate approximately 65% of the Borough's housing need. The role and sustainability of Melton Mowbray will be significantly enhanced through the delivery of at least 3,980 homes....."
- the first sentence of the fourth paragraph of Policy SS2 be reworded to read –
"Service Centres and Rural Hubs will accommodate approximately 35% (1822) of the Borough's housing need"
- amend the content of Policy SS2 and the associated reasoned justification (para 4.2 to 4.22 including the tables) to reflect the revised site capacities;

(3) a focussed change for consultation comprising of a revised approach to the content of Policy SS3, 'Unallocated Sites' (full details are contained within Item 3I of this agenda) be agreed;

(4) a modification to paragraph 4.7.4 of the Draft Plan to include reference to Dalby Airfield be agreed;

(5) modifications to update paragraphs 4.7.6 and 4.7.7 of the Draft Plan to reflect the updated evidence (HEDNA and the Strategic Growth Plan) be agreed;

(6) paragraph 4.7.8 relating to Policy SS6 be amended to clarify that the plan review referred to would be *"commenced within 12 months of any adoption by the Council of the Strategic Growth Plan"*.

CO24. DRAFT MELTON LOCAL PLAN: POLICY C4 – CHAPTER 5, POLICY C4: AFFORDABLE HOUSING

The Chairman of the Melton Local Plan Working Group, Councillor Chandler presented the report prepared by the Head of Regulatory Services which outlined the new evidence available about the amount of new affordable housing needed and the amount of such housing that can be viably sought as part of new housing developments. The report went on to summarise the key matters raised in the representations received to draft Policy C4: Affordable Housing Provision of the Pre Submission Draft Melton Local Plan, and to suggest responses to the representations in the light of the new evidence. The final section of the report set out the resulting proposed change to draft Policy C4 and its supporting reasoned justification.

In commenting on the report, Councillor Chandler

- drew Members' attention to the new policy proposed (full details of which were contained under the later report on Focussed Changes) that would be put out to consultation;
- stated that there were a host of details associated with affordable housing and a changing landscape driven by Government policy and various initiatives, all of which changed over time. It was therefore proposed that the Council commits to a Supplementary Planning Document to back up the policy in which these were set out. This was because this was a more flexible tool to produce planning policy at a detailed level and would enable the Council to respond more quickly to changing circumstances.

Councillor Chandler then moved the recommendations contained in the report numbered (i) to (iv). Councillor Illingworth seconded the motion, reserving his right to speak later in the debate should he so wish.

A Member referred to para 3.6.1, subsection (vi) in the report which listed the Value Area 2 (north of the Borough) as 32.4% and queried whether this could be rounded down to 32%. The Head of Regulatory Services agreed to this amendment.

The Deputy Leader raised a number of points on the issue of affordable housing, stating:

- that the subject could be misinterpreted;
- the housing market was not working in favour of people in this area;
- starter home schemes represented a form of empowerment for individuals as it allowed the transfer of wealth from the developer;
- he had been asked to make comments on behalf of Councillor Simpson who was unable to attend the meeting: starter homes were popular in the wards of both Somerby and Gaddesby. These wards were in Value Area 1 and accordingly excluded some people from being able to afford properties. Both he and Councillor Simpson would work with officers to develop the Supplementary Planning Document to support starter homes in their respective wards.

The Mayor then called for the vote on the motion as presented, which resulted in the motion being carried unanimously.

RESOLVED: That

(1) the new evidence relating to affordable housing contained in the Housing and Economic Development Needs Assessment (January 2017) (HEDNA) and the Revised Melton Local Plan and CIL Viability Report be noted;

(2) the relationship between the provision of affordable housing and the amount of CIL that could be collected from new housing developments be noted;

(3) the detailed responses to representations, taking account of this new evidence (Appendix 1 of the report) be agreed;

(4) the proposed change to Section 5.8 of the draft Local Plan, including Policy C4, as set out in the Focused Changes Appendices (contained in agenda Item 31 - minute CO29 refers), be agreed as part of a consultation on an Addendum of Focussed Changes to the Draft Melton Local Plan (para 3.7.6 of the report refers).

CO25. DRAFT MELTON LOCAL PLAN: HOUSING SITE ALLOCATIONS AND RESERVE SITES (POLICIES C1(A) AND C1(B) OF CHAPTER 5) AND POLICIES SS5 AND SS6 OF CHAPTER 4 (SUSTAINABLE NEIGHBOURHOODS) OF THE PRE SUBMISSION LOCAL PLAN

The Chairman of the Melton Local Plan Working Group, Councillor Chandler presented the report prepared by the Head of Regulatory Services the purpose of which was to highlight the issues raised in the representations received to Chapter 5 Policies C1(A) and C1B and Policies SS5 and SS6 of Chapter 4, and to recommend responses to the representations. The report also included the update to the site assessment work and the proposed amendments as a result.

In presenting the report, Councillor Chandler advised:

- site allocations were perhaps the highest profile part of the Plan in terms of public interest and had attracted a large quantity of representation. The report before Members addressed sites of all sizes, from sustainable neighbourhoods in Melton, the smaller sites in and around Melton, and all of the housing sites in villages;
- the report contained a 'root and branch' review of all of the sites in the previous Plan, taking into account the representations received and also newer sites that had been submitted since last November's consultation. The update took into account the latest information relating site constraints such as flooding, recently granted planning permissions and calculations relating to their capacity;
- the Council was being asked to present a revised set of site selections following this process. The significance could not be under estimated – fairly few sites remained unchanged, several had modest changes to their exact boundaries or a revised estimated capacity but there were examples of sites

- being removed altogether and others taking their place. This was all set out in the appendices, appendix 4 in particular set out the changes in map form;
- that there would be ‘winners’ and ‘losers’ and all changes would need to be presented for consultation as a ‘focused change’;
 - as a consequence of this exercise, sites had come forward in locations where previously none were proposed, and in some locations sites were calculated to be able to accommodate a different number. This in turn enabled stepping away from the redistribution exercise that was a feature of the previous version of the Plan that had been widely criticised. Instead, between them, all of the sites in both Service centres and Rural Hubs met the necessary quantity without having to transfer the burden elsewhere, and it was proposed therefore to delete the complex tables explaining the reallocation process;
 - the report also addressed the Sustainable Neighbourhoods north and south of Melton. To the north, various amendments were proposed to the Policy to offer greater protection to Melton Country Park to place the references to the Greenway in a different section of the Plan and to reduce affordable housing to 15%;
 - in respect of the South Sustainable Neighbourhood, there was a particular issue regarding the alignment of the South boundary. It was depicted as a jagged line following various hedgerows in the Plan to date, but if it was realistically to become a significant road forming the edge of the town, it needed smoothing out. The process for doing so moves closer to the St Lazarus scheduled monument near Burton Lazars and this had attracted objection from Heritage England who were concerned about harm to its setting. However, there was a contrary view and a study had been carried out that reached an opposite conclusion and on this basis it was considered that a new line, a little further south, could be accepted. This would coincide with the current planning application, which had a strong prospect of determination in advance of the Local Plan being adopted and would resolve the issue;
 - all of these changes and the evidence they were based upon were significant amendments to the Plan and needed to be treated as ‘focussed changes’ going forward which would be publicised through the consultation period.

Councillor Chandler proposed the recommendations numbered (i) to (v) in the report. The motion was seconded by Councillor Illingworth.

Councillor Baguley moved an amendment to part (ii) of the motion to delete the site reference LONG4, Sand Pit Lane, Long Clawson. In support of the amendment, she stated that the view of Heritage England was that building on that site would be harmful to the 3 designated heritage assets; Manor Farm House which was one of the few Grade 2 listed buildings in the Borough, the church which was also Grade 2 listed, and the scheduled ancient monument which was near to the site. The amendment was seconded by Councillor Cumbers.

The Mayor invited the Head of Regulatory Services to respond. The officer began by explaining that he would first comment on the background rather than the amendment itself: the representations from Heritage England were actually in relation to a comment on a current planning application submitted for that site for a very specific design and layout to which Heritage England had lodged an objection on an number of aspects. When Heritage England had been consulted on the Local

Plan as a whole in relation to the principle of building on these sites, they had not raised comments on LONG4. The officer said he would therefore deduce that Heritage England was not against LONG4 being built on per se but that they objected to the current application in the form submitted. Evidentially the case was not made based on contributions from Heritage England.

The Head of Regulatory Services referred Members to the item previously considered, particularly paragraphs 3.11.4 and 3.11.5 of the accompanying report. The report included some tables about how the housing numbers added up across various categories of settlements. This, he explained, was not just a comment on the amendment, but also on any other amendments which may be put forward at the meeting: he highlighted the figures on the bottom line of the tables which demonstrated the flexibility to allow some modest changes to the housing sites. Obviously, if there were to be an accumulation of housing sites taken out for one reason or another, at some point a line would be crossed whereby the Council would have not only departed from its own spacial strategy which had just been agreed but also in relation to the focussed changes meaning the Local Plan itself would be different. Members were strongly advised to bear this in mind should any further changes be proposed.

As seconder of the original motion, Councillor Illingworth concurred with the advice of the officer stating that the comments of Heritage England on LONG4 needed to be put into context. A vote was then taken on the amendment and subsequently defeated.

Councillor Hutchison indicated he wished to move a further amendment to the motion. Councillor Hutchison stated that following the release of the agenda documents the residents of Frisby had highlighted concerns regarding the content of item 3E. Their issue, which he supported, was that the revised capacity allocation of FRIS3 had grown to 68. This had been discussed at the Members' Briefing and the Frisby Parish Council Neighbourhood Planning Group and it appeared that the development area was larger than it was because of the inclusion of non housing content i.e. land for a future school extension, a proposed school drop off area and additional parking, an open play area and community orchard. The amendment proposed was therefore to add to part (ii) of the motion the following words: "with an amendment to the identification of the site and capacity of site ref. FRIS3 to reflect the current planning application, i.e. to be annotated to depict the 'developable area' proposed by the planning application and resultant reduction in capacity to 48.". The amendment was seconded by Councillor Higgins who confirmed it had been addressed in the Working Group.

The Head of Regulatory Services was invited to respond. The officer agreed with Councillor Hutchison's summation and added that FRIS3 was a very large site in terms of its land take. The somewhat blunt instrument of measuring estimated capacity of these sites simply applied a 'houses per hectare' measure and delivered a large figure. In this particular case, the figure was completely artificial as that site included a number of other uses apart from housing. Members were referred to paragraphs 5.14 and 5.15 of the report and it was confirmed that the proposal was for 48 houses not the 67 that the measurement indicated. The Head of Regulatory Services also confirmed that he had no concerns about reducing 20 houses as a result of this amendment. The physical changes to the documents could be made during the round of focused changes.

Upon being put to the vote the amendment was carried.

Councillor Wright then referred to paragraph 3.20.2 of the report concerning site EAST2 which was he said a garden and not a field and had resulted in objections from residents and the Bottesford Neighbourhood Steering Group. He proposed an amendment that it be removed. Councillor Wyatt seconded the amendment. The Head of Regulatory Services responded that the Member was correct that EAST2 did fall within the area of separation but when actually viewed on site with its boundary features, officers were of the opinion that it was not making a physical contribution to the area of separation between Easthorpe and Bottesford.

Concern was expressed about removing particular sites without fully understanding the background. Councillor Higgins therefore agreed that this site could be referred back to the Working Group for further consideration. Upon being put to the vote this amendment was lost.

Councillor Freer-Jones thanked officers for the preceding overview sessions on the Local Plan and moved an amendment to part (iv) of the motion in order to protect the identity of the area to the southern boundary between the town and Burton Lazars. It was proposed to add the following words to Policy SS4 subsections en1 and en3 to read “with particular regard to the ridgeline to the south of Melton Mowbray that separates the visual connection between Melton Mowbray and Burton Lazars”. The amendment was seconded by Councillor Glancy who expressed the view that it was important to protect development on the fringes of the town to ensure it would fit well with the area of separation. The Head of Regulatory Services confirmed that the wording proposed would add more prescriptive protection to that area. Upon being put to the vote the amendment was carried.

RESOLVED: That

(1) the responses to representations outlined in the Schedule of responses for individual settlements (Appendix 1 and 1a, as made available in the Members Room) be agreed;

(2) amendments proposed to Policies C1(A) and C1(B) be agreed based on updated site assessment work and suggested changes and its associated ‘reasoned justification’ as a ‘Focussed Change’ for consultation (full details are contained within Item 3l of this agenda) with an amendment to the identification of the site and capacity of site ref. FRIS3 to reflect the current planning application, i.e. to be annotated to depict the ‘developable area’ proposed by the planning application and resultant reduction in capacity to 48;

(3) the responses outlined in the schedule of responses for Policies SS4 and SS5 (Appendix 2a, 2b and 3 of the report) be agreed;

(4) amendments proposed to the policies be agreed as outlined in paragraph 7.23 of this report and its associated ‘reasoned justification’ as a ‘Focussed Change’ for consultation (full details are contained within Item 3l of this agenda (Minute CO29 refers) and the addition of the following wording to Policy SS4 subsections en1 and en3 to read “with particular regard to the ridgeline to the south of Melton Mowbray that separates the visual connection between Melton Mowbray and Burton Lazars”;

(5) the modifications identified elsewhere in this report be agreed.

CO26. DRAFT MELTON LOCAL PLAN: CHAPTER 8 – ARRANGING DELIVERY, INCLUDING THE MELTON MOWBRAY TRANSPORT STRATEGY AND OTHER INFRASTRUCTURE MATTERS

The Chairman of the Melton Local Plan Working Group, Councillor Chandler presented the report prepared by the Head of Regulatory Services the purpose of which was to outline the representations received in respect of the draft Local Plan policies and reasoned justification of Chapter 8 – Managing Delivery of the Melton Local Plan.

Councillor Chandler informed Members:

- the report proposed changes which had been brought about by the very good news on funding for the Melton Distributor road and the progress being made in partnership with the County Council;
- the County Council had received an award to design the road and submit a business case to the Department of Transport and indications received for its completion in 2022. For clarification, this funding bid relates to the stretch from Burton Road heading north and then west across Thorpe Road, Melton Spinney Road, Scaford Road and connecting with Nottingham Road. These were the key sections that would alleviate congestion in the town centre and facilitate the growth the Plan proposes;
- the changes were required because the Council could address the Distributor road and the benefits it would bring in much greater detail now that it was a firm proposition. This description and its firm appearance in the Local Plan, describing the economic and housing growth it would release, would in turn assist the bid. Aligned to this, a new policy was proposed, which would protect the possible routes of the road so that it does not become obstructed, physically or financially;
- alongside this, the Council had been able to revisit the question of infrastructure and develop the Policies to reflect up to date needs and priorities associated with them. This required a new policy IN1 and IN2 and the recommendations proposed the inclusion of these along with the explanation of the value of the road and maps to depict the corridor of search for the precise route of the road. It is close to being a replacement chapter and as such needs to be one of the 'focused changes' to be published and consulted upon.

Councillor Chandler moved the recommendations numbered (i) to (iv) as set out in the report and this was seconded by Councillor Illingworth.

The Deputy Leader spoke in support of the motion, pointing out:

- that it was important to recognise previous work on this subject undertaken by Councillors Rhodes, Pearson, and Posnett;
- the issue of the distributor road continued to generate much debate in the town. The eastern part, when finally in place, would provide £102m of gross added value to the local economy. Government funding would support the

- northern and eastern section whilst the southern section would be funded from the Davidson's planning application for 1,500 houses;
- the Council was united in making a case for the Government funding with support from the County Council representatives, the County Highways Department and the local MP, Sir Alan Duncan;
 - representations from Councillor Glancy making the case that the road needed to be sited further out from Thorpe Arnold to protect that settlement from pollution;
 - that following the decisions at this meeting, this would set a marker for the County Council in their bid for Government funding.

The Chief Executive clarified that the Council was at the first stage of focused consultation to make the public aware of the possible corridor of the distributor road. That corridor had been worked up in consultation with the County Highway Authority who would take into account the outcome from this meeting. This would form part of the overall process for setting the corridor for the distributor road subject ultimately to the examination of the Melton Local Plan.

A brief discussion ensued during which several Members spoke on the vital importance of the distributor road for the economic growth of not just the town but the wider area. It had been a topic of discussion at the recent Community Forum and a request was made for co-ordinated thinking in moving the project forward so that it did not add to the traffic congestion during its delivery. A Member welcomed the inclusion of Policy IN1 to the Local Plan as a positive step.

A vote was then taken on the motion which was carried unanimously.

RESOLVED: That

- (1) the responses to representations received on the pre-submission draft Local Plan in respect of Chapter 8, as set out in the schedule at Appendix 1 be agreed;
- (2) the changes to the Pre-Submission Draft Local Plan that are described in section 3.3 of this report be subjected to public consultation as part of a 'Draft Melton Local Plan Addendum of Focused Changes' in accordance with Regulation 19 of the Town and County Planning (Local Planning) (England) Regulations 2012 (full details are available in Item 31 of this Agenda);
- (3) a clause in the proposed new Policy IN1 be included that makes it clear that the Council would be prepared to use compulsory purchase order powers to assist in securing the delivery of sections of the Melton Mowbray Distributor Road be noted;
- (4) the suggested modifications identified elsewhere in this report be agreed.

CO27. DRAFT MELTON LOCAL PLAN: PROVISION FOR GYPSIES AND TRAVELLERS (POLICY C6)

The Chairman of the Melton Local Plan Working Group, Councillor Chandler presented the report prepared by the Head of Regulatory Services the purpose of which was to outline the findings and implications of new evidence contained in the Leicester City and Leicestershire Gypsy, Traveller and Travelling Show people Accommodation Assessment (GTAA 2017). It also summarised the key matters raised in representations received to draft Policy C6: Gypsies and Travellers of the Pre Submission Draft Melton Local Plan, and suggested responses to the representations in the light of the new evidence. The final section of the report set out the resulting proposed focussed change to draft Policy C6 and its supporting reasoned justification.

Councillor Chandler advised

- that the findings of the GTAAA 2017 on permanent pitch requirements were unchanged from those in the draft version of the GTAA 2016 (as cited in the Pre Submission Draft Local Plan). Melton's permanent pitch requirement from April 2016 to March 2021 was 2 permanent residential pitches, and between April 2021 and March 2026, it was 1 permanent residential pitch. There was no further requirement for any permanent pitches from April 2026 to 2036 in the Borough following recent permissions;
- if subsequent GTAA reviews established an unmet need (or the planning permissions were not implemented), a review of this policy would be carried out;
- for public transit pitch provision, the GTAA 2017 had identified a current need for a minimum of 36 caravan spaces spread over 2 to 3 sites in Leicestershire (or the managed equivalent e.g. through Negotiated Stopping Agreements rather than infrastructure provision). This would be dealt with via a countywide project group;
- a regular review of Gypsy, Traveller and Travelling Show people permanent pitch and plot requirements (including transit pitch requirements) will be undertaken. The most recent GTAA would be used to identify pitch and plot requirements and where a need was found, steps would be taken to deliver sites;
- the GTAA together with the criteria within the most up to date national Planning Policy for Traveller Sites would be used as a basis for determining windfall planning applications.

Councillor Chandler moved the recommendations numbered (i) to (iii) in the report and this was seconded by Councillor Illingworth. In support of the motion, the Deputy Leader highlighted the importance of having robust measures in place to deal with unauthorised encampments as this could involve a very costly legal process.

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

RESOLVED: That

(1) the Leicester City and Leicestershire Gypsy, Traveller and Travelling Show people Accommodation Assessment (GTAA 2017) be accepted as evidence to inform the production of the Local Plan, and that it be published alongside a proposed 'Addendum of Focussed Changes';

(2) the detailed responses to representations, taking account of this new evidence, be agreed (Appendix 1);

(3) the proposed change to Section 5.10 of the draft local plan, including Policy C6, as set out in the Focused Changes Appendices (item 3I of this agenda), be agreed as part of a consultation on an Addendum of Focussed Changes to the Draft Melton Local Plan (para 3.6.9. of the report refers).

CO28. DRAFT MELTON LOCAL PLAN: NEW EVIDENCE NOT PREVIOUSLY PRESENTED

The Chairman of the Melton Local Plan Working Group, Councillor Chandler presented the report prepared by the Head of Regulatory Services the purpose of which was to outline the findings and Local Plan implications of the remaining new evidence that had not yet been presented to Members. It sought Member agreement for the evidence to be published alongside an Addendum of Focused Changes to the Draft Melton Local Plan, and that the proposed changes and/or suggested modifications recommended to address the implications of the new evidence.

Councillor Chandler clarified that

- this item was something of a safety net addressing issues that had not been covered under other headings. There were various documents that needed to be produced alongside the Plan and its evidence and these were addressed in this report. They were not policy changes or modifications to the Plan in their own right but needed to be published alongside the changes in order to allow comment in the same way;
- many of these were produced as follow ups to the issues already discussed at this meeting and fulfilled various statutory requirements. Amongst them was the revised Housing Land trajectory which was based on the revised set of sites for this stage. Members were asked to note that it retained a healthy 5 year land supply position of in excess of 7 years, based on the new sites composition discussed earlier.

Councillor Chandler moved the recommendations numbered (i) to (x) in the report and the motion was seconded by Councillor Illingworth.

The Head of Regulatory Services drew Members' attention to the erratum to recommendation (v) in the previously circulated report to include reference to Habitats Regulations Assessment. The officer then responded to a request for clarification regarding the table in Appendix 2 to the report showing the number of dwellings with planning permission compared with the total allocations as at 30 May 2017. He confirmed that the number of real applications was outstripping the Local Plan process and that the total was now 2020.

A vote was then taken on the recommendations, including the amendment to (v) which was carried unanimously.

RESOLVED: That

- (1) the findings of the Indoor Sports Facilities Strategy 2016-2021 be noted and that it be published alongside any consultation on a Melton Local Plan Addendum of Focused Changes;
- (2) the suggested amendments to the draft Local Plan set out in section 3.2 of this report be agreed and that these be included in an Addendum of Focused Changes (full details are provided in item 3I of this Agenda);
- (3) the purpose and content of the Sequential Test of Potential Development Sites be noted and the finalised report be published alongside an Addendum of Focused Changes;
- (4) the findings of the Sustainability Appraisal of the options for an overall housing requirement for Melton be noted and the SA Addendum setting out these findings be published alongside any consultation on a Melton Local Plan Addendum of Focused Changes;
- (5) the findings of the sustainability appraisal and Habitats Regulations Assessment (HRA) of the proposed changes be noted and the SA and the HRA of the Proposed Changes setting out these findings be published alongside any consultation on a Melton Local Plan Addendum of Focused Changes;
- (6) the requirement to undertake HRA screening be noted and the appropriate documentation published alongside any consultation on a Melton Local Plan Addendum of Focused Changes;
- (7) the Equalities Impact Assessment of the Draft Local Plan attached at Appendix 1 be accepted;
- (8) an addendum to the draft EIA that will set out an assessment of the proposed changes to the local plan be published alongside any consultation on a Melton Local Plan Addendum of Focused Changes;
- (9) the updated Five Year Land Supply and Housing Trajectory Position document at Appendix 2 be agreed and published for consultation alongside any Melton Local Plan Addendum of Focused Changes;
- (10) the other updated documents described at para. 3.9.1 be published alongside any Melton Local Plan Addendum of Focused Changes.

[The Mayor here adjourned the meeting at 7.45pm for a break. The meeting resumed at 8.13pm]

CO29. DRAFT MELTON LOCAL PLAN: ADDENDUM OF FOCUSED CHANGES AND PROPOSED CONSULTATION

The Chairman of the Melton Local Plan Working Group, Councillor Chandler presented the report prepared by the Head of Regulatory Services the purpose of which was to seek the Council's agreement to the content of a 'Draft Melton Local Plan Addendum of Focused Changes' document, and that it be published for public

and other consultations prior to its submission as part of the Local Plan for Examination.

Councillor Chandler explained:

- the report essentially brought together all of the focused changes previously discussed except those devised afresh at this meeting which could be added and treated in the same way;
- the appendices showed how they could be physically presented and were designed to identify what was new and what was being changed through a series of new pages, and where relevant for the route of the road and the Sustainable Neighbourhood boundaries, new maps;
- all the evidence documents and the updated supporting documents which needed to go alongside the changes were also described;
- the essential purpose of the recommendation was to proceed on this basis with a package of focused changes as set out, along with those added at this meeting. However, Members were also invited to consider the extent to which consultation should be carried out and a suggestion from the Working Group was contained at paragraph 3.21 very much on similar lines as earlier phases. The consultation events were very time consuming and it was suggested that the 'drop in' events were limited to 4 or 5.

Councillor Chandler then moved the recommendations numbered (i) to (v) in the report and this was seconded by Councillor Illingworth.

The Head of Regulatory Services responded to points raised by the Deputy Leader about the Somerby sites 2 and 3 clarifying that some changes had been included in the narrative of the policy for consultation, and confirmed that the areas of separation contained within appendix 4 pertaining to Bottesford were only indicative with no hard and fast boundaries.

Councillor Lumley then expressed his thanks to Councillor Glancy for the revision of the Northern SUE in relation to the Melton Country Park. The Member stressed that a boundary of at least 100m was needed between any development and the Country Park. The site was a key wildlife corridor. Reference was made to the petition organised by the Friends of Melton Country Park backing a protection zone between the Country Park and any future development. This petition would be formally presented to the Council at its next meeting on 19 July 2017. Councillor Glancy questioned whether there would be any benefit to producing a supplementary planning document to guide the development of the SUE's so that the Council could give a clear indication to developers about what was expected. The Head of Regulatory Services gave assurances to the Member that this objective was being worked on but by a different route.

The Mayor then called for a vote on the motion which was carried.

RESOLVED: That

(1) the content of the Draft Melton Local Plan Addendum of Focused Changes (at Appendix 1) be approved;

(2) the Addendum of Focused Changes and new evidence be published;

(3) the proposals for consultation and community engagement outlined in paragraphs 3.19 to 3.22 of this report be agreed;

(4) consultations be undertaken on the Addendum and its associated supporting documents as soon as possible after this Council meeting, in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012;

(5) delegated authority be granted to the Head of Regulatory Services to make any necessary changes required for clarification or typographical corrections to the text of the Addendum which do not change the overall sense or purpose of the document, prior to its publication.

CO30. DRAFT MELTON LOCAL PLAN: OUTSTANDING LOCAL PLAN REPRESENTATIONS RECEIVED AND SUGGESTED RESPONSES

The Chairman of the Melton Local Plan Working Group, Councillor Chandler presented the report prepared by the Head of Regulatory Services the purpose of which was to:

(a) set out and consider the main issues raised in representations not already considered by the Council in reports on this agenda, and suggest responses to them; and

(b) provide an opportunity to revisit any issues arising from representations made or new information received.

Councillor Chandler advised

- the report addressed the remaining representations not covered by earlier reports. There were generally fewer in number and addressed less controversial aspects of the Plan;
- Members to note that the representations were listed and considered but in the Working Group's view there were no further focused changes arising as a result. However, there were a series of modifications that could be put forward to the Examination.

Councillor Chandler moved both the recommendations contained in the report and these were seconded by Councillor Illingworth. There being no discussion arising, the Mayor moved to the vote and the motion was carried unanimously.

RESOLVED: That

(1) the responses to representations outlined in Appendix 1 of the report be agreed;

(2) the recommended modifications identified in the report be agreed.

CO31. MELTON BOROUGH COMMUNITY INFRASTRUCTURE LEVY AND DRAFT CHARGING SCHEDULE

The Chairman of the Melton Local Plan Working Group, Councillor Chandler presented the report prepared by the Head of Regulatory Services the purpose of which was to present the findings of the Revised Local Plan and CIL Viability Study (May 2017) and the implications of the Independent Panel's CIL Review (February 2017), and to seek authority to accept two documents as evidence to inform the formulation of the Local Plan, and to seek the Council's agreement to pursue the establishment of a Community Infrastructure Levy (CIL) for the Borough, including authorisation of an initial consultation on the Preliminary Draft Charging Schedule.

Councillor Chandler advised Members

- the report invited the Council to launch the CIL consultation alongside the Local Plan. This was regarded as good practice as CIL was intended to support the essential infrastructure for which the Local Plan identified a need. This was closely related to the previous item on affordable housing and relied on the same approach to assessing viability across the value areas. However, the CIL paper went further and sought to identify what headroom was available for CIL over and above the Affordable Housing percentages that had been discussed;
- that this closely followed the 'value areas' and that what was known as a 'schedule 123 list' had been developed, reflecting policies in the Plan regarding priorities for infrastructure. Also included was a 'preliminary charging schedule' which set out what the Council believed was achievable across the value areas depending on different types of development;
- an unusual quirk appeared in this because CIL was universal and applied to development of all scales. This included smaller housing schemes of under 11 units which offered a healthy prospect because, due to other legislation, they were not making a contribution to affordable housing;
- the report set out a timetable for the development of the CIL related to the anticipated Local Plan programme to Examination and after. Accordingly the recommendations proposed the launch of the CIL alongside the Plan based on the documents and appendices to the report.

Councillor Chandler accordingly moved the two recommendations contained in the report. This was seconded by Councillor Illingworth.

The Deputy Leader made a number of points regarding CIL:

- the CIL empowered ward Councillors in dialogue with developers
- in community neighbourhood areas up to 25% of CIL could be levied on each house built. Parish Councils were then accountable for how this was spent;
- it was vital that during the consultation, the Council heard from residents and community groups as to their needs as development would provide funding for infrastructure and amenities in their communities.

As seconder of the motion, Councillor Illingworth clarified that all Parish Council's received 15% of CIL but if a neighbourhood plan was in place, they received the enhanced rate of 25%.

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

RESOLVED: That

(1) consultation be held in July and August 2017 on the Preliminary Draft Charging Schedule (timetable at section 11 of the report and Preliminary Draft Charging Schedule at Appendix A refers);

(2) the Revised Local Plan & Community Infrastructure Levy Viability Study (May 2017) and Infrastructure Delivery Plan (March 2017) be agreed as adopted evidence for the formulation of the Local Plan and to inform other planning decisions, and that they be published alongside a proposed Addendum of Focussed Changes.

CO32. MELTON LOCAL PLAN: REVISED LOCAL DEVELOPMENT SCHEME

The Chairman of the Melton Local Plan Working Group, Councillor Chandler presented the report prepared by the Head of Regulatory Services the purpose of which was to seek the Council's agreement of a Local Development Scheme 2017-2020 to update the 2016-2019 version agreed in April 2016. The 2017-2020 LDS reflected a new Local Plan timetable that included a consultation on an Addendum of Focused Changes to the draft Local Plan, and consideration of the representations received to this. This would take place prior to seeking the agreement of Full Council to submit the plan to the Government for examination.

Councillor Chandler stated that this item had to follow all of the others as it depended upon the conclusions reached by the Council. It was a statutory requirement that the Local Development Scheme was updated each time the timetable for the Local Plan was adjusted. The recommendation proposed by the officers, which she so moved, sought authority to do so and publish a revised LDS accordingly. The motion was seconded by Councillor Illingworth.

The Deputy Leader referred to the dates for the Examination in the report and stated that all interested parties could make representations to the Inspector. Ward Councillors could ensure that any representations received would be reflected in the Plan.

The Mayor then called for a vote on the motion which was carried unanimously.

RESOLVED: That the Melton Borough Local Development Scheme 2017-2020 (Appendix A to the report) be agreed.

Before closing the meeting, the Mayor wished to place on record his thanks and appreciation to the Local Plan Working Group, officers – in particular the Head of Regulatory Services, Mr Jim Worley, the Chief Executive, and the members of the public who had attended the meeting.

The meeting, which commenced at 6.00 p.m., closed at 8.42 p.m.

Mayor

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MEETING OF THE COUNCIL
OF THE BOROUGH OF MELTON

PARKSIDE, STATION APPROACH , MELTON MOWBRAY

27 JULY 2017

PRESENT

Councillor T.S. Bains (Mayor)
P.M. Baguley, T. Beaken, M. Blase, G.E Botterill ,
P.M. Chandler, P. Cumbers, R. De Burle, J. M. Douglas,
P. Faulkner, A. Freer-Jones, M. Glancy, M.C.R. Graham MBE,
T. Greenow, L. Higgins, J. Hurrell, E. Hutchison,
J. Illingworth, J.T. Orson, P.M. Posnett MBE, J.B. Rhodes,
M.R. Sheldon, J. Simpson, D.R. Wright, J. Wyatt

Chief Executive, Strategic Director (KA)
Head of Communications & Monitoring Officer,
Head of Central Services, Regulatory Services Manager
Democracy & Involvement Officer

The Reverend Kevin Ashby offered prayers.

CO33. APOLOGIES FOR ABSENCE

Apologies for absence were received from Holmes, Lumley, and Pearson

CO34. MINUTES

The minutes of the meetings held on the following dates were confirmed as correct records and authorised to be signed by the Mayor:

Ordinary Meeting – 26 April 2017
Annual Meeting – 16 May 2017
Extraordinary Meeting – 31 May 2017

CO35. DECLARATIONS OF INTEREST

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.

CO36. MAYORS ANNOUNCEMENTS

The Mayor announced that the first two months of his civic year had been busy with 22 engagements, highlighting the following:

- an interview with BBC Radio Leicester in which he spoke about being both the youngest and Melton's first Asian Mayor;
- carrying out the role of Returning Officer at the recent Parliamentary Election count
- the recent visit to Sochaczew at which he and the Mayoress had been represented by Councillors Graham MBE and Posnett MBE;
- how he especially enjoyed attending local events and referred to earlier in the day when he had been recognised in the town by some local school children. He was looking forward to visiting local schools during his year of office;
- how the community was encouraged by the fact that there were more younger Members on the Council and encouraged the newer Members to continue to make their voices heard;
- the recent East Midlands in Bloom competition and commended the volunteers from Melton in Bloom for all their hard work and efforts towards the town's entry;
- thanked the Deputy Mayor, Councillor Chandler, for representing him at some recent events.

The Mayor then made a special announcement regarding the award of an MBE to Councillor Posnett in HM The Queen's Birthday Honours List. He read the citation for the award which referred to her services to local government. Members, officers, and members of the public present stood and applauded Councillor Posnett on this achievement.

The Mayor concluded his announcements by referring to the Chief Executive's last meeting of the Council before her retirement at the end of the month. The Mayor thanked Lynn Aisbett for her services over the last 12 years, stating she would be missed and wished her a happy retirement. The Mayor said he looked forward to working with the new Chief Executive, Edd de Coverly, who would take up the post at the end of August.

CO37. LEADER'S ANNOUNCEMENTS

The Leader made the following announcements:

(a) added his personal congratulations to Councillor Posnett on her MBE, stating that it was well deserved and long overdue. He also referred to a former Member of the authority, Councillor Rob Waltham, who had also been awarded an MBE in the recent Honours List. Councillor Waltham was now the Leader of North Lincolnshire Council. The Leader proposed that a letter of congratulations be sent to Councillor Waltham on behalf of the Mayor and Members of this Council. The Council indicated its support for this proposal;

(b) reminded Members that the Melton Local Plan was now out for consultation. The Strategic Growth Plan for Leicester and Leicestershire looked even further ahead to 2050. A briefing session was to be held on 1 August to which all Members were invited;

(c) referred to an invitation that had been extended to all Members to meet informally with the new Chief Executive on 24 August;

(d) paid tribute to the outgoing Chief Executive and her achievements during her 12 years with the Council. He said that Mrs Aisbett had encouraged a culture of delivery of customer focused services for the residents of the Borough, leading on the continual improvement and delivery of integrated services with the Council's partners. Amongst other notable achievements, he said that Lynn would be known most for leading the Council's recovery from the office fire in 2008. This had led to where the authority was now in terms of its location in Parkside, delivering services in partnership with the other agencies. The Leader concluded by referring to her modest style which was very much appreciated. However, she had also not been afraid to challenge Members when required. Members and officers stood to applaud Mrs Aisbett;

(e) thanked Mrs Angela Roberts, the Head of Communications and Monitoring Officer, who was also leaving the Council at the end of the month. The Leader, both on behalf of Members and personally, thanked Mrs Roberts for her support and caring manner.

As former Leader of the Council when Mrs Aisbett had been appointed to the post of Chief Executive, Councillor Graham MBE also wished to place on record his personal thanks to Mrs Aisbett. Councillor Graham referred to the sound financial management of the authority under her leadership in conjunction with the Head of Central Services, Dawn Garton. Under her stewardship, supported by the Strategic Director, Keith Aubrey, the Council had gained a reputation, second to none, in looking after vulnerable people and had won numerous awards. He wished Mrs Aisbett well in her retirement, stating that the Council would be forever in her debt.

As a former Mayor, Councillor Illingworth thanked Mrs Aisbett for the confidence and reassurance she had provided during his term of office. He said he spoke on behalf of past Mayors who had all appreciated her guidance during Council meetings.

Also as a former Leader of the Council, Councillor Posnett paid tribute to the legacy that Mrs Aisbett would leave following her departure. Councillor Posnett particularly mentioned the Learning Hub which had enabled young people to move on and achieve a better quality of life. Melton Borough was one of the smallest authorities but it had the biggest ideas and she would look forward to continuing that journey with the new Chief Executive. Councillor Posnett wished Mrs Aisbett well in the next stage of her life.

Councillors Hurrell, Chandler, Higgins, Wright, and Rhodes also added their own thanks to Mrs Aisbett, referring to the support she had given them personally and to the contribution her leadership had made to the ethos of the Council and how this had driven the improvement of services for both the inhabitants of the town and the rural areas.

Mrs Aisbett and Mrs Roberts were then presented with flowers by the Leader.

CO38. PUBLIC QUESTION TIME

There were no questions to be put.

CO39. PETITIONS

In accordance with Procedure Rule 24.1, the Chief Executive reported receipt of a combined paper and online petition received on 8 June 2017 from the Friends of Melton County Park. The petition contained a combined total of 1281 signatures and stated:

We the undersigned, demand the establishment of a 500m protection zone between Melton Country Park and any future development. This buffer would reduce the negative impact of any noise and light pollution arising from residential development and would provide further protection for the wildlife that inhabits the Park.

Mr Bill Forbes presented the petition to the Mayor on behalf of the Friends of Melton Country Park.

The Mayor responded: The petition is welcomed and we applaud the Friends' participation in local planning issues. It was received after the consultation period for the Pre Submission Local Plan last winter, but as most people are aware, we have proposed 'focussed changes' to the Local Plan which is currently out to consultation. These consultations include the policies that relate to housing close to the Country Park and indeed amendments to the Policy intended to protect it (Policy SS5), and it will be treated as a response to this consultation exercise. This means it will be presented back to the Council for consideration alongside all other consultation responses, and also that it will be included in the papers sent to the Inspector for consideration through the Independent Examination process.

CO40. RECOMMENDATIONS AND REPORTS FROM COMMITTEES

(a) Governance Committee: 6 June 2017 – Counter Fraud and Corruption Policy

The Chairman of the Governance Committee, Councillor Cumbers moved the recommendation as set out in the Order Paper. The motion was seconded by Councillor Simpson. There being no discussion on the motion, the Mayor moved to the vote and the motion was carried unanimously.

RESOLVED: That

- (1) the revised Counter Fraud and Corruption Policy be approved and the Constitution be updated accordingly with the revised document;
- (2) delegated authority be given to the Head of Central Services to make minor changes to the Counter Fraud and Corruption Policy.

(b) Governance Committee: 6 June 2017: Minute G.12 - Constitution Update

The Chairman of the Governance Committee, Councillor Cumbers moved the recommendation as set out in the Order Paper. The motion was seconded by Councillor Simpson. There being no discussion on the motion, the Mayor moved to the vote and the motion was carried unanimously.

RESOLVED: That the revised Members' Allowances Scheme for 2017/18 be adopted and incorporated into the Council's Constitution.

(c) Licensing & Regulatory Committee: 26 June 2017: Minute L4 - Statement of Licensing Policy

The Chairman of the Licensing & Regulatory Committee, Councillor Wyatt moved the recommendation as set out in the Order Paper. The motion was seconded by Councillor Baguley. There being no discussion on the motion, the Mayor moved to the vote and the motion was carried unanimously.

RESOLVED: that the amended version of the Statement of Licensing Policy be approved in order that the 12 week consultation may commence, with a view to adopting the amended policy on 13 December 2017.

CO41. 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	27 April 2017
Planning Committee	25 May 2017
Governance Committee	6 June 2017
Rural, Economic & Environmental Affairs Committee	7 June 2017
Planning Committee	15 June 2017
Town Area Committee	19 June 2017
Community & Social Affairs Committee	21 June 2017
Licensing & Regulatory Committee	26 June 2016
Ad Hoc Planning Committee	29 June 2017
Policy, Finance & Administration Committee	11 July 2017

(b) A Member pointed out that the resolution under minute P19 of the Policy, Finance & Administration Committee set of public minutes for 11 July 2017 (amended version circulated after the agenda despatch) had been recorded differently to that minute number in the exempt set of minutes. He believed the exempt minute was the correct version of the decision made.

The Chief Executive apologised and confirmed that the decision had been correctly recorded in the exempt version of minute P19 and that the public set of minutes would require amendment before presentation to the next meeting of the Policy, Finance & Administration Committee.

CO42. MOTIONS ON NOTICE

There were no Motions on Notice received in accordance with Procedure Rule 11.1

CO43. ANNUAL REPORT ON THE TREASURY MANAGEMENT ACTIVITIES AND ACTUAL PRUDENTIAL INDICATORS 2016-17

Members had before them a report prepared by the Head of Central Services which provided a summary of the Treasury activities in 2016-17. The report also covered the actual position on the Prudential Indicators in accordance with the Prudential Code and highlighted compliance with both the CIPFA Code of Practice on Treasury Management and the CIPFA Prudential Code for Capital Finance in Local Authorities. Recent changes in the regulatory environment placed a much greater onus on Members for the review and scrutiny of treasury management policy and activities and the report was therefore important in that respect.

The Leader commended the report to Members and moved the recommendations contained in the Order Paper. The motion was seconded by Councillor Higgins.

There being no discussion on the report, the Mayor moved to the vote which was carried unanimously.

RESOLVED: That

- (1) the Treasury Management Annual Report for 2016-17 be approved; and
- (2) the actual position on Prudential Indicators for 2016-17 be noted.

CO44. APPOINTMENT OF INDEPENDENT PERSONS

The Head of Communications had previously circulated a report with the agenda the purpose of which was to advise that the Council must appoint two Independent Persons under the Localism Act 2011 to give an independent view on allegations that a Councillor had not complied with the Code of Conduct. The term of office of the existing Independent Person ended on 18 July 2017 and, following a recruitment process, the Council was requested to confirm the appointment of two Independent Persons with immediate effect.

The recommendations contained in the Order Paper was moved by Councillor Cumbers and seconded by Councillor Higgins. A vote was then taken which resulted in the motion being carried unanimously.

RESOLVED: That the appointments of Mr Gordon Grimes and Mr Adam Lowe as Independent Persons be confirmed with immediate effect for a period of 5 years.

CO45. APPOINTMENT TO OUTSIDE BODIES – MELTON BID BOARD

The Chief Executive reported that

- (a) Councillor Sheldon had been appointed as the Council's representative to the Melton BID Board at the Annual Meeting held on 16 May 2017;
- (b) Councillor Sheldon had requested that he be replaced by Councillor Freer-Jones on this organisation.

The change in representation to this organisation was moved by Councillor Orson and seconded by Councillor Higgins. There being no other nominations, the motion was put to the vote and subsequently carried unanimously.

RESOLVED: That Councillor Sheldon be replaced by Councillor Freer-Jones on the Melton BID Board for 2017/18

The meeting, which commenced at 6.30 p.m., closed at 7.24 p.m.

Mayor

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Advice on Members' Interests

COUNCIL MEETINGS - COMMITTEE MINUTES : DECLARATION OF INTERESTS

Interests need not be declared at Full Council in relation to Committee Minutes which do not become the subject of debate at Full Council (i.e. Minutes referred to solely on a page by page basis when working through the Minutes of each Committee.)

An interest must be declared at Full Council as soon as it becomes apparent that a relevant Committee Minute is to be debated – this applies even if an interest has been declared at Committee and is recorded in the Minutes of that Committee.

PERSONAL AND NON-PECUNIARY INTERESTS

If the issue being discussed affects you, your family or a close associate more than other people in the area, you have a personal and non-pecuniary interest. You also have a personal interest if the issue relates to an interest you must register under paragraph 9 of the Members' Code of Conduct.

You must state that you have a personal and non-pecuniary interest and the nature of your interest. You may stay, take part and vote in the meeting.

PERSONAL AND PECUNIARY INTERESTS

If a member of the public, who knows all the relevant facts, would view your personal interest in the issue being discussed to be so great that it is likely to prejudice your judgement of the public interest and it affects your or the other person or bodies' financial position or relates to any approval, consent, licence, permission or registration then **you must state that you have a pecuniary interest, the nature of the interest and you must leave the room***. You must not seek improperly to influence a decision on that matter unless you have previously obtained a dispensation from the Authority's Governance Committee.

DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS

If you are present at any meeting of the Council and you have a disclosable pecuniary interest in any matter to be considered or being considered at the meeting, if the interest is not already registered, you must disclose the interest to the meeting. You must not participate in the discussion or the vote and you must leave the room.

You may not attend a meeting or stay in the room as either an Observer Councillor or *Ward Councillor or as a member of the public if you have a pecuniary or disclosable pecuniary interest*.

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) then you should not take part in the decision-making process; you should leave the room. **You should state that your position in this matter prohibits you from taking part.** You may request permission of the Chair to address the meeting prior to leaving the room. The Chair will need to assess whether you have a useful contribution to make or whether complying with this request would prejudice the proceedings. A personal, pecuniary or disclosable pecuniary interest will take precedence over bias.

In each case above, you should make your declaration at the beginning of the meeting or as soon as you are aware of the issue being discussed.*

*There are some exceptions – please refer to paragraphs 13(2) and 13(3) of the Code of Conduct

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GOVERNANCE COMMITTEE

19 SEPTEMBER 2017

REPORT OF THE MONITORING OFFICER

CONSTITUTION UPDATE 2017 18

1.0 PURPOSE OF REPORT

- 1.1 The Committee is requested to consider new items or changes to the Constitution and those approved will be referred to the Council for adoption and incorporation into the Council's Constitution.

2.0 RECOMMENDATIONS

- 2.1 To approve the consequential changes to the Constitution listed at Appendix A which are as a result of the recent Senior Management Restructure.

- 2.2 Recommendations from the Rural, Economic and Environmental Affairs Committee held on 7 June 2017 :-

(1) the Constitution set the name of this Committee as Melton Economic and Environmental Affairs Committee;

(2) To consider amending that the Terms of Reference of the policy committees as follows:-

1. Policy, Finance and Administration Committee have included new delegations as follows:-

To deal with all responsibilities within the remit of this Committee in accordance with the best interests of all local communities, including rural.

2. Community and Social Affairs Committee and those of this Committee as retitled be amended as follows: -

To deal with all responsibilities within the remit of this Committee in accordance with the best interests of all local communities, including rural.

- 2.3 Subject to approval at the Community and Social Affairs Committee to be held on 13 September 2017 the following new Officer delegation be approved to the Head of Communities and Neighbourhoods :-

In consultation with the Corporate Director to re-set the Housing Revenue Account existing fees and charges.

- 2.4 To refer the approved items to Full Council for adoption in the Council's Constitution.

- 2.5 To note that the Monitoring Officer has delegated authority to make

amendments following legislative or other statutory changes and minor procedural and operational changes. Such changes will be reported to the Governance Committee and subsequently the Council, as soon as practicable thereafter.

3.0 **KEY ISSUES**

3.1 As the Constitution is a living document, any additions or changes are brought to the Committee's attention as soon as these come to light to enable the Council's work to move forward and the Constitution to be as up to date as possible. The Council's Strategic Management Team and T3 (Third Tier Officer Group) are involved in updating their respective areas of the Constitution.

3.2 The Committee is to refer its recommendations for amending the Constitution to the Full Council for approval and inclusion in the Constitution.

3.3 Senior Management Restructure

Following the recent Senior Management Restructure, there have been changes to job titles and roles specifically affecting the following :-

- Deputy Chief Executive (previously Strategic Director)
- Corporate Director (new post)
- Strategic Director (not included in new structure)
- Head of Strategic Planning and Regulatory Services (previously Head of Regulatory Services)
- Head of Regulatory Services (not included in new structure)
- Head of Communications (not included in new structure)
- Communications Manager (HR and Communications delegations from Head of Communications)
- Strategic Asset Manager (new post)
- Corporate Property Officer (not included in new structure)

Appendix A sets out these changes where they affect the Constitution and the relevant parts have been reviewed and updated to reflect the current arrangements. With regard to Part 3 (Delegations to Officers) and Part 4 (Rules of Procedure), the changes are more significant therefore these documents are attached as Appendices A1 and A2 with tracked markings showing where changes are needed.

To save on printing and postage resources, the other sections affected are available in hard copy in the Members' Room should any Member wish to review these before the Committee meeting.

3.4 Rural, Economic and Environmental Affairs Committee

At the meeting of the Rural, Economic and Environmental Affairs Committee held on 7 June 2017, it was resolved that

(1) The Governance Committee be recommended that the Constitution set the name of this Committee as Melton Economic and Environmental Affairs Committee

(2) *The Governance Committee be recommended to consider amending that the Terms of Reference of the policy committees as follows:-*

1. *Policy, Finance and Administration Committee have included new delegations as follows:-*

To deal with all responsibilities within the remit of this Committee in accordance with the best interests of all local communities, including rural.

2. *Community and Social Affairs Committee and those of this Committee as retitled be amended as follows: - To deal with all responsibilities within the remit of this Committee in accordance with the best interests of all local communities, including rural.*

The reason for the changes proposed was minuted that to better reflect the rurality of the Council and that rural services are delivered as business as usual the addition of "Rural" to the title of that Committee was no longer relevant to the way the Council was operating and would continue to operate in the future. Other policy Committees dealt with rural service issues therefore the amendment to the title of that Committee as well as giving clarity to the delegated authority and Terms of Reference of the Policy Committees would also help develop further inclusivity. The above recommendations are set out for approval at paragraphs 2.2(1) and 2.2(2).

3.5 New Officer Delegation

At the Community and Social Affairs Committee to be held on 13 September 2017 the following new Officer delegation to the Head of Communities and Neighbourhoods is to be considered and subject to that Committee's approval, this Committee is requested to approve the delegation and refer the same to Full Council for adoption in the Constitution.

In consultation with the Corporate Director to re-set the Housing Revenue Account existing fees and charges.

It is noted that any new or significantly re-structured services and charges will continue to be considered by the Community and Social Affairs Committee in the first instance.

4.0 **POLICY AND CORPORATE IMPLICATIONS**

4.1 Due to the Constitution being a living document there are times when amendments are needed to enable the organisation to function efficiently. Therefore items will be referred to the Committee as required.

4.2 The regular reviews and updates to the Constitution and ensuring it is up to date on its decision-making processes supports the Council's priority for being an 'Agile Council'.

5.0 **FINANCIAL AND OTHER RESOURCE IMPLICATIONS**

5.1 Any financial and resource implications will be met from existing resources.

6.0 LEGAL IMPLICATIONS/POWERS

6.1 Any change in legislation overrides the current wording of the Constitution and the Monitoring Officer has delegated authority to make amendments following legislative or other statutory changes and minor procedural and operational changes. Such changes will be reported to the Governance Committee and subsequently the Council, as soon as practicable thereafter.

7.0 COMMUNITY SAFETY

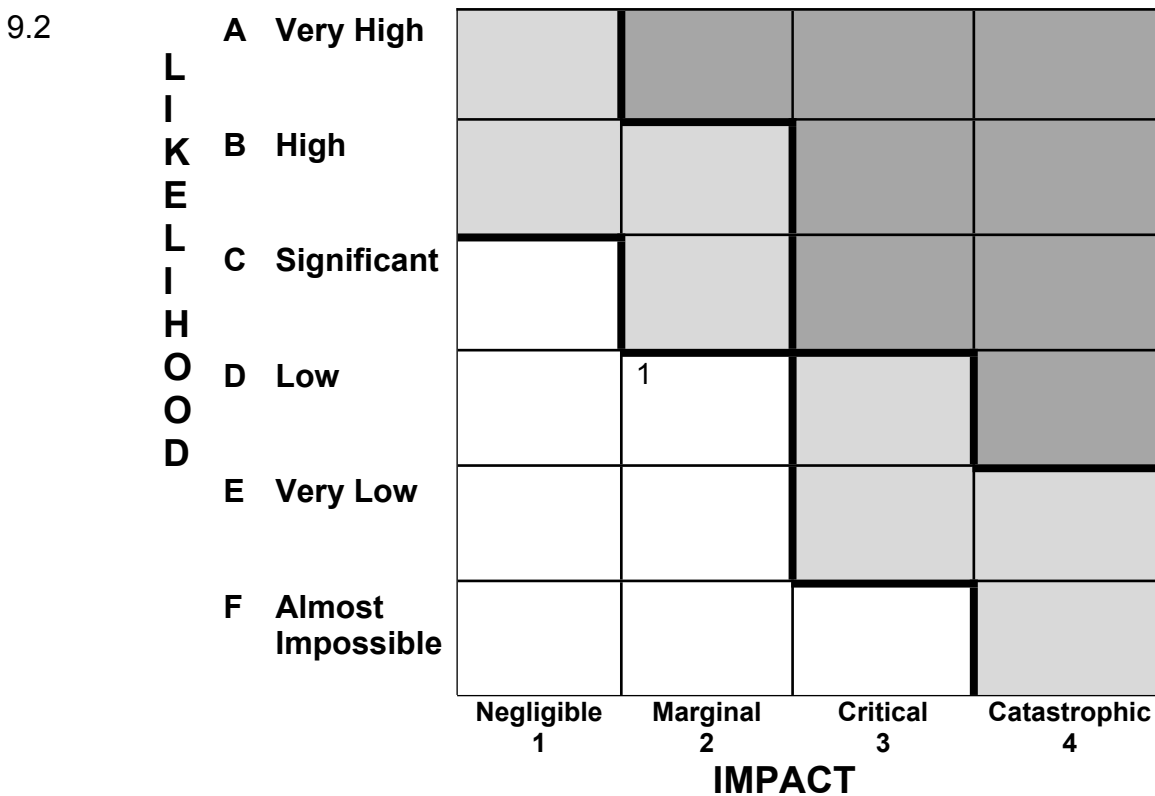
7.1 There are no community safety implications relating to this report.

8.0 EQUALITIES

8.1 Equalities Screening Assessments have been drafted on the items within the report and most items presented relate to the legality of decision-making.

9.0 RISKS

9.1 The risks associated with report are considered to relate to following legal and constitutional procedures in decision-making.



Risk No	Risk Description
1	Decisions challenged due to appropriate processes not followed.

10.0 CLIMATE CHANGE

10.1 The Constitution is available on the Council’s website and is electronically available to Members and Officers to meet the Council’s corporate commitment to green targets.

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Consequential changes due to the Management Restructure Items for Consideration

No.	Page Ref	Item	Appendix Ref												
1.		<u>Part 2 : Articles</u>													
	16	<p><u>Article 9 - Officers</u></p> <p>Management Structure</p> <p>(a) General. The Full Council will engage such staff (referred to as officers) as it considers necessary to carry out its functions.</p> <p>(b) Chief Officers. The Full Council may engage persons for the following posts, who will be designated chief officers:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;">Post</th> <th style="width: 50%;">Functions and areas of responsibility</th> </tr> </thead> <tbody> <tr> <td>Chief Executive (and Head of Paid Service)</td> <td>Overall corporate management and operational responsibility (including overall management responsibility for all officers). Provision of professional advice to all parties in the decision making process. Together with the Solicitor to the Council, responsibility for a system of record keeping for all the Council's decisions and maintaining the Constitution. Representing the Council on partnership and external bodies (as required by statute or the Council).</td> </tr> <tr> <td>Deputy Chief Executive</td> <td>To support the Chief Executive in the performance of their duties</td> </tr> <tr> <td>Corporate Director</td> <td>To support the Chief Executive in the performance of their duties</td> </tr> </tbody> </table> <p>(b) Head of Paid Service, Monitoring Officer and Chief Financial Officer. The Council will designate the following posts as shown:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;">Post</th> <th style="width: 50%;">Designation</th> </tr> </thead> <tbody> <tr> <td>Chief Executive</td> <td>Head of Paid Service</td> </tr> </tbody> </table>	Post	Functions and areas of responsibility	Chief Executive (and Head of Paid Service)	Overall corporate management and operational responsibility (including overall management responsibility for all officers). Provision of professional advice to all parties in the decision making process. Together with the Solicitor to the Council, responsibility for a system of record keeping for all the Council's decisions and maintaining the Constitution. Representing the Council on partnership and external bodies (as required by statute or the Council).	Deputy Chief Executive	To support the Chief Executive in the performance of their duties	Corporate Director	To support the Chief Executive in the performance of their duties	Post	Designation	Chief Executive	Head of Paid Service	
Post	Functions and areas of responsibility														
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Deputy Chief Executive	To support the Chief Executive in the performance of their duties														
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Post	Designation														
Chief Executive	Head of Paid Service														

No.	Page Ref	Item	Appendix Ref				
		<table border="1" data-bbox="384 174 1283 304"> <tr> <td data-bbox="384 174 807 237">Deputy Chief Executive</td> <td data-bbox="807 174 1283 237">Monitoring Officer</td> </tr> <tr> <td data-bbox="384 237 807 304">Corporate Director</td> <td data-bbox="807 237 1283 304">Chief Finance Officer</td> </tr> </table> <p data-bbox="384 344 1139 383">Article 11 – Finance, Contracts and Legal Matters</p> <p data-bbox="384 434 826 472">Common Seal of the Council</p> <p data-bbox="384 488 1294 815">The Common Seal of the Council will be kept in a safe place in the custody of the Solicitor to the Council. A decision of the Council, will be sufficient authority for sealing any document necessary to give effect to the decision. The Common Seal will be affixed to those documents which in the opinion of the Solicitor to the Council should be sealed. The affixing of the Common Seal will be attested by the Chief Executive or some other person authorised by him/her being the Deputy Chief Executive or Corporate Director.</p> <p data-bbox="384 871 944 943"><u>Action Proposed</u> To agree the changes as set out above</p>	Deputy Chief Executive	Monitoring Officer	Corporate Director	Chief Finance Officer	
Deputy Chief Executive	Monitoring Officer						
Corporate Director	Chief Finance Officer						
2.		<p data-bbox="384 983 858 1021"><u>Part 3 : Delegations to Officers</u></p> <p data-bbox="268 1055 1262 1167">4.1 <u>Part 3 – Delegations to Officers is attached as Appendix A1 and tracked changes show the amendments which reflect the new Management Structure.</u></p> <p data-bbox="384 1205 1171 1274">In summary, the specific Officer delegations have been updated as follows :-</p> <p data-bbox="384 1312 746 1350"><u>Head of Central Services</u></p> <p data-bbox="384 1350 1283 1420">The delegations of the Head of Central Services be reallocated in all cases to Corporate Director</p> <p data-bbox="384 1458 1262 1570">Where there are other Officer delegations in consultation with the Head of Central Services, these be reallocated to be in consultation with the Corporate Director</p> <p data-bbox="384 1608 746 1646"><u>Head of Communications</u></p> <p data-bbox="384 1646 1283 1794">The delegations of the Head of Communications be reallocated in all cases to the Corporate Director with the exception of HR and communications matters where these are allocated to the Communications Manager.</p> <p data-bbox="384 1832 1262 2013">Where there are other Officer delegations in consultation with the Head of Communications, these be reallocated to be in consultation with the Corporate Director with the exception of staffing matters where these be to the Communications Manager</p>	App A1				

No.	Page Ref	Item	Appendix Ref
		<p><u>Corporate Property Officer</u> Delegations of Corporate Property Officer be reallocated to the Strategic Asset Manager.</p> <p><u>Action Proposed</u> To agree the tracked changes at Appendix A1.</p>	
3.		<u>Part 4 : Rules of Procedure</u>	
	5.1	<p>Updated with tracked changes to reflect current arrangements</p> <p><u>Action Proposed</u> To agree the tracked changes at Appendix A5.</p>	App A2
4.		<u>Part 5 : Codes & Protocols</u>	
	6.1	<p>The following job role changes be made :-</p> <p>For Strategic Director – replace with Deputy Chief Executive and Corporate Director For Head of Central Services – replace with Corporate Director For Head of Communications – replace with Corporate Director or Communications Manager as appropriate For Head of Regulatory Services – replace with Head of Strategic Planning and Regulatory Services For role of Monitoring Officer – insert Deputy Chief Executive in place of Head of Communications</p> <p><u>Action Proposed</u> To agree the changes as set out above</p>	-
5.	-	<u>Part 6 : Members' Allowances Scheme</u> The job role of Head of Communications be updated with the role of Corporate Director <u>Action Proposed</u> To agree the change	-
6.	-	<u>Part 7 : Management Structure</u> Management structure be updated with latest arrangements <u>Action Proposed</u> To agree the change	-
7.	-	<u>Part 9 : Single Equality Scheme</u> The job role of Head of Central Services be updated with the role of Corporate Director <u>Action Proposed</u> To agree the change	-
8.	-	<u>Part 10 : Whistleblowing Policy etc</u> The name, job role and contact details of Head of Communications be updated with the name, job role and	-

No.	Page Ref	Item	Appendix Ref
		contact details of the Corporate Director and the new Monitoring Officer where applicable. <u>Action Proposed</u> To agree the change	

GOVERNANCE COMMITTEE

19 SEPTEMBER 2017

REPORT OF CORPORATE DIRECTOR

SUBSISTENCE ARRANGEMENTS

1.0 PURPOSE OF REPORT

- 1.1 At the request of the Full Council, the Committee is to consider whether to provide refreshments before evening meetings and if so the budget implications of doing so and refer its recommendations to the Full Council.
- 1.2 A previous report on this subject was considered by the Governance Committee at its meeting on 6 June 2017 and this is attached for ease of reference at Appendix A.
- 1.3 This report aims to provide the additional information to enable the Committee to make a recommendation to Full Council.

2.0 RECOMMENDATIONS

- 2.1 **An option from paragraph 3.9 be approved and referred to Full Council.**
- 2.2 **Subject to 2.1 above, to approve a supplementary estimate to cover the cost for 2017/18.**

3.0 KEY ISSUES

- 3.1 At the Full Council Meeting held on 26 April 2017, it was resolved that
'...a further report be brought back to Council on the budget implications for providing refreshments before meetings of committees and Full Council.'
- 3.2 At the Governance Committee held on 6 June 2017, a report was considered on subsistence arrangements before evening meetings (Appendix A) and it was resolved that
'consideration of the provision of refreshments before evening meetings starting after 5:30pm be deferred to the 19 September meeting of this Committee to enable this Committee to consider additional information and put a reasonable, sound, sensible recommendation to Full Council.'
- 3.3 For comparison purposes, other Leicestershire districts were contacted to find out what refreshments are provided for Member meetings. This information is available at Appendix B. It appears that Melton is currently in line with other Leicestershire authorities in providing tea, coffee and water for the majority of meetings. Also in line with most of the other authorities surveyed, there is provision for a light buffet for Planning Site Visits as necessary and this is set out in the Members' Allowances Scheme as follows :-

'When the number and duration of site visits, combined with the duration of the Members briefing reaches a level where the Head of Regulatory Services in consultation with the Chairman of the Planning Committee deems it appropriate, a light buffet shall be provided for the Members, without any deduction from their Site Visit Attendance Allowance.'

3.4 The minutes of the June Governance Committee meeting reflect a full debate and Members raised some helpful points both in support and against providing sandwiches before meetings as follows :-

For	Against	Other suggestions
<u>Length of meetings</u> It was difficult to foresee the duration of meetings. If a lengthy meeting was likely, it was reasonable to expect some sustenance.	A buffet prior to every meeting would be 'overkill'	Guidance from Committee Chairs would be required to determine the specific requirements prior to each individual meeting
<u>Opportunity to meet informally</u> Problems had been solved when previously Members had had the opportunity to gather for refreshments before meetings and that it had brought comradery between Members	<u>Wastage</u> There had been a lot of waste when a buffet service had been provided previously	<u>Officer subsistence</u> Consideration should also be given to the impact of this decision on Officers, who had completed a full working day before attending an evening meeting
<u>Work/travel commitments</u> Some Members had to travel a considerable distance to attend meetings and others had work commitments, which made it difficult for them to eat prior to the meetings	<u>Length of meetings</u> Our conduct determines the length of meetings. We can be more business like to reduce duration of meetings and be efficient without rushing decisions	<u>Tuck shop</u> A tuck shop or vending machine were suggested. It was agreed that a tuck shop was not feasible, as it would have to be staffed.
	<u>Members opting out of any buffet provision</u> Should a buffet option be approved, it would not have to be for all Members. A Member advised that they could be discounted from cost calculations, as they would always be able to make their own arrangements for refreshments prior to a meeting	<u>Vending machines</u> Vending machines containing healthy option snacks had been explored in relation to a previous staff query but had not proved viable as companies provided vending machines free of charge on the basis of the profit they made from snacks sold. Due to limited use, the Council would have to lease the machines which could prove more expensive than the buffet service option.

3.5 Following the meeting, all Members were given the opportunity to provide

comments and specific questions were asked which were designed to also help assess the value to the Council in providing a timeslot for informal Member/Officer discussion with or without catering.

Seven Members responded and the questions and a summary of those views is attached at Appendix C.

3.6 From the views expressed in Appendix C the majority have shown some support for the provision of refreshments for those who travel to the Council and come straight from work/other commitments to meetings and for those who attend several meetings in one day. There is a suggestion for a self-serve sandwich machine and for healthy food options and this issue had been responded to at the last meeting (see table at paragraph 3.4) and there were already vending machines on Floors 1 and 2 which contained snacks (including muesli bars) and these were already available to Members. There is some concern about the cost of introducing sandwiches and whether these would be needed for all meetings. The majority consider that having a timeslot to meet informally with officers is helpful and could be beneficial to the work of the Council in keeping everyone informed of latest developments and arising issues but this does not have to be before meetings or with food and would depend on the timing of such sessions.

One Member was against introducing sandwiches and felt there were sufficient opportunities for informal discussion.

3.7 It appears that a qualifying criteria for whether sandwiches are required before a meeting could relate to the length of the meeting and this could be estimated using agenda length and recent history of meeting end times. Working on this approach and using a cut off for number of items on an agenda as 10, the Town Area Committee and the Licensing and Regulatory Committee could be discounted from the calculations. Also with regard to the Licensing and Regulatory Committee, this is more often than not cancelled due to a lack of business. However it is noted that the Planning Committee may not include 10 items of business but from previous meeting history, it is understood that most of these meetings last as long or longer than policy committee meetings and therefore these meetings remain included in any subsistence arrangements.

To remove the Town Area and Licensing and Regulatory Committees from the calculations would mean a reduction in the annual provision for the Calendar of Meetings* as follows :-

Meeting(s)	No. of mtgs per year	No. of People (Cttee + 3 officers)	Basic Menu	Enhanced Menu	Total for year – Basic menu	Total for year – Enhanced menu
			(£3 pp) per mtg	(£4 pp) per mtg	£	£
Full Council	6	31	93	124	558	744
CSA	5	13	39	52	195	260
Governance	5	13	39	52	195	260
Licensing	5	13	39	52	195	260
PFA	5	13	39	52	195	260
Planning	17	14	42	56	714	952
REEA	5	14	42	56	210	280
Town Area	11	18	54	72	594	792
Totals					2856	3808

Deduction					789	1052
New Totals					2067	2756

*These calculations do not include a contingency for ad hoc meetings nor working groups or task groups.

3.8 It is usually the case that buffet refreshments are provided from the Mayoral budget for the Annual Meeting of the Council therefore there is no provision in the figures supplied in this report for that meeting.

3.9 To assist the Committee in its decision-making here is a list of suggested options for a decision at 2.1 and it is proposed that one option is selected and referred to Full Council :-

(a) the basic menu be provided from 5.45 p.m. before Full Council and Committee meetings which include an agenda of at least 10 items of business and Planning Committees at a cost of £2,067 per annum and there be a £200 contingency for Extraordinary Council or Ad hoc Committee meetings where it is anticipated the meeting will last longer than 1 hour;

(b) the basic menu be provided from 5.45 p.m. before all Full Council and Committee meetings, Extraordinary Council, Ad Hoc meetings, Task Groups and Workings as detailed at paragraph 5.1 at a cost of £4,076 per annum;

(c) alternative arrangements be investigated as to informal liaison between Members and Officers and this not be reliant on formal subsistence arrangements;

(d) there be no change to existing arrangements.

4.0 **POLICY AND CORPORATE IMPLICATIONS**

4.1 The service supports the well-being of Councillors and the Council's Officers who attend evening meetings and contributes to the Council's priority for being a 'Well run Council'.

5.0 **FINANCIAL AND OTHER RESOURCE IMPLICATIONS**

- 5.1 As there is no current budget provision for sandwiches before meetings, it is proposed that a supplementary estimate would be needed for this service in the sum of £4,076 for 2017/18 to provide a basic sandwich menu and £5,268 to provide a slightly enhanced menu before meetings as detailed below :-

Meetings	Total for year – Basic menu (£3 pp)	Total for year – Enhanced menu (£4 pp)
	£	£
Total cost for all Council & Committee meetings scheduled on the Calendar of Meetings for 2017/18	2856	3808
20 x Ad hoc Task Groups and Working Groups involving up to 12 people at each meeting	720	960
Contingency for Extraordinary Council and Ad hoc Committee meetings	500	500
Totals	4076	5268

- 5.2 Should it be approved to go ahead with this service in 2017/18, a growth bid will be put forward for the 2018/19 budget.

6.0 LEGAL IMPLICATIONS/POWERS

- 6.1 There are no legal implications in this report.

7.0 COMMUNITY SAFETY

- 7.1 There are no community safety implications relating to this report.

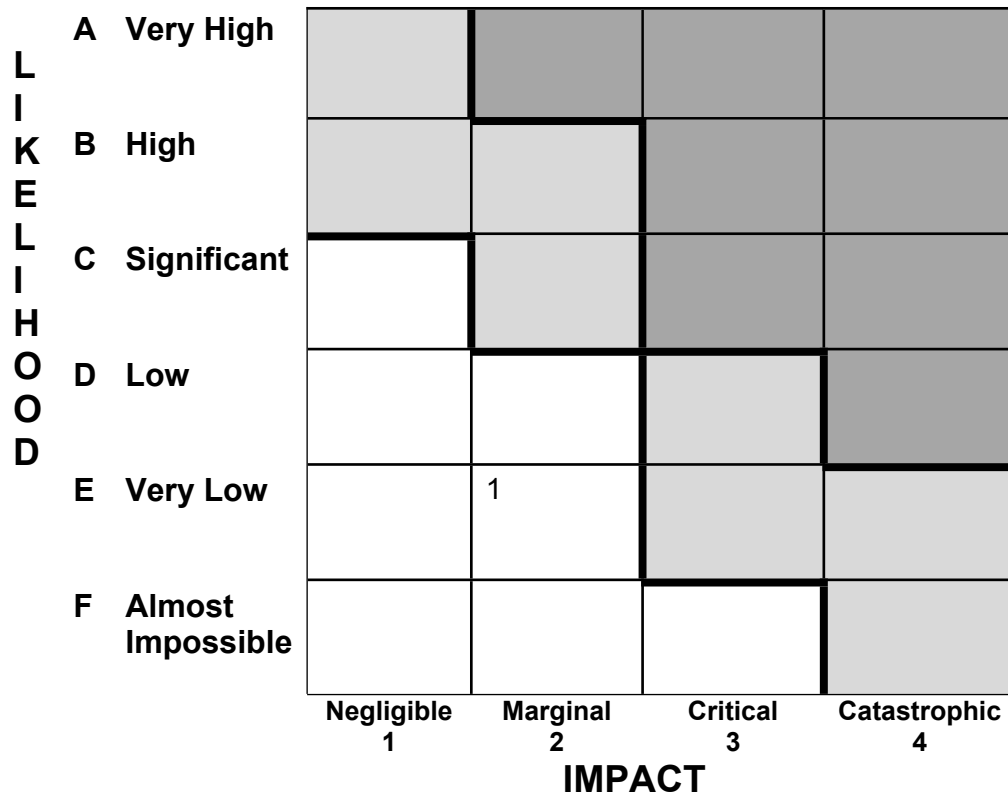
8.0 EQUALITIES

- 8.1 An Equalities Impact Assessment is to be drafted.

9.0 RISKS

- 9.1 The risk is very low and is mainly attributable to the health and well-being of those attending meetings in having the opportunity for subsistence before the meeting. Those coming straight from work and other commitments are most at risk.

9.2



Risk No	Risk Description
1	Impact on health and well-being due to no opportunity to eat before meetings

10.0 CLIMATE CHANGE

10.1 There are no climate change implications.

11.0 CONSULTATION

11.1 There has been consultation with Unison as the proposal affects the well-being of staff.

12.0 WARDS AFFECTED

12.1 No wards are affected by this report.

Contact Officer: Angela Roberts/Sarah Evans
 Date: August 2017
 Appendices : Appendix A – Subsistence Arrangements report to Governance Committee on 6 June 2017
 Appendix B – Current Subsistence Arrangements – Leicestershire authorities
 Appendix C – Members views on subsistence arrangements

Background Papers:
 Reference : X : Committees\Governance\2017 18\190917\Subsistence Arrangements

REPORT OF HEAD OF COMMUNICATIONS

SUBSISTENCE ARRANGEMENTS

1.0 PURPOSE OF REPORT

- 1.1 At the request of the Full Council, the Committee is to consider whether to provide refreshments before evening meetings and if so the budget implications of doing so and refer its recommendations back to the Full Council.

2.0 RECOMMENDATIONS

- 2.1 **Members recommend to Full Council whether refreshments be provided before evening meetings starting after 5.30pm and if so the scope of meetings and the level of refreshment to be provided**
- 2.2 **Subject to 2.1 above to approve a supplementary estimate to cover the cost for 2017/18.**

3.0 KEY ISSUES

- 3.1 At the Full Council Meeting held on 26 April 2017, it was resolved that

'...a further report be brought back to Council on the budget implications for providing refreshments before meetings of committees and Full Council.'

This report brings the relevant matters and costs together for the Committee's consideration so that recommendations can be made to Full Council on the way forward.

- 3.2 There was a discussion at the Full Council meeting held on 26 April 2017 which was instigated by Members and debated the previous practice of having sandwiches before evening meetings. The benefits of the service were outlined as providing an opportunity for Members to interact and catch up with each other on Council matters on a regular basis, it helped participants to remain focused when meetings went on longer than expected, it provided refreshments for Members who had come directly from work to a Council meeting and it also assisted Officers required to support such meetings who had mostly completed a full working day before an evening meeting started.

It was noted that the previous Efficiency Task Group had recommended that sandwiches before meetings were not continued due to the potential for a cost saving to the Council. However it was mentioned that the cost was small in comparison to the Council's overall budget.

- 3.3 The cost of providing a simple buffet before evening meetings has been requested from two local catering suppliers who are regularly used by the Council for other events. They were asked to quote for a basic menu of a selection of sandwiches per person and a slightly enhanced menu of sandwiches, fruit and cake. Both suppliers gave the same cost for the enhanced menu at £4 per person and one cost so far has been received for the basic menu being £3 per

person.

3.4 It is noted that there are other evening meetings besides Council and Committee meetings such as Task Groups and Workings Groups and these amount to approximately 20 per year involving up to 12 people. Therefore it is proposed that refreshments may also be available before these meetings provided they start after 5.30 p.m.

3.5 The cost of reintroducing the provision of refreshments before evening meetings scheduled on the approved Calendar of Meetings for 2017/18 is as follows :-

Meeting(s)	No. of mtgs per year	*No. of People	Basic Menu (£3 pp) per mtg	Enhanced Menu (£4 pp) per mtg	Total for year – Basic menu	Total for year – Enhanced menu
Full Council	6	31	93	124	558	744
CSA	5	13	39	52	195	260
Governance	5	13	39	52	195	260
Licensing	5	13	39	52	195	260
PFA	5	13	39	52	195	260
Planning	17	14	42	56	714	952
REEA	5	14	42	56	210	280
Town Area	11	18	54	72	594	792
Totals					2856	3808

*Based on Committee membership and 3 Support Officers

3.6 It should be noted that there are Extraordinary Council and ad hoc Committee meetings held in the evenings which are additional to the approved Calendar of Meetings and these would also require the same level of refreshments.

3.7 The following costs relate to ad hoc Task Groups and Working Groups arranged to be held in the evening after 5.30 p.m. based on 20 meetings per year involved up to 12 people.

Meeting(s)	No. of mtgs per year	*No. of People	Basic Menu (£3 pp) per mtg	Enhanced Menu (£4 pp) per mtg	Total for year – Basic menu	Total for year – Enhanced menu
Ad hoc Task Groups and Working Groups	20	12	36	48	720	960
Totals					720	960

It is noted that the majority of evening working group meetings are related to the business of the Melton Local Plan Working Group.

4.0 POLICY AND CORPORATE IMPLICATIONS

4.1 The service supports the well-being of Councillors and the Council's Officers who attend evening meetings and contributes to the Council's priority for being a 'Well run Council'.

5.0 FINANCIAL AND OTHER RESOURCE IMPLICATIONS

5.1 As there is no current budget provision for sandwiches before meetings, it is proposed that a supplementary estimate would be needed for this service in the sum of £4,076 for 2017/18 to provide a basic sandwich menu and £5,268 to provide a slightly enhanced menu before meetings as detailed below :-

Meetings	Total for year – Basic menu (£3 pp)	Total for year – Enhanced menu (£4 pp)
Total cost for all Council & Committee meetings scheduled on the Calendar of Meetings for 2017/18	2856	3808
20 x Ad hoc Task Groups and Working Groups involving up to 12 people at each meeting	720	960
Contingency for Extraordinary Council and Ad hoc Committee meetings	500	500
Totals	4076	5268

5.2 Should it be approved to go ahead with this service in 2017/18, a growth bid will be put forward for the 2018/19 budget.

6.0 LEGAL IMPLICATIONS/POWERS

6.1 There are no legal implications in this report.

7.0 COMMUNITY SAFETY

7.1 There are no community safety implications relating to this report.

8.0 EQUALITIES

8.1 An Equalities Impact Assessment is to be drafted.

9.0 RISKS

9.1

L I K E L I H O O D	A Very High				
	B High				
	C Significant				
	D Low				
	E Very Low		1		
	F Almost Impossible				
		Negligible 1	Marginal 2	Critical 3	Catastrophic 4
IMPACT					

Risk No	Risk Description
1	Impact on health and well-being due to no opportunity to eat before meetings

10.0 CLIMATE CHANGE

10.1 There are no climate change implications.

11.0 CONSULTATION

11.1 There has been consultation with Unison as the proposal affects the well-being of staff.

12.0 WARDS AFFECTED

12.1 No wards are affected by this report.

Contact Officer: Angela Roberts/Sarah Evans
 Date: May 2017
 Appendices: None
 Background Papers: Calendar of Meetings 2017 18
 Reference: X : Committees\Governance\2017 18\060617\Subsistence Arrangements

Leicestershire District Councils

Council Name	Any type of ref s provided	Type of refs before meetings	Planning Committee refs	Additional Refs provided
Blaby	Yes	Tea and coffee & water dispensers are available Tin of biscuits	<u>Site Visits at 1.30 held before Planning Cttee starts at 4.30pm</u> Buffet between the 2 meetings	Annual Planning Training & Scrutiny Workshop Buffet as are long meetings
Charnwood	Yes	Tea and coffee & water dispensers are available	<u>Site Visits held at 2pm, Planning Cttee at 5pm</u> Sandwiches between the 2 meetings	<u>For Cabinet & Council</u> Drinks & Biscuits <u>Member Training</u> Buffet
Harborough	Yes	Water at meetings Members' Kitchen & hot drink supplies available	None	None
Hinckley & Bosworth	Yes	Coffee machine in Members' Room	None	None
North West Leicestershire	Yes	Tea and coffee & water dispensers are available	<u>Site Visits held before Planning Cttee starts</u> Sandwiches between the 2 meetings	
Oadby & Wigston	Yes	Tea and coffee & water dispensers are available	None	None
Melton	Yes	Tea and coffee & water dispensers are available Biscuits on request	<u>After Site Visits</u> Sandwiches ordered as needed depending on schedule	

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Subsistence Arrangements : Members' Views

No	Question	Responses
1.	When a buffet was provided previously, it gave Members and Officers the opportunity to meet informally before a meeting, is this more important to you than having food available?	<p><u>Councillor 1</u> I am always pleased to meet up with officers informally, although mostly I am rushing in from work or other meetings. I personally think that the officers may feel that they have more important things to do than chatting before meetings. I think this may set a precedent to have to, rather than want to. Unless the officers have put forward this may actually save them time in the day from answering lots of individuals, I don't feel it should be imposed.</p> <p><u>Councillor 2</u> It was very convenient to be able to talk to officers informally before the mtg over a cup of tea & a sandwich</p> <p><u>Councillor 3</u> I do not think that it is an either / or one thing leads to another.</p> <p><u>Councillor 4</u> Meeting informally before a meeting is useful. However due to the timing of the meetings often participants do not have time to eat beforehand and arrive just in time for the meeting. Some meetings are very long and working members do not get a chance to have food until after 9.00pm.</p> <p><u>Councillor 5</u> Sometimes I am attending meetings straight from work, without going home, so I am often hungry. I'm not keen to eat biscuits but something more healthy would be appropriate. I suggest a self-serve sandwich machine/freezer. With healthy snacks, like nuts/oat flapjacks/yoghurt/fruit pots. I would ensure that I had sufficient funds for this.</p>
2.	Do you think it would be helpful to have a specific timeslot for Members and Senior Officers to meet informally to share the latest Council news/social media	<p><u>Councillor 1</u> I don't see it as a necessary thing to set up time slots. This could then turn into another meeting to attend which could then become a burden. Happy to participate if officers feel this would benefit them however.</p> <p><u>Councillor 2</u> Yes</p>

	topics, run through new ideas and discuss concerns?	<p><u>Councillor 3</u> It is difficult to find a time and date to suit all. Half an hour before a meeting gives a chance for relevant members to meet relevant officers on an informal basis.</p> <p><u>Councillor 4</u> Yes, it's important for good relationships</p> <p><u>Councillor 5</u> There could be a regular time-slot each week when it would be possible to come along (to have coffee) and chat about issues, so that accessibility is an option.</p>
3.	If you agree with (2), can you describe how you see this working?	<p><u>Councillor 1</u> N/A</p> <p><u>Councillor 2</u> Pre mtg brief or as 1</p> <p><u>Councillor 3</u> I think that this is a different issue. We have the away day in January and I think that it would be useful to have another day like that, say in September.</p> <p><u>Councillor 4</u> Every 2-3 months perhaps to openly discuss concerns. Often when matters are discussed by a group in a 'brain storming session' problems are averted saving officers and members time which results in reducing costs.. It would be a step towards being proactive rather than reactive.</p> <p><u>Councillor 5</u> Nice coffee and chat, possibly informal setting such as around the kitchen area re the staff sitting area.</p>
4.	What benefits would meeting up in this way bring to your Councillor role?	<p><u>Councillor 1</u> N/A</p> <p><u>Councillor 2</u></p>

		<p>To give/get a better understanding on the subject of your particular interest</p> <p><u>Councillor 3</u> It breaks down barriers and allows informal discussion on issues that may be a concern to either Councillors or Officers but is not worth a formal meeting.</p> <p><u>Councillor 4</u> Keeping in touch with Senior Officers to ensure good relationships and assisting /monitoring progress on various issues and projects</p> <p><u>Councillor 5</u> To gain insight, ideas and information about a whole variety of issues, to help me do my job more effectively as a Councillor.</p>
5.	Do you need sandwiches to make the above work for you?	<p><u>Councillor 1</u> Not really</p> <p><u>Councillor 2</u> No - but when mtgs conflict with meal times would suggest sandwiches are made available.</p> <p><u>Councillor 3</u> Food is a good catalyst to get people together.</p> <p><u>Councillor 4</u> Depending on the timings of meetings.</p> <p><u>Councillor 5</u> A self-serve sandwich machine would be a great alternative to sandwiches although the latter are always appreciated!</p>
6.	Some Councils have a self-serve machine for a selection of hot drinks, would this be of interest to you?	<p><u>Councillor 1</u> Self service food and drinks machines would be something that would benefit me. I sometimes miss meals due to work and other commitments. An online pre payment card would be useful as I rarely carry cash either.</p>

		<p><u>Councillor 2</u> No - a buffet table is far more convenient plus a better quality/selection of food.</p> <p><u>Councillor 3</u> Certainly worth a try</p> <p><u>Councillor 4</u> Not really, they could incur leasing costs unless it is used by all staff to ensure sandwiches are frequently replenished and remain very fresh. There could be a lot of waste and someone has to pay for that.</p> <p><u>Councillor 5</u> There seems to be one or two places to make yourself a cup of tea and coffee, although a self-serve for this would always go down well. There could be hot chocolate and latte/cappuchino. If there was a freezer machine for self-serve sandwiches, you could include fruit juices and milk shakes (cooled) as well as natural spring water/carbonated - again, more healthy.</p>
7.	Any other comments	<p><u>Councillor 1</u> A provided buffet is always a nice to have but I am not sure I agree with the cost of this for all meetings, unless the meeting is long, late or particularly arduous.</p> <p><u>Councillor 2</u> -</p> <p><u>Councillor 3</u> Only 49% of officers feel valued by Councillors (Staff Survey). I feel that this is because now we do not communicate informally and know each others concerns. Officers are only involved when there is an issue by members. Given the high turnover of Officers it might be useful to have some sort of meeting between "the whole team".</p> <p><u>Councillor 4</u> Tea, coffee and biscuits should continue to be provided before all meetings and a small selection of sandwiches before Full Council meetings would be a welcome addition. Also ensure a small selection of sandwiches is provided after site visits if it is a long morning without the need for a reminder!</p> <p><u>Councillor 5</u> The self serve options would be more cost effective as well as meet a real need for something more</p>

		<p>substantial. Self service would also be a continuous option throughout the day and we wouldn't have to wait for sandwiches to become available.</p> <p><u>Councillor 6</u> I am not in favour of reintroducing members' sandwiches etc. I think there are sufficient opportunities for informal and political interaction and discussion.</p> <p><u>Councillor 7</u> My personal view is that some form of refreshments should be provided by the Council. I often leave home to attend back to back meetings. For a 4.p.m. meeting I have to leave home by 3.20.p.m. and if this is followed by a 6.p.m. or 6.30.p.m. meeting I am lucky to be home by 9.p.m. When I was first elected we socialised with Officers and staff before meetings over a tea/coffee and a sandwich. I never leave home now without a banana in the car to eat prior to driving home. As for the idea of having a cabinet with out of date sandwiches to purchase fills me with horror. Rural Members can be away from home attending Meetings for 5 / 6 hours on a regular basis. Officers often think they are doing us a good turn arranging back to back meetings to save us unnecessary journeys but without some form of subsistence they become endurance tests. Some form of subsistence must be re-introduced. There are many ways the cost of light refreshments could be covered without putting the budget in the red.</p>
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POLICY FINANCE AND ADMINISTRATION COMMITTEE

26 SEPTEMBER 2017

REPORT OF THE SOLICITOR TO THE COUNCIL

DISCIPLINARY PROCEDURE FOR STATUTORY OFFICERS

1.0 PURPOSE OF REPORT

- 1.1 To consider a revised disciplinary procedure for the Head of Paid Service, Chief Finance Officer and the Monitoring Officer as required under the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015

2.0 RECOMMENDATIONS

- 2.1 **To consider and adopt the revised disciplinary procedure which applies to the position of Chief Executive as set out in Appendix A and B which includes the current guidance issued from time to time by the Joint National Committees;**
- 2.2 **Subject to the approval of 2.1 above that the disciplinary procedure referred to in 2.1 is used as the reference guide in circumstances where disciplinary action against the Chief Finance Officer or Monitoring Officer is contemplated;**
- 2.3 **To recommend to Council the appointment of an Investigating and Disciplinary Committee which is politically balanced and comprising of 5 members whose terms of reference are set out in Appendix C**
- 2.4 **To recommend to Council that the terms of reference of the Appeals Committee are amended as set out in Appendix D**

3.0 KEY ISSUES

- 3.1 The 2015 Regulations required, that no later than the first ordinary meeting of the authority after 11 May 2015, the authority must have, in respect to disciplinary action against its Head of Paid Service, Chief Finance Officer or Monitoring Officer amend its standing orders to comply with the revised arrangements.
- 3.2 Full Council on 22 July 2015 revised its Officer Employment Procedure Rules to conform with the 2015 Regulations, and delegated authority to the Policy, Finance and Administration Committee to consider a detailed disciplinary and dismissal procedure for the statutory officers. It was noted at paragraph 6.4 that such a detailed procedure should be considered following the conclusion of the Joint National Committee for Chief Executives of Local Authorities (JNC) negotiations and further advice from the Local Government Association.
- 3.3 The JNC has now published an updated version of the Chief Executives' Handbook which includes a Model Procedure for dealing with disciplinary matters

which incorporates the new statutory process. Whilst the new procedure applies specifically Chief Executives it is envisaged that the procedure could also be used as a framework for the statutory officers. It is recommended that the same procedure is used for all the statutory officers.

- 3.4 The Model Disciplinary Procedure and Guidance is attached in its entirety at Appendix A. in summary the 2015 Regulations provide that the dismissal of the statutory officers can only take place if the proposal to dismiss is approved by way of a vote at a meeting of the authority, after they have taken into account:
- Any advice, views or recommendations of a panel (the Independent Panel)
 - The conclusions of any investigation into the proposed dismissal and
 - Any representations from the statutory officer concerned.
- 3.5 Disciplinary action in relation to a member of staff of a local authority is defined in the 2015 Regulations as “ any action occasioned by alleged misconduct which, if proved, would according to the usual practice of the authority be recorded on the member of staff’s personal file, and includes any proposal for dismissal of a member of staff for any reason other than redundancy, permanent ill health or infirmity of mind or body, but does not include failure to renew a contract of employment for a fixed term unless the authority has undertaken to renew such contract”.
- 3.6 The definition of disciplinary action would include other reasons for dismissal such as capability or some other substantial reason including a breakdown in trust and confidence between the statutory officer and the authority. Attached as Appendix X is flow diagram setting out the circumstances that could potentially result in dismissal and whether they are covered by the Model Procedure. These include dismissal for misconduct, capability – performance, capability-ill health (long term or frequent intermittent absence) or some other substantial reason.
- 3.7 The 2015 Regulations and the Model Procedure provides for a specific role for the Investigating and Disciplinary Committee (IDC), the Appeals Committee, the Independent Panel and the Council.

The IDC is a politically balanced standing committee of council and it is recommended that it is comprised of five members. The JNC Guidance states that the committee should be in a position to take decision as a matter of urgency and meet at very short notice to consider allegations and whether there is a case to answer and also to consider whether to suspend the statutory officer. However, this is a committee of council and the usual rules relating notice of meetings apply and will need to be complied with.

The IDC will need to be appointed by full Council and its proposed terms of Reference are set out in Appendix X to be recommended to Council for approval. These include the initial consideration of the allegations and the appointment of and consideration of any report of the Independent Investigator into any allegations. The role of the Independent Investigator is set out in more detail in Appendix (x). The Independent Investigator will be appointed from a list maintained by the NJC in accordance with their adopted procedure. This procedure is set out in more detail in paragraph 6 of the guidance in Appendix

The IDC will also need to have the delegated powers to suspend the Chief

Executive and the other statutory officers. Consideration will also need to be given to giving the Chairman of the IDC delegated authority to suspend the Chief Executive or the statutory officers, in cases of urgency. Any suspension must be reviewed after two months.

The Model Procedure also requires the appointment of an Appeals Committee to consider any appeal against disciplinary action (short of dismissal) made by the statutory officers. The remit of the Appeals Committee is to hear the appeals and to confirm the action, to impose no sanction or a lesser action. The Council already has an Appeals Committee, made up of five members, which is politically balanced and as such it is proposed that its Terms of Reference are updated to include hearing of appeals.

In circumstances where there is a recommendation to dismiss, the recommendation has to be considered by an Independent Panel, made up of at least two Independent Persons who have been appointed under Section 28(7) of the Localism Act 2011. The Panel will need to meet at least 20 days prior to the Council meeting which considers the recommendation. The details of the process are set out in the flowchart in Appendix B.

Where there is a proposal to dismiss this must be considered, and if appropriate, approved by Council before notice of dismissal is issued. The Council must therefore consider the proposal and reach a decision before the statutory officer can be dismissed. The Council can reject the proposal and can decide on an appropriate course of action, or in the case of misconduct or other reason, such as capability can refer the matter back to the IDC to determine the sanction.

As set out earlier in the report, there is a right of appeal against sanctions short of dismissal, which will be to the Appeals Committee. With respect to a proposal to dismiss the hearing by the council, prior to making a decision fulfils the appeal function and there is no separate right of appeal.

- 3.8 Consideration need to be given to the management of access to the procedure and ensuring that any complaints relating to the Chief Executive (or the Chief Finance Officer or Monitoring Officer) and ensuring that any issues that are raised are considered in accordance with the appropriate procedure. Not all issues that are raised will engage the formal process. Therefore a process will need to be implemented to filter out complaints which are clearly unfounded or trivial or should be dealt with under a different procedure such as the Council's grievance procedure. It is therefore recommended that for allegations raised regarding the Chief Executive should be raised with the Deputy Chief Executive in the first instance. Any referrals to the IDC will be in consultation with the Chairman of the IDC.
- 3.9 Whilst the Model Procedure relates to the Chief Executive, the Joint Negotiating Committee for Local Authority Chief Officers has issued a revised Conditions of Service Handbook on 8 August 2017 and this recommended that the Model Procedure should be used as a reference guide for dealing with allegations against the Chief Finance Officer or the Monitoring Officer. It is also recommended that allegation against these officers should be raised with the Chief Executive in the first instance on the basis set out in paragraph 3.8 above.

4.0 POLICY AND CORPORATE IMPLICATIONS

- 4.1 The Council amended its standing orders in line with the 2015 Regulations and following the conclusion of the national negotiation regarding JNC terms and conditions is in a position to adopt a revised disciplinary procedure for statutory officers.

5.0 FINANCIAL AND OTHER RESOURCE IMPLICATIONS

- 5.1 The Council needs to ensure that its employment procedures are legally sound to protect both officers and the authority. The Council could be vulnerable to employment claims if its procedures are not legally compliant.

6.0 LEGAL IMPLICATIONS/POWERS

- 6.1 In accordance with the 2015 Regulations the Council updated its Standing Orders to reflect the new provisions relating to statutory officers. It was decided to defer considering any detailed disciplinary/dismissal procedures until the outcome of the national negotiations relating to JNC terms and conditions, which affected a significant number of statutory officers.

- 6.2 Those negotiations have now concluded and in October 2016 the Joint Negotiating Committee for Chief Executives of Local Authorities issued an updated Handbook with a Model Procedure for dealing with disciplinary issues which incorporated the new statutory process. It is recommended that the model procedure is followed, however it is recognised that each local authority has discretion as to how far the guidance should be followed. Whilst the model procedure applies to Chief executive Officers the it could also be used as a framework for statutory chief officers as recommended in 2.3.

7.0 COMMUNITY SAFETY

- 7.1 None as far as this report is concerned.

8.0 EQUALITIES

- 8.1 An Equalities Impact Assessment will need to be undertaken and is being explored.

9.0 **RISKS**

9.1

L I K E L I H O O D	A	Very High				
	B	High				
	C	Significant				
	D	Low				
	E	Very Low		1		
	F	Almost Impossible				
			Negligible 1	Marginal 2	Critical 3	Catastrophic 4

IMPACT

Risk No	Risk Description
1	Procedures are not legally sound and officers and the authority are not protected leaving the Council vulnerable to employment claims

10.0 **CLIMATE CHANGE**

10.1 None as far as this report is concerned

11.0 **CONSULTATION**

11.1 None as far as this report is concerned

12.0 **WARDS AFFECTED**

12.1 All wards

Contact Officer: Verina Wenham

Date: 13 September 2017

Appendices : Appendix A
Appendix B
Appendix C
Appendix D

Background Papers:

Reference : X:\Cttee, Council & Sub Cttees\Policy Finance & Administration Committee\2017-18\26 September 2017

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Terms of Reference – Investigating and Disciplinary Committee

1. Consider allegations relating to the conduct or capability of the Head of Paid Service, Section 151 (Chief Financial Officer) Officer or the Monitoring Officer.
2. To appoint an Independent Investigator from a list maintained by the JNC Joint Secretaries and in accordance with the procedure adopted by the JNC Joint Secretaries from time to time.
3. To receive and consider the report of the Independent Investigator and be given authority to impose no sanction, or to take action short of dismissal and to impose an appropriate penalty or take other appropriate action.

In such cases where the IDC considers it appropriate taking into account the threshold test Head of Paid Service, the IDC may suspend the Section 151 Officer or Monitoring Officer

- Provide Independent Investigator with terms of reference regarding the allegations to be investigated
 - Appoint independent external advisors as required to and enable it to carry out function to agree any settlement.
4. Delegated authority to negotiate any settlement in consultation with internal / external auditors.

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Minutes

Meeting name	Planning Committee
Date	Thursday, 6 July 2017
Start time	6.00 pm
Venue	Parkside, Station Approach, Burton Street, Melton Mowbray, Leicestershire, LE13 1GH

Present:

Chair Councillor J. Illingworth (Chair)

Councillors

P. Baguley	G. Botterill
P. Chandler	P. Cumbers
P. Faulkner	M. Glancy
T. Greenow	E. Holmes
J. Wyatt	

Observers

Officers

Solicitor to the Council (VW)
Head of Strategic Planning and Regulatory Services
Administrative Assistant (AS)

Minute No.	Minute
PL16	<p>Apologies for Absence Cllr Posnett</p>
PL17	<p>Minutes Minutes of the meeting 15 June 2017</p> <p>Approval of the Minutes was proposed by Cllr Holmes subject to an amendment to page 36 of the previous minutes to refer to Green Gage Farm not Greengates Farm.</p> <p>Cllr Baguley seconded the approval.</p> <p>The Committee voted in agreement. It was unanimously agreed by all Members in attendance, at the meeting on 15 June 2017, that the Chair sign them as a true record.</p>
PL18	<p>Declarations of Interest Cllr Hutchinson was in the audience and declared an interest in applications 17/00327/FULHH & 17/00328/LBC as he is the applicant.</p>
PL19	<p>Schedule of Applications</p>
PL19.1	<p>16/00318/OUT Applicant: Croft Developments Limited Location: Land around Sherbrook House and Millway Foods, Colston Lane, Harby Proposal: Outline application for the erection of 50 dwellings with associated access, landscaping and infrastructure.</p> <p>a) The Head of Regulatory Services stated that: Deferred to allow the education position to be clarified. In response, the Local Education Authority has re-assessed the information which it provided on 5th June 2017 and which was reported to committee on 15th June 2017. It advises that there is a requirement for a developer contribution to increase capacity at Harby Primary School. This advises now takes account of the permission granted on appeal for housing on the adjacent Millway Foods site, which was not included in their previous assessment. A contribution for the Primary School sector of £145,188.12, to which the applicant agrees. Cllr Rhodes has written asking that his position is conveyed as follows: “I accept that Harby will have to accommodate a growth of housing totalling 98 new houses over the course of the emerging Local Plan period to 2036. This application according to my calculations brings the number up to 136 – 38 more than needed. If the Committee is minded to approve the application, the number of houses permitted should be restricted to 12.”</p>

The Head of Regulatory Services commented that the decision taken on the LP on Tuesday revise the figure in Harby to 78, of which the Millway Foods site satisfies 53 and the neighbouring Boyers Orchard site a further 15. However he reminded the Committee that, even after Tuesdays progress, the Plan is far from settled and we cannot rely on its content for decisions. This site for a greater number of houses (61 vs 50) than is allocated in the Plan. We are in the hands of the NPPF as described on page 15 and the conclusion of this report. Unfortunately Cllr Rhodes limitation could not be achieved by condition as it would be taking away the greater part of what we would be granting. If Members consider the number too large, refusal would

be the way forwards.

A further comment from the NP group seeking clarification of the requirements of Condition 11 – i.e. does it require improvement all the way to the junction with Main Street (as did the Millway Foods permission), and suggests an alternative offering greater clarity:

“...the existing footway which extends to Main Street shall be improved in accordance with the in principle scheme shown on drawing number: HBY-BWBGEN- XX-DR-TR-102_p2.

The scheme shall include the widening of the footway to 2 metres or the maximum available within the limits of the highway, and a suitable crossing point for all users where the footway changes from one side of the carriageway to the other. All details of the footway construction shall be in accordance with CHA standards.”

The Head of Regulatory Services displayed a plan of the area showing the extent of the footpath improvement proposed, which would be secured by the condition in the report, enabling it to be compared to that suggested by the NOP Group.

b) Paul Wakefield, agent for the applicant, was invited to speak and stated that: the application had previously been deferred to allow for further consultation with the Local Education Authority to ascertain the capacity of the village primary school. A contribution for primary school places had been sought and this has been agreed by applicant. He also reiterated the key points within the report.

Cllr Wyatt proposed to permit the application due to the agreement for contributions to the village hall and school.

Cllr Botterill seconded the application and noted that it would be a benefit between the two sites.

Cllr Holmes commented that she was pleased to hear biodiversity has been taken in to consideration.

Cllr Chandler noted that with Millway Foods winning on appeal this application will take some of the objections away and will join up the two sites and look more cohesive. The approach in to Harby will look better.

A vote was taken and the Members voted unanimously to permit.

DETERMINATION: PERMIT subject to:

(i) The completion of a s106 contribution as set out in the report, including the latterly agreed sum towards education provision of £145,188.12

(ii) The conditions as set out in the report

For the following reasons:

The Borough is not deficient in terms of housing land supply. The methodology used to demonstrate that there is a 5year supply has included sustainable sites, such as this, which have been scrutinised as part of the evidence supporting the new local plan.

Affordable housing provision remains of the Council's key priorities. This application presents affordable housing that helps to meet identified local needs. Accordingly, the application represents a vehicle for the delivery of affordable housing of the appropriate quantity, in proportion with the development and of a type to support the housing need. Harby is considered to be a sustainable location with a reasonable range of facilities and capacity to accommodate some growth. It is considered that there are material considerations of significant weight in favour of the application, and its partial

alignment with the Pre-submission Local plan adds additional support. The site is considered to perform reasonably well in terms of access to facilities and transport links.

It is considered that balanced against the positive elements are the specific concerns raised in representations, particularly the development of the site from its partial green field state and the impact on the character of the village and it's setting . The site effectively links the development of the brownfield Millway Foods site with the rest of the village..

In conclusion it is considered that, on the balance of the issues, there are significant benefits accruing from the proposal when assessed as required under the guidance in the NPPF in terms of housing supply and affordable housing in particular. The balancing issues – development of a green field site, landscape impact and limited sustainability – are considered to be of limited harm.

Applying the 'test' required by the NPPF that permission should be granted unless the impacts would "significantly and demonstrably" outweigh the benefits; it is considered that permission should be granted

Cllr Hutchinson left the meeting at 6.14pm ahead of the Members hearing his applications.

Cllr Botterill asked for a point of clarification regarding the amount of houses and order of building the houses for the applications that have come forward for Harby.

Also there are more houses than suggested in the local plan.

The Head of Regulatory Services responded that permissions have been granted for these applications so they can implement them when they like and in which ever order they choose. The local plan isn't ready yet so there isn't a ceiling on the number of houses. Permissions would override the plan anyway.

PL19.2 **17/00327/FULHH & 17/00328/LBC**

Applicant: Mr E Hutchison

Location: The Tithe Barn, 20A Water Lane, Frisby on the Wreake

Proposal: Erection of a timber garage

- a) The Head of Regulatory Services stated that: There are no updates to the report.

Cllr Chandler proposed to permit the application.

Cllr Wyatt seconded the proposal and commented that it's the tidiest building site he had ever seen.

A vote was taken and the Members voted unanimously to permit.

DETERMINATION: PERMIT both applications in accordance with the recommendations in the report, for the following reasons:

The proposed garage building is of traditional construction and design based on a traditional oak frame with a pantiled roof.

As such it respects the host listed dwelling and its conservation area location.

The garage is a building which adds to the residential enjoyment of the host dwelling and is solely related to it. It will be set back from Water Lane and that will reduce its visual impact in relation to both the grade II listed buildings in the vicinity and the street scene in general.

The revisions to increase the ridge height and the provision of dormer windows do not significantly impact on the outcome of the original application that was approved in 2014.

Cllr Hutchinson returned to the meeting at 6.19pm

PL20

ARTICLE 4 DIRECTION: LAND AND BUILDINGS AT MELTON MOWBRAY HOSPITAL, THORPE ROAD, MELTON MOWBRAY,

Cllr Wyatt noted that the for sale signs have disappeared and he is waiting to see what happens with the developers.

Cllr Greenow proposed to permit the recommendation at 2.1.

Cllr Wyatt seconded the proposal.

A vote was taken and the Members voted unanimously to permit.

DETERMINATION: to apply the use of an Article 4 Direction removing the 'permitted development rights' of specified buildings at the Melton Mowbray Hospital site for any building operation consisting of the demolition of a building (details depicted in APPENDIX 1)

PL21	Urgent Business None
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The meeting closed at: 6.23 pm

Chair



AD-HOC COMMUNITY AND SOCIAL AFFAIRS COMMITTEE

12 JULY 2017

PRESENT:-

A.Pearson (Chair), R de Burle (Vice Chair)
P Chandler, J. Douglas, A. Freer-Jones, M.R. Sheldon, D. Wright, M.Blase

Head of Communities and Neighbourhoods,
Community (Policy) Officer, Strategic Housing Officer

C12. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Beaken.

C13. DECLARATIONS OF INTEREST

There were no declarations of interest.

C14. RECOMMENDATIONS FROM OTHER COMMITTEES

There were no recommendations received from other committees.

C15. THE WINDMILL ASSET OF COMMUNITY VALUE REVIEW

The Head of Communities and Neighbourhoods presented a report to ask Members' to review the decision to list The Windmill Public House as an Asset of Community Value (ACV).

The Head of Communities and Neighbourhoods gave a brief factual overview of the ACV nomination and decision and the request by the owners to request a review of the decision then left the meeting.

The Chair brought Members' attention to the review letter received from the owners (Appendix B) and a discussion took place regarding the main points raised by the owners;

- i. Failure to provide a copy of the nominating groups nominating form. The Strategic Housing Officer noted that although the owner's stated that they did not get the nomination form, the letter that they agree they received states that the form should have been enclosed and that no enquires were made by the owners until after the decision to list the Windmill Public House as an ACV.

- ii. That the determination was made on the basis of s.88(2) rather than s.88(1) of the Localism Act. The Strategic housing Officer stated that this was an administrative error and the correct provisions were used for the determination.
- iii. The determination was made with a failure to serve notice upon the current occupier of the Windmill (an employee of the owners). The Strategic housing Officer noted that they were not required to serve notice on an employee and that notice had been sent to the property address and licencees.
- iv. That the listing was too extensive and sought to list land in use for an ancillary use. The Strategic Housing Officer stated that the purpose of the review process was in relation to the validity of the original decision to list the Windmill as an ACV, rather than the site boundary, any errors in the boundary could be corrected through officer level discussions and the site plan as proposed by the applicants seemed reasonable in principal.

The Chair opened the floor to the owners. The owners stated no objections regarding the Windmill Public House furthering community social well-being and that their primary concern was around the site plan being too extensive and they sought changes to the boundary. The Chair commended their attitude and participation in the review hearing.

Seven members were in favour and one member was against.
Cllr Chandler requested that her vote against was recorded.

RESOLVED that members uphold the original decision that the Windmill Public House is an Asset of Community Value under Section 88(1) of the Localism Act and instruct officers to amend the plan as applicable to the ACV

The meeting which commenced at 5:30p.m and closed at 5:45p.m.

Chairman



RURAL, ECONOMIC & ENVIRONMENTAL AFFAIRS COMMITTEE

12th July 2017

Present:

Councillors M. Sheldon (Chair), E Hutchison (Vice Chair),
M Blasé, J. Illingworth, R. de Burle,
Councillor M Glancy, Councillor M C R Graham,
L. Higgins, J B Rhodes, J. Orson, P Chandler

Head of Regulatory Services, Planning Policy Officer.

R10. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Beaken, with Councillor Illingworth as substitute.

R11. MINUTES

Minutes of previous meeting were not discussed.

R12. DECLARATIONS OF INTEREST

Councillor R. de Burle declared an interest as chair of Asfordby Parish Council and whilst this alone wouldn't prevent him from taking part, he opted still to declare his interest and leave the room due to personal involvement and bias on the recommendation.

Councillor Sheldon declared an interest as a County Councillor for Asfordby, Cllr Rhodes and Cllr Orson declared a more general interest as County Councillors elsewhere in the Borough.

R13. RECOMMENDATIONS FROM OTHER COMMITTEES

There were no recommendations from other committees

R14. UPDATE ON DECISIONS

There was no update on decisions.

R15. ASFORDBY NEIGHBOURHOOD PLAN

The Head of Regulatory Services submitted a report to invite Members to consider and approve the Asfordby Neighbourhood Plan (2017) to move forward to referendum. He explained that governance runs with REEA committee, after previously being endorsed by the Melton Local Plan Working Group.

Furthermore he explained that this was the Councils primary opportunity to make an intervention, as for the most part the Council has only been consultee to this point. He explained that the Referendum, if approved would be ran in the same was as a general election or the recently held Brexit vote, with proper democratic mechanisms such as poling cards, poling station and a secret vote.

After this introduction, The Head of Regulatory Services explained the context of the Neighbourhood Plan, and its implications if passed on decision making and on the development of the emerging local plan. He explained that despite a good working relationship between the Borough Council and the Neighbourhood Plan Group, there were outstanding issues of conformity which must be considered by the group. It was explained that as the Melton Local Plan was not adopted, the Neighbourhood Plan Group was justified in its differing approach legally, albeit with risks. The mains issues of contention were differing approach to housing allocations and the allocation of housing and land earmarked form employment use in the emerging Local Plan. The Head Of Regulatory Services also explained that legal advice had been sought on the matter and the recommendation was based on the advice received.

Many of the members then took this opportunity to congratulate the Neighbourhood Plan Group on the hard work that had gone into involving the community, preparing the plan and the end product. Another member stated that other neighbourhood plans in the borough are not as advanced as Asfordby and could look at the work completed to aid their own efforts in creating a Neighbourhood Plan. Furthermore, a member stated that despite the good intentions of the Localism Act, there was still difficulties and bureaucracy that is needed to be overcome to get a plan in place. The Parish Council were commended for handling the plan in a very objective manner. One member stated that other plans hadn't had the same financial backing as Asfordby.

Resolved that the Asfordby Neighbourhood Plan progress to Referendum unanimously.

The meeting that started at 6:30pm finished at 6:45pm.



TOWN AREA COMMITTEE

PARKSIDE, STATION APPROACH, BURTON STREET, MELTON MOWBRAY

24 JULY 2017

PRESENT:-

Councillors M. Glancy (Chair),
M. Blase, T. Beaken, J. Douglas, A. Freer-Jones, T. Greenow,
J. Illingworth, S. Lumley

Chief Executive
Administrative Assistant Communication and Member Support

T9. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bains, Cumbers, Pearson, Posnett and Wyatt. Councillors Faulkner and Hurrell were also not present.

T10. DECLARATIONS OF INTEREST

Councillors Greenow and Illingworth each declared a personal interest as Members of the Planning Committee and here left the meeting.

Councillor Beaken declared a pecuniary interest in the following planning application and left the meeting during consideration of the application.

Councillor Glancy declared a personal interest as a Member of the Planning Committee and proposed Councillor Lumley Chair the meeting.

(Councillor Glancy here left the meeting)
(Councillor Lumley in Chair)

T11. CONSULTATION – PLANNING APPLICATIONS

The following Planning Application was considered and comments submitted on the application as indicated.

Item No.	Application Reference	Application Summary
1.	17/00756/REM	<u>88 Dalby Road, Melton Mowbray, LE13 0BH.</u> Approval of reserved matters 16/00898/OUT : Condition 2 appearance, scale, landscaping and layout

The Chief Executive gave an overview of Planning Application reference 17/00756/REM and plans of the site were viewed by Members.

Committee Comments

A discussion was held, concerning the planning application and Members made the following comments:-

- The proposed eighth bungalow could not be identified from the plans viewed and confirmation as to whether the application was for seven or eight bungalows was required.
- Vehicular access looked limited, in respect of the proposed bungalows. In particular, confirmation there was enough room to manoeuvre and that the proposed road would be wide enough for two-way access/egress was needed in respect of Plots Five to Seven.
- Consideration should be given to whether there would be sufficient car parking for visitors.
- Appearance, including proposed trees and landscaping were adequate.
- The design of the street was good. The varied street scene was appreciated.

Additional Comments/Reasons:

- The Committee's comments as listed above form part of the consultation on Planning Application 17/00756/REM.

(Councillor Beaken here re-entered the meeting).

Item No.	Application Reference	Application Summary
2.	17/00805/COU	31 – 33 Grange Drive, Melton Mowbray, LE13 1EY. Change of use from retail shops (Class A1) to hot food takeaway (Class A5)

The Chief Executive gave an overview of Planning Application reference 17/00805/COU and plans of the site were viewed by Members.

Councillor Douglas read a letter from Mrs. C. Moore-Coltman, objecting to the application due to concerns about litter, noise and extra traffic, as there was already a high volume of traffic in the area. Councillor Beaken advised that she had received a telephone call from a resident, objecting to the application due to concerns about anti-social behaviour, parking and extra traffic.

Committee Comments

A discussion was held, concerning the planning application and Members made the following comments:-

- What were the proposed licensing hours (opening /closing times). There would need to be strict observance of times suitable for a residential area (no later than 10pm suggested).

- There were currently two bins in the area but would this be sufficient to avoid litter problems? Adequate provision of litter bins would be required.
- Assurance that odours and noise would be managed proactively was needed. There were two flats above the One Stop Shop. A suitable extractor fan would be necessary, giving particular consideration to these residents.
- Would there be adequate parking in the vicinity? What impact would additional parking requirements have on residents.
- The chimney should not be reflective.
- The hot food take away may meet a need in the local area.
- It would neaten the row/vacant plot.

Additional Comments/Reasons:

- The Committee's comments as listed above form part of the consultation on Planning Application 17/00805/COU.

T12. URGENT BUSINESS

There was no urgent business.

The meeting which commenced at 6:30 p.m, closed at 7:20 p.m

Chairman

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Minutes

Meeting name	Planning Committee
Date	Thursday, 27 July 2017
Start time	6.00 pm
Venue	Parkside, Station Approach, Burton Street, Melton Mowbray, Leicestershire, LE13 1GH

Present:

Chair Councillor J. Illingworth (Chair)

Councillors

P. Posnett (Vice-Chair)	P. Baguley
G. Botterill	P. Chandler
P. Cumbers	P. Faulkner
M. Glancy	T. Greenow
E. Holmes	J. Wyatt

Observers

Officers

Solicitor To The Council (SK)
 Head of Strategic Planning and Regulatory Services
 Regulatory Services Manager
 Planning Officer (GBA)
 Administrative Assistant (KS)

Minute No.	Minute
PL22	<p>Apologies for Absence None</p>
PL23	<p>Minutes Minutes of the meeting 29th June 2017</p> <p>Cllr Holmes wished for the year at the bottom of page three to be changed from 1974 to 1972.</p> <p>Cllr Posnett stated that she was not present at the meeting on the 29th June. The Chair noted that the title should read Special Meeting of the Planning Committee not Meeting of the Special Planning Committee.</p> <p>Approval of the Minutes was proposed by Cllr Holmes and seconded by Cllr Baguley.</p> <p>The Committee voted in agreement. It was unanimously agreed that the Chair sign them as a true record.</p> <p>Minutes of the meeting 6th July 2017</p> <p>Cllr Posnett stated that she was not present at the meeting on the 6th July.</p> <p>Approval of the minutes was proposed by Cllr Glancy and seconded by Cllr Chandler.</p> <p>The Committee voted in agreement. It was unanimously agreed that the Chair sign them as a true record.</p>
PL24	<p>Declarations of Interest Cllr Greenow declared an interest in application 16/00519/FUL as the applicant is a client of his.</p>
PL25	<p>Schedule of Applications</p>
PL25.1	<p>16/00704/OUT Applicant: Mr and Mrs Cook Location: Land South of Frisby on the Wreake, Leicester Road, Frisby on the Wreake Proposal: Outline application, with all matters other than access to be reserved for future approval, for the residential development of up to 48 dwellings with associated access, community uses, landscaping, open space and drainage infrastructure.</p>

(a) The Regulatory Services Manager stated that:
A letter had been received only 24hrs previous and circulated the day of Committee. Members may not have considered the letter and taken it into account and therefore cannot make a judgement on the content.
Advised that it was best to defer the application until Members and officers had had a chance to digest the new information.

The Chair added that the Members had not had a chance to consider the new information and he did not feel comfortable chairing the debate.

Cllr Wyatt proposed to defer to application.

The Chair seconded the proposal to defer.

A vote was taken and it was unanimously decided that the application would be deferred.

DETERMINATION: Defer, to allow consideration of the recently submitted information.

PL25.2

16/00740/OUT

Applicant: Ms Siobhan Noble

Location: Land at Water Lane, Frisby on the Wreake

Proposal: Residential development of up to 30 dwellings

(a) The Planning Officer stated that:

The letter from the solicitor advised about on the previous application relates equally to this application, therefore the application should be similarly deferred. The other reason for deferment is set out in the update report. In summary, this states that over a number of months various information has been exchanged, analysed and assessed, in the main this has been resolved but the key matter which remains unresolved is the status of the land in terms of which flood zone it is in and risks from ground water flooding. Those matters need to be resolved before the application can be determined.

Cllr Wyatt proposed to defer the application.

Cllr Holmes seconded the proposal to defer and asked that the infrastructure and drainage was looked into.

The Chair clarified that the reasons to defer were the needs to consider which flood zone the site would go into and issues relating to drainage.

A Member stated that this was no small matter; it needed more evidence and was happy to support the deferral.

A vote was taken and it was unanimously decided that the application would be deferred.

DETERMINATION: DEFER, to allow consideration of the status of the land in terms of which flood zone it is in and risks from ground water flooding, and the recently submitted information.

Cllr Greenow left the room at 6.15pm

PL25.3

16/00519/FUL

Applicant: Mr Andy Gibson

Location: Field OS 0044 Leicester Road, Frisby on the Wreake

Proposal: Proposed livestock barn (total floor

(a) The Planning Officer stated that:

This application seeks full planning permission for the construction of an agricultural livestock barn, to an isolated parcel of land being field OS 0044 which sits adjacent to the Main A607 Leicester Road served by an existing access on Great Lane Hill, Frisby on the Wreake.

The parcel of land to which the application relates, is the result of field having recently been subdivided by a post and rail fence.

The application presents a balance of competing objectives, as proposals for agricultural buildings are generally supported in terms by policy within the NPPF, OS2 and C3 of the Local Plan Whereby local planning authorities should support the sustainable growth and expansion of all types of business and enterprise in rural areas, subject to the more detailed criteria within those policies, thus being reasonably necessary for the purposes of agriculture.

Concerns therefore remain that the applicant has not provided sufficient evidence to prove that the proposed building is deemed to be sustainable and reasonably necessary for the purposes of agriculture and therefore an unjustified intrusion within the open countryside.

The balancing issues are considered to be primarily if the proposal is reasonably necessary to this isolated parcel of land, not being central to any core farm holding, the applicants own dwelling or contracts, which are remote from the site.

As such the application is recommended for refusal as set out in the report.

The Chair read out the applicant's speech and stated that:

Our business was established in 1995 on a four acre tenanted farm base and has sustained itself and a growing family until 2016. After 22years of contract calf rearing, cattle and sheep breeding, were given notice to move, through no fault of our own, due to a change in ownership.

In having to relocate we had the opportunity to buy land at Frisby with the intention of making it our farm base. Our overall holding size has never diminished and we still rent around 80 acres of grass land in the area on tenancy agreements which have been submitted.

We have made a considerable investment in purchasing the land and desperately need a building for the sake of the welfare of our animals and to safeguard our farming way of life for the future. Our daughter has just completed a Level 3 Extended Diploma in Agriculture at BMC with a triple Distinction star and this building will enable her to pursue a career in agriculture. We have provided substantial evidence to support our farming business, but we urge you to support

us in ensuring that it can continue to grow, provide employment and sustain our business.

The officer considers that the building is too big for the site, but in discussions in the early stages of the application dismissed our suggestion of a reduction. Please note that the building in agricultural terms is minor development and considerably less than the normal acceptable amount allowed under an agricultural general permitted development order. The manure will not be stored for long periods and will be disposed of on our own land and other farmers land. The land to the North, West and South is agricultural and equestrian land and the isolated land that she refers to is situated adjacent to the Buena Vista Kennels and the building is similar to other agricultural buildings in the area. It is hard to understand why the officer recommends refusal, but states that the building will not have an undue adverse impact on the residential amenities of neighbouring properties and is acceptable under policy C3 and also has no objections from highways, the parish council, ecology and neighbours.

Without the support of this committee our family future is in serious jeopardy. Councillor Greenow has declared his interest due to his involvement with Melton Mowbray livestock market. He knows first-hand that we buy and sell regularly through the market and have done so for many years.

Our vet supporting this application has verified the strain and losses this has had on our livelihood through the winter as a result of not having an appropriate building on the site. On welfare grounds we had to seek alternative options, which resulted in increased labour and costs. Due to the nature and high demands of calving and lambing, it is vital that we can provide a suitable building to house our livestock. We need to maintain good husbandry and welfare standards and prevent the losses that are impacting our business and has made us unable to enter into calf rearing contracts and the longevity and uncertainty of this application has left the future of our breeding stock in jeopardy.

We breed sheep and Charolais Cattle and over the years have improved the quality and ultimately the value of the livestock we produce.

Thank you for giving us the opportunity to speak this evening. I am very grateful to those in the farming community that have supported our application.

Cllr Chandler sought clarification whether the land rented was under farm business territory

The Applicant confirmed that it was.

Cllr Holmes sought clarification whether there was a holding number.

The Applicant confirmed there was.

A Member sought clarification why an agricultural building needed planning permission and why it needed to come to Committee.

The Planning Officer stated that the application was recommended refusal however seven letters of support were received.

The Head of Regulatory services explained that in the same way six objection letters moves an application to Committee, six support letters does the same. He stated that the application does not qualify for permitted development rights as it is too close to houses and because of its proximity to the road.

A Member asked if there was room to move the proposal on the site so it fits in with requirements.

The Head of Regulatory Services explained that repositioning the site could mitigate the reasons for refusal.

A Member noted that there was concerns on evidence and asked what further evidence was needed.

The Planning Officer stated that certificates, supporting information, justification on the need for an agricultural building, and the location that serves the enterprise is remote from the site itself.

A Member asked when the FBT's expire.

The Planning Officer stated that he did not have that information.

A Member had concerns that there was no housing to hold livestock, cattle of cows calving on site. It is unsuitable for winter months.

Cllr Chandler proposed to defer the application until there was more information.

The Chair agreed and stated that FBT is integral information to make a decision.

Cllr Posnett seconded the proposal to defer.

A Member asked if a small pole barn would need planning. Concerns on calf rearing as it would need a building.

The Head of Regulatory Services stated that any building within 400m of housing would need planning permission.

A vote was taken. 10 Members voted in favour of deferment. 1 Member voted against.

The Chair asked for the application to be brought back soon.

A Member suggested that training be undertaken on FBT's as some Members were not aware of how they work.

DETERMINATION: DEFER to seek information on the background to the application and the means of operation, in order to consider pollution issues.

Cllr Greenow returned to the meeting at 6.33pm.

PL25.4

16/00539/OUT

Applicant: C/O Fairhurst Consultancy

Location: Field OS 6934, Bypass, Asfordby
Proposal: Outline application for 55 dwellings

(a) The Regulatory Services Manager stated that this is an application for outline planning permission, with all matters reserved except for access. It relates to a number of paddocks situated between existing housing and the by-pass.

There are no technical objections to the application and is proposed for development in both the emerging local and neighbourhood plans. The Neighbourhood Plan can be given considerable weight because it is a post – examination plan, which will soon be subject to a referendum. The Local Plan can be given limited weight.

Note that the applicants have submitted a viability assessment which has been considered by the district valuer. This confirms that the development can deliver very little affordable housing.

Recommend that permission is granted subject to a section 106 and conditions as reported.

(b) Cllr de Burle, the head of the Parish Council, was invited to speak and stated that:

- Support application
- Key in Asfordby Neighbourhood Plan
- Plan formally adopted by the REEA Committee
- Developer should be required to incorporate traffic calming measures on
- Saxby Road from the site entrance extending past the school to the junction
- of the Loughborough Road
- Special attention to be given to concerns of potential flooding from surface water
-

Cllr Chandler asked if he meant speed bumps by traffic calming measures.

Cllr de Burle stated that the road is narrow with a school entrance and often cars parked either side of the road. The village is sometimes used as a race track by drivers so traffic calming measures are needed.

(c) Maurice Fairhurst, the agent, was invited to speak and stated that:

- Low grade, unkempt agricultural land
- 2.4 hectares (5.9 acres)
- Outline application for access only
- Sustainable under the NPPF
- Social and economic benefits not outweighed by adverse impacts
- Site allocated for housing in Local Plan and Asfordby Neighbourhood Plan
- Unobtrusive
- Hedges retained and supplemented along bypass boundary
- Close to facilities such as school, shops, pubs, church etc.
- Pedestrian access
- New accesses and traffic calming measures provided

- Footpaths into Regency Road and playing fields
- Agreed conditions with Highways Authority

Cllr Wyatt asked what the proportion of bungalows is.

The Agent stated there would be 11.

Cllr Chandler asked if there could be an access brought to Regency Road.

The Agent stated that this had been thought about however the Highways Authority was keen to keep vehicular traffic on Saxelby Road. There is not enough visibility emerging from Regency Road. Used instead as cycle way and pedestrian access.

(d) Cllr Sheldon, the Ward Councillor, was invited to speak and stated that:

- Flooding issue
- Drain provided when the bypass was built no longer works
- Maintenance of drainage needs to be addressed
- Flooding previously occurred and flooded Prince Charles Square, Bradgate Lane and an old people's home
-

Cllr Wyatt asked which home was flooded and stated that no flooding had occurred recently.

Cllr Sheldon stated that it was Bradgate Lane Flats. The issue had been rectified but needed to be sure the new drainage works and does not add to the problem.

The Regulatory Services Manager stated that condition 7 refers to drainage and the maintenance thereafter. Condition 13 covers traffic calming measures with the introduction of 20mph zone in the school area to maintain safety. Access on Regency Road is logical however adequate visibility is not provided thus it is unsuitable.

A Member asked if the 20mph zone was advisory or enforceable.

A Member clarified that it could not be enforced.

A Member asked how many houses were allocated to Asfordby in the Local Plan. Previously the area was left as there could be no buildings closer to the bypass.

The Head of Regulatory Services stated that there was a gross allocation of 290 but because of site limitations this comes down to 160.

Cllr Holmes proposed to defer the application until flooding issues were fixed.

The proposal was not seconded and the deferment failed.

A Member stated that previously houses were built and a steel culvert was provided to divert flooding to river, however holes were not cut into it. Since this was fixed

there have been no flooding issues.

Cllr Greenow proposed to permit the application subject to a further condition which would read: Prior to first occupation details of a traffic calming scheme in the vicinity of Captain's Close Primary School on Saxelby Road shall be first submitted to and approved in writing by the LPA and thereafter implemented in accordance with the approved scheme.

The Chair stated that Cllr Greenow's condition would supplant condition 13.

Cllr Posnett seconded the proposal to permit.

A Member stated that they would like to see a condition for specific earth bunding to safeguard traffic noise.

Cllr Greenow stated that the site is narrow and any bund would make it smaller. He was happy to leave condition 15 as it was.

The Regulatory Services Manager stated that condition 15 is not precise in noise proof measures. It could be a bund or acoustic fencing depending on the site, but would ensure residents are protected from noise.

A Member was concerned that condition 13 implementing traffic calming measures would incur a cost for the flashing bulbs on the school. Could the developers meet some of this cost.

Cllr Greenow appreciated the concern however it should be left to them to decide.

A vote was taken. 9 Members voted in favour of the proposal to permit. 2 Members voted against.

DETERMINATION: PERMIT subject to:

(i) The conditions as set out in the report and ;

(ii) The completion of a s 106 agreement as set out in the report

For the following reasons:

The application seeks outline consent for a residential development of 55 dwellings. Approval is sought for the access into the site and the principles of residential development on this site, contained within the line of the bypass. It is considered that the application presents a balance of competing objectives and the Committee is

invited to reconcile these in reaching its conclusion.

Asfordby is a sustainable settlement with a reasonable range of facilities .The site is

considered to perform well in terms of access to facilities and transport links, particularly to Melton Mowbray.

The site is allocated for development in the pre-submission local plan, it is accepted

that Asfordby is a reasonably sustainable location for residential development, although at this stage the local plan can only be given limited weight. The site is also allocated for development in the Asfordby Parish Neighbourhood Plan. This should now be given considerable weight as it is a post examination plan which will soon be the subject of a referendum. The viability of the site and the ability of the development to deliver affordable housing is a material consideration. The information submitted by the applicant and independently verified on behalf of the Local Planning Authority indicates that this scheme can only deliver one affordable dwelling.

10

This site is an underused strip of land contained within the bypass. Residential development represents a good use of the site, with minimal impact upon the character of the area. There are no technical issues or significant objections to the proposal.

In conclusion it is considered that, on the balance of the issues, there are significant benefits accruing from the proposal when assessed as required under the guidance in the NPPF in terms of housing supply, with a high proportion of bungalows. The balancing issues – impact upon neighbours and the character of the area and the need to provide noise mitigation – are considered to be of limited harm.

PL25.5

16/00907/OUT

Applicant: Andrew Granger & Co. Ltd

Location: Recreation Area, Melton Road, Asfordby Hill

Proposal: Outline application for the development of 14 dwellings with associated vehicular access and public open space.

(a) The Regulatory Services Manager stated that this application seeks outline planning permission with all matters reserved except for access.

The site is partially open space and overgrown allotments. The proposal would provide 14 dwellings and a play area larger than the existing play area. The provision of the new access would require the relocation of the existing bus stop. There is no objection from the Highway Authority.

There are no technical objections to the application and is proposed for development in the emerging Neighbourhood Plan. It does not feature in the emerging Local Plan. The Neighbourhood Plan can be given considerable weight because it is a post – examination plan, which will soon be subject to a referendum. Recommend that permission is granted subject to a section 106 and conditions as reported.

(b) Cllr de Burle, head of the Parish Council, was invited to speak and stated that:

- Support application
- Key element to neighbourhood plan submission
- Provision for traffic calming measure on approach road of Melton side
- Tidies up area of woodland
-

(c) Adam Murray, the agent, was invited to speak and stated that:

- 14 new houses including affordable housing
- In the context of surrounding properties

- Public open space
- Sympathetic to existing amenity
- Sustainable
- Benefits outweigh harm
- Improves open space provision
- Sufficient space for enhanced play area
- Tidies up overgrown area
- Allocated for residential development
- Supported by range of technical consultees
-

(d) Cllr Sheldon, the ward councillor, was invited to speak and stated that:

- Stanton Road properties have suffered from water flooding
- Treatment of concrete and SUDs is a concern
- If the bus stops are relocated past the boundary they are the responsibility of Melton
-

The Regulatory Services Manager stated that drainage is covered by condition 7. The bus stops will be relocated in a safe, appropriate position regardless of boundary. Highways Authority do not refer to any traffic calming measures.

Cllr Chandler proposed to permit the application and stated that it is a good scheme provided the conditions are adhered to.

Cllr Posnett seconded the proposal to permit and stated that the relocation of the bus stop is necessary as the traffic is bad at the roundabout.

A vote was taken and it was unanimously decided that the application should be approved.

DETERMINATION: PERMIT subject to:

(i) The conditions as set out in the report and;

(ii) The completion of an s106 agreement as set out in the report

For the following reasons:

The application seeks outline consent for a residential development of 14 dwellings and a new area of public open space. Approval is sought for the access into the site and the principle of residential development. It is considered that the application presents a balance of competing objectives and the Committee is invited to reconcile these in reaching its conclusion.

The site is considered to perform reasonably well in terms of access to facilities and transport links, particularly to Melton Mowbray.

While the site is not allocated for development in the pre-submission local plan, it is accepted that Asfordby Hill is a reasonably sustainable location for residential development and that at this stage the local plan can only be given limited weight.

The Asfordby Parish Neighbourhood Plan should now be given considerable weight as it is a post examination plan which will soon be the subject of a referendum.

In conclusion it is considered that, on the balance of the issues, there are significant benefits accruing from the proposal when assessed as required under the guidance in the NPPF in terms of housing supply and affordable housing in particular. This is also an opportunity to increase and improve the area and quality of the public space and play area. The balancing issues – loss of woodland and impact upon neighbours – are considered to be of limited harm.

PL25.6

17/00315/OUT

Applicant: Mr D Benbow and Mrs H Swale

Location: Longcliff Hill House, Longcliffe Hill, Old Dalby

Proposal: Outline planning approval for the erection of up to 8 dwellings with associated vehicular access.

(a) The Planning Officer stated that:

Additional information had been presented the morning of Committee and may not have been considered. Members were asked if they were happy to determine the application.

The Chair stated that matters in the new information may influence a decision and therefore any decision made without the new information being considered may not be sound.

The Chair proposed to defer the application.

Cllr Wyatt seconded the proposal to defer.

A vote was taken and it was unanimously decided that the application be deferred.

The Chair stated that it was frustrating when last minute information is supplied.

DETERMINATION: DEFER, to allow consideration of the late representation.

PL25.7

17/00537/FUL

Applicant: Mr Leon Dolby

Location: The Wicket, 7 Granby Lane, Plungar

Proposal: Change of use of paddock to garden use (retrospective)

(a) The Planning Officer stated that:

The following application is a change of use from paddock to residential.

The land is to the west and south of the host dwelling and is allocated as open space under the old local plan policy BE12.

The site has however been reassessed in a landscape study of 2015 as having limited public visibility and does not relate to the settlement character.

For this reason it is considered an acceptable change and therefore recommended for approval.

In addition there has been a concern about the motor cross use at the site and it remains that there is no evidence to suggest a material change of use exists.

Any noise issues need to be taken up with the MBC environmental health team

where a diary account of when this takes place is needed.

(b) Cllr Ian Lowther, a parish councillor, was invited to speak and stated that:

- Residents upset about motor cross activities
- Motor cross track not permitted and no action taken
- Environmental nuisance
- Smoke and noise issues
- Affects landscape quality
- Development not approved in old Local Plan
- Adverse impact on landscape character
- Rural village scheme disappears
- If changed to garden more likely to be developed as housing
- Should be enforceable conditions that no housing can be built on land and
- motocross course removed
-

The Head of Regulatory Services sought clarification whether the site was used for motor cross competitions.

Cllr Lowther confirmed that it was not but said that the owner competed in competitions.

The Head of Regulatory Services asked if it could be explained how using the site as a garden instead of it being a field detracts from its open character.

Cllr Lowther stated that the use would possibly be the same however there are concerns that a garden may be considered 'fair game' for development whereas protected open land may not.

Cllr Chandler asked if there was a Contravention Order.

Cllr Lowther stated that a Notice had been issued.

(c) Margaret Adams, an objector, was invited to speak and stated that:

- Owner of adjacent garden to site
- Change of use eases way for residential development
- Motorcycle use should only be 14 days of the year
- Potential to exceed 14 days if paddock is changed to a garden
- Needs enforcing
- Previous complaint registered has not been resolved
- Noise and smell impacts
- Adverse impact on residential amenities

(d) Leon Dolby, the applicant, was invited to speak and stated that:

- No development on land
- Opportunity to make garden as good as possible for family
- Use of motor cross course 20 minutes at a time

- The Head of Regulatory Services stated that residents had supplied a list of dates and times of use that convey different accounts that were conveyed in the report.

The Applicant stated that he also had a diary of dates and times, and the noise is similar to that of a strimmer.

The Head of Regulatory Services stated that a notice had been served and it is an investigatory tool. The land becoming a garden does not mean it will be developed and policies in the NPPF suggest this should be avoided. There is no need for the motocross use to have planning permission as it would be for domestic use which would not amount to a change of use. If it was used for competitions, it would need different permission.

The Planning Officer stated that environmental health can monitor noise.

Cllr Posnett proposed to permit the application and stated that it was to change a paddock to a garden, and either could be developed.

Cllr Glancy seconded the proposal to permit.

A Member stated that they could not support due to the noise that will affect the residential amenities of neighbours. Use of the paddock as a garden would be fine but concerns on the motocross course.

A Member asked if the site was left as a paddock, would it still be a nuisance.

The Head of Regulatory Services stated that there would be a restriction of use to 14 days a year in these circumstances.

Cllr Holmes proposed to refuse the application as it would disturb neighbouring residents.

A vote was taken to permit the application. 5 Members voted in favour of the proposal. 6 Members voted against.

The Chair proposed to refuse the application.

Cllr Wyatt seconded the proposal to refuse.

A Member asked for the reasons for refusal as they were concerned it would not be refused on planning matters.

The Chair stated that they would be losing enforcement of the paddock.

The Planning Officer clarified that the decision should be made based on the question of if the area is suitable to be used as a garden. The motocross course could be used on the land whether it is a garden or a paddock, albeit limited in the

case of the latter.

The Chair withdrew his proposal to refuse and revisited the proposal to permit based on the use of land as a garden as other issues are subsequent.

Cllr Posnett proposed to permit the application.

Cllr Glancy seconded the proposal to permit.

A vote was taken. 5 Members voted in favour of the proposal. 4 Members voted against. 2 Members abstained.

DETERMINATION: PERMIT, subject to the conditions set out in the report, for the following reasons:

The proposal is for a change of use of land that according to the most recent appraisal (September 2015) is of very limited value. The proposed change of use to garden is considered to be development that will not change significantly the character of the area. In addition to this, conditions will be imposed to restrict the development of any buildings etc. without consent of the LPA.

In conclusion it is considered that, on the balance of the issues, the proposal is acceptable, but it is accepted that this is a finely balanced case.

Applying the ‘test’ required by the NPPF that permission should be granted unless the impacts would “significantly and demonstrably” outweigh the benefits; it is considered that permission can be granted.

A break was taken at 8.00pm.

Cllr Botterill left the meeting at 8.04pm.

The meeting reconvened at 8.07pm.

PL26

Appeal against non-determination of 16/00374/OUT: Prince's Road, Queensway

The Regulatory Services Manager stated that:

Ecology have concerns on 44 dwellings. At the time of consideration by the planning inspectorate it was based on an audit of 2011. New hierarchy in settlements of local plan, Queensway is some way down the ranking. More recent work investigates sustainability.

A Member stated that ecology say the land is not suitable however the land beyond is similar.

Cllr Chandler proposed to move the officer's recommendation.

The Chair seconded the proposal.

Cllr Posnett stated that she was not at the original hearing.

A vote was taken. 4 Members voted in favour of the proposal. 3 Members voted against. 1 Member abstained.

Cllrs Botterill and Holmes were not present for the vote.

DETERMINATION:

The basis of the Council's case is:

1. In the opinion of the Local Planning Authority the proposal would, if approved, result in the erection of residential dwellings in an unsustainable location. The development in an unsustainable location where there are limited local amenities, facilities and bus services and where future residents are likely to depend on the use of the car, contrary to the advice contained in NPPF in promoting sustainable development. It is considered that there is insufficient benefits arising from the proposal to outweigh the guidance given in the NPPF on sustainable development in this location and would therefore be contrary to the "core planning principles" contained within Para 17 of the NPPF.

2. The development would result in the loss of a 4ha area proposed for the management of ecology in accordance with condition 9 of planning permission ref.15/00017/OUT. In the absence of the provision of an area of equal scale and ecological value it is considered that the proposed development would have a detrimental impact upon the natural environment. It would be contrary to the "core planning principles" and para 109 of the NPPF which seeks to minimise the impact of development on bio-diversity.

PL27

Urgent Business

None

A vote was taken for the press and public to be dismissed for the next item. It was unanimously decided that they would be excluded.

PL28

EXCLUSION OF THE PUBLIC - APPEAL AGAINST REFUSAL OF 16/00100/OUT : OAKHAM ROAD, SOMERBY

The Head of Regulatory Services stated that:

The purpose of the report is to consider the applicant's willingness to submit a further application in lieu of pursuing the appeal.

The Chair proposed to accept the recommendation.

Cllr Wyatt seconded the proposal.

A vote was taken and it was unanimously decided that the report would be accepted.

DETERMINATION: That the Committee request the appeal to be held in abeyance pending the invitation and subsequent determination of a further application.

The meeting closed at: 8.27 pm

Chair

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Minutes

Meeting name	Planning Committee
Date	Thursday, 17 August 2017
Start time	6.00 pm
Venue	Parkside, Station Approach, Burton Street, Melton Mowbray, Leicestershire, LE13 1GH

Present:

Chair Councillor J. Illingworth (Chair)

Councillors

P. Posnett (Vice-Chair)	P. Baguley
G. Botterill	P. Chandler
P. Cumbers	M. Glancy
T. Greenow	E. Holmes
J. Wyatt	

Observers

Officers

- Solicitor To The Council (SK)
- Head of Strategic Planning and Regulatory Services
- Regulatory Services Manager
- Planning Officer (LP)
- Administrative Assistant (KS)

Minute No.	Minute
PL29	<p>Apologies for Absence Cllr Faulkner was on holiday and could not attend the meeting.</p>
PL30	<p>Minutes Minutes of the meeting 27th July 2017</p> <p>Cllr Cumbers noted that the Minutes of the 27th July 2017 had not been unanimously agreed upon as not all Members had been present.</p> <p>Cllr Chandler wished for 'farm business territory' on page 5 to be changed to 'farm business tenancy', and for 'head of the Parish Council' to be changed to 'Chairman of the Parish Council'.</p> <p>Approval of the Minutes was proposed by Cllr Holmes and seconded by Cllr Chandler. It was unanimously agreed that the Chair sign them as a true record.</p>
PL31	<p>Declarations of Interest The Chair advised that Cllr Orson would normally speak on applications 17/00315/OUT and 17/00636/OUT as the ward councillor, however he had a pecuniary interest and is the immediate neighbour to one of the applicants.</p>
PL32	<p>Schedule of Applications The Chair brought application 16/00704/OUT to the top of the agenda and advised the Committee that it would not be heard and should be formally deferred.</p> <p>Cllr Wyatt proposed to defer the application.</p> <p>Cllr Baguley seconded the proposal to defer.</p> <p>A vote was taken and it was unanimously decided that the application would be deferred.</p>
PL32.1	<p>17/00315/OUT Applicant: Mr D Benbow & Mrs H Swale Location: Longcliff Hill House, Longcliffe Hill, Old Dalby Proposal: Erection of up to 8 dwellings with associated vehicular access</p> <p>(a) The Planning Officer stated that: This application seeks outline planning permission for the construction of up to 8 dwelling with access considered at this time, members will be familiar with the application that was deferred from the committee of 27 July 2017. The application was deferred due to the late submission of information from the applicant, members will have now received the additional information which</p>

contained a detailed plan of approved housing development and their relationship to the site, the information also contained a letter which raised comment on details of the Committee report.

The additional information is not considered to raise any new points from those within the report but represents an alternative perspective of the relevant issues. The application presents a balance of competing objectives, there are significant benefits from this proposal when assessed under the NPPF in terms of housing and some smaller units being offered, along with financial contributions offered to repair works for the village hall.

The balancing issues are considered to be primarily the location of the proposal, which poorly relates to the built form of Old Dalby appearing disjointed with the existing residential built form.

As such the application is recommended for refusal as set out in the report.

(b) Cllr Duncan Bennett, from the Parish Council, was invited to speak and stated that:

- Additional information adds nothing to the argument
- Development would be a new direction into open countryside
- Sets the precedent for further development
- Agree with officer's recommendation

(c) Simon Proffitt, an objector, was invited to speak and stated that:

- Neighbourhood Plan had been submitted and the community made an effort to create plan reflective of all needs and wishes
- The area's housing supply target is already met and exceeded
- Site is outside limits to development
- Traffic management concerns - congestion, traffic impact assessment not carried out, impact on safety
- Narrow hill with a blind bend
- Neighbourhood Plan carries limited weight

(d) Chris Green, the agent, was invited to speak and stated that:

- 8 residential dwellings
- Sustainable location
- Positive pre-application advice with no concerns
- Small scale and sensitive approach
- Mix of 3- and 4-bed dwellings
- Existing street scene and open countryside will be considered
- No objections from technical consultees
- Balancing issues form limited weight
- In keeping with locality
- Adverse impacts do not outweigh the benefits

A Cllr sought clarification regarding what size the 3- and 4-bed dwellings would be.

The Agent advised that there would be a range from 900sq ft up to 13000sq foot.

The Planning Officer advised that the housing supply trajectory had not been examined as yet and thus is not binding. The pre-application advice had been given months previously when a 5 year housing land supply could not be demonstrated and thus the circumstances now differ.

A Cllr asked if the Neighbourhood Plan was at Regulation 16 stage or Regulation 14.

The Planning Officer stated that it was at Regulation 16.

A Cllr asked if the infrastructure of the application had been looked at, for example water and sewerage.

The Planning Officer stated that advice had been gathered from the relevant bodies.

Cllr Holmes proposed to permit the application as it is a sustainable area. The plan shows a green space next to the site that has already been given planning so she could not see how a refusal would stand up.

Cllr Wyatt seconded the proposal to permit.

A Cllr stated that they were uneasy about the recommendation as two applications had been passed nearby with no issues.

A Cllr asked if a S106 could be requested for the village hall. Cllr Holmes stated that she was happy to include this as well as the usual conditions to permit.

The Chair clarified that Members were happy for the usual conditions to be drafted by officers with added S106 condition for the village hall and education.

A vote was taken. 8 Members voted in favour of the motion to permit. 2 Members voted against.

DETERMINATION: PERMIT, subject to:

The completion of a s106 agreement to secure appropriate payments for (a) the expansion of the local primary school (in consultation with the Local Education Authority) and (b) improvements to the village hall as set out in the report (£1904)

Conditions, the details of which were delegated to the Head Of Regulatory Services

For the following reasons:

The provision of housing would contribute to the NPPF's objectives of boosting housing supply. Whilst the Borough is considered to have an adequate housing land supply this should not be regarded as an upper limit.

Old Dalby is considered to be a reasonably sustainable location for housing development and the site would relate well to the existing settlement, recently approved applications and is close to village facilities.

In conclusion it is considered that, on the balance of the issues, it is considered that the benefit – the contribution to housing supply in a sustainable location – outweigh the harm arising from the site.

PL32.2 **16/00704/OUT**
Please refer to minute number PL32

PL32.3 **17/00477/FUL**
Applicant: Mr & Mrs Halford
Location: Owl End, Mill Lane, Frisby on the Wreake
Proposal: Two detached dwellings

(a) The Planning Officer stated that:

This application seeks full planning permission for the construction of 2 detached dwellings on the northern edge of Frisby on the Wreake.

The site is currently used as garden area for Owl End, the site is separated from Owl end by garden planting, the site is outside of but adjoins the Frisby on the Wreake Conservation Area.

Members should be aware that a request has been made to the Secretary of State to consider this planning application against the call-in policy as set out in the written Ministerial Statement of 26 October 2012.

Members should note that if they are minded to approve the application, then a decision cannot be issued until the Secretary of State has considered whether or not to call in the application. Therefore the officer recommendation in this instance is amended to approval 'subject to' the assessment of the application by the Secretary of State.

The application presents a balance of competing objectives, there are benefits from this proposal when assessed under the NPPF in terms of housing in a location that performs reasonably well in terms of access to facilities and transport links particularly to Melton Mowbray.

The balancing issues are considered to be development of a greenfield site and potential conflict with the Frisby Neighbourhood Plan. The Neighbourhood Plan has completed the Local Authority publicity period but is yet to be the subject of Examination or Referendum and one task for the Committee will be to consider the weight it should carry. Details of the position and content of the NP are addressed on pages 8 and 9 of the report

The application is recommended for approval subject to review by the Secretary of

State and conditions as set out in the report.

(b) Mike Patterson, on behalf of objectors, was invited to speak and stated that:

- Area floods and can be impassable by cars
- The flooding issue has not been resolved and further development may increase the problem
- Cobbles should be retained
- Parking on the sides of the road causes bottlenecks
- Traffic increase
- Farmers, Network Rail and National Grid often use the road
- Speed issues endanger pedestrians and horses
- No clearly defined footpath
- Single track entrance with blind bend
- Outside limited development line
- Borders conservation area
- Overly developed character and unsympathetic
- Overbearing
-

The Head of Regulatory Services stated the site is outside the village envelope but sought clarification how that was in conflict with the Neighbourhood Plan.

Mr Patterson explained that Policy H3 in the Neighbourhood Plan supports development within limits to development but it does not specifically exclude it outside. The Neighbourhood Plan sets out the context about protection of the countryside and the need to focus development where the community wants it. Whereas the Policy H3 have taken in isolation does appear to be loose, with the narrative it meets the basic condition. There could be disagreements as to the robustness of the policy.

A Cllr sought clarification what the distance from the application site to the listed building was.

Mr Patterson stated that it was on the other side of the road, approximately 30/40 yards away. The Grade I listed church is sited approximately 100yards from the site.

(c) Colin Wilkinson, the agent, was invited to speak and stated that:

- Reasonable range of facilities such as shops and a school all within walking distance
- No objection from Highways Authority
- Traffic speeds low
- Low risk of flooding as advised by statutory consultees
- Well contained
- Trees will be retained or replaced
- Built on the lower parts of the site to reduce impact
- Style typical of Frisby

- No important trees, views or heritage assets
- Sustainable
- No technical objections
- Outside conservation area and in keeping with the character
- Consistent with Local Plan
- Meets needs of housing shortage
-

The Head of Regulatory Services asked the agent the same question regarding how the Neighbourhood Plan affects the application.

The Agent stated that although it is outside the limits to development, there is no policy which prevents the development of sites outside.

A Cllr asked if the plum tree could be retained.

The Agent said that all would be done to retain and protect the tree.

A Cllr asked if there was a need for an annex, as they are used to seeing accommodation where there is already a need.

The Agent stated that there is no immediate need; it will give the family flexibility for the future.

The Chair asked if Members would suspend standing orders to allow a representative from the Parish Council to speak. It was unanimously agreed that standing orders would be suspended.

(d) Kathy Ford, from the Parish Council, was invited to speak and stated that:

- Visibility on Mill Lane is tricky
- Busy pedestrian traffic
- Support concerns of residents
- Aware of legal anomalies as to how much weight should be given by local councillors to emerging Neighbourhood Plans but ask that determination of app which contravenes the Neighbourhood Plan be deferred until legal situation is resolved
- Para 14 and 49 of NPPF – if council has 5yr supply of land they do not have to grant planning apps that are outside the limited developments unless a robust case can be made to demonstrate that the housing will make a social, economic or environmental benefit that outweighs the harm of the development
- As MBC have a published 7 and a half year land supply with sufficient housing to meet required need then they are not obligated to pass a development so close to a Listed Building and in a Conservation Area
- Parish Council wrote to Secretary of State expressing concerns and asking for intervention as set out under the written ministerial statement of Oct 2012 – a case officer has been allocated

A Cllr stated that the application was submitted in April so could not understand the call in.

The Head of Regulatory Services advised that there had not been a call in but the LPA would need to inform the government if the application is approved to allow the Sec. of State the opportunity to call in.

(e) Cllr Hutchison, the Ward Councillor, was invited to speak and stated that:

- Flooding and traffic issues
- Negative impact on street scene
- Would destroy the historic verge
- Outside Neighbourhood Plan limits to developments
- Modest development and single home should be considered
- Residents and street scene should be protected
- Consider deferment for re-designed considerations

The Head of Regulatory Services asked how it was envisaged that one dwelling instead of two would overcome the 'limit to development' objection.

Cllr Hutchison stated that would be up to the developers if they could fit a dwelling onto that plot within the limits.

The Head of Regulatory Services advised that the application needed to be assessed on a number of dynamics, of which the progress of the Neighbourhood Plan is one. The NP states that within the limits to development, development will be supported subject to meeting criteria. There is no equivalent to Policy H3 to what happens outside the village envelope. He referred to Mr Patterson's response, that it was in the narrative, the focusing of the limits to development as a more sustainable solution. He referred to the part of the report that addressed what weight the Neighbourhood Plan carries based on the guidance applied by national policy and how it relates to this application.

In terms of the limits to development, the NP stated it has been drawn follow clearly defined features such as walls, fences, hedgerows and roads.

Members observations from the site visit should be used to help decide if it accords with the line that is drawn on the plan, and if the boundary line follows a firm feature.

A Cllr stated that they thought the line does not follow a clearly defined feature. They thought that the clearly defined feature would actually be the fence at the back of the garden, therefore only limited weight could be given. They had concerns on flooding as the depth and size of the site would hold water and how much of that would run off and hit the road.

The Head of Regulatory Services stated that the LLFA do not get involved in applications of under 10 dwellings. Condition 4 would cover drainage and surface water.

Cllr Chandler proposed to refuse the application as it is over intensive and was concerned that trees would be removed and as they hold a lot of water this would lead to flooding.

Cllr Holmes seconded the proposal to refuse the application.

A Cllr agreed with the proposal to refuse and stated that with the annex it is actually an application for three dwellings, and there is no current need for the annex.

A Cllr stated that the application does not promote mixed use and function of sites as promoted by the NPPF para 17.

Cllr Chandler stated that she was happy to have this included as a reason to refuse.

A Cllr stated that they could not support the refusal as it is a small scale application.

A vote was taken. 7 Members voted in favour of the proposal to refuse. 3 Members voted against. Cllr Baguley wished for her vote against the proposal to be recorded.

DETERMINATION: REFUSE for the following reasons:

1. The proposed development would result in the removal of trees on the site which contribute to the alleviation issues of flooding in the area. This would be contrary to one of the core principles of the NPPF set out in Paragraph 17 to: Promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as wildlife, recreation, flood risk mitigation, carbon storage, or food production).

2. The proposal represents over-intensification of the site out of keeping and harmful to its surroundings, contrary to the objectives of Policy BE1 of the adopted Melton Local plan.

PL32.4

17/00636/OUT

Applicant: Mr John Sim

Location: The Paddock, Dalby Road, Nether Broughton

Proposal: Proposed 9 dwellings and associated access Arrangements

(a) The Planning Officer stated that:
There are no updates to the report.

This application seeks outline permission for the erection of 9 dwellings, access, layout and scale are considered at this time with appearance and landscaping reserved for later submission.

The application site is located off Old Dalby Lane on the edge of the village, the site is currently utilised as paddock land.

On balance of the issues, the proposal is considered to offer benefit when assessed as required under the guidance in the NPPF in terms of housing supply and the smaller number of bedrooms along with starter homes proposed.

However the balancing issues are considered to be development that would be in a less than sustainable village and where the site is disconnected from the core of the village.

As such the application is recommended for refusal as set out in the report.

The Chair asked Members if they would suspend standing orders to allow Cllr Dorn to substitute Cllr Bennett as the Parish Council representative. It was unanimously decided that standing orders should be suspended.

(b) Cllr Dorn, from the Parish Council, stated that:

- Total of 150 houses, 36 already approved provides 24% increase
- Pre-submission of Local Plan classifies Nether Broughton as a rural settlement
- 3 dwellings may be suitable
- The site is unsustainable
- No facilities other than a church, village hall and pub
- Public transport reduced
- Greenfield site, not integrated
- Outside limited development
- Negative impact on character
- Contrary to NPPF
- 11 letters of support but none of these live in Nether Broughton
-

A Cllr asked if there was a bus supplied to Old Dalby and Melton Mowbray for school transport.

Cllr Dorn stated that there is.

(c) Maurice Fairhurst, the agent, was invited to speak and stated that:

- Provide affordable housing to allow people to get on the housing ladder
- Low lying, poor quality grazing ground
- Not isolated, similar dwellings nearby
- Footpaths links to other villages
- Bus service and employment opportunities at the business park
- Mixed use housing on 1.4 acres
- Low density
- Set back from road behind trees
- One point of access to maintain highway safety
- Not adverse impact

- No objection from statutory consultees
- Highways requirements met
- S106 contribution
- Housing is not being delivered quick enough so this would be delivered before the 3yr requirement
- Benefits outweigh the harms
- Not contrary to NPPF
-

The Head of Regulatory Services stated that it was conventional to put a three year limit on developments, but perhaps this should be shortened in line with the agent's offer.

A Cllr stated that they liked to see small developments as it is easier to become part of a community.

A Cllr stated that the public transport is insufficient.

Cllr Wyatt proposed to permit the application as it is an acceptable site and provides a good mix of dwellings.

Cllr Botterill seconded the proposal to permit.

The Planning Officer clarified that there would be a S106 contribution and normal conditions would be drafted.

The Chair suggested having the three year limit reduced to a two or one year limit.

Cllr Wyatt stated that it should be two years.

The Chair stated that the application would improve the connectivity of the village as there are houses nearby.

A Cllr agreed and stated that it would be a good opportunity for young people to get onto the housing ladder. They requested a condition be added for the hedge fronting the main road to be laid. A Cllr considered this would be impractical because it contained some larger trees and it was discussed that simply 'tidied' would suffice.

Cllr Wyatt agreed to have this added.

A Cllr asked if a contribution for education would be included.

The Chair confirmed this would be necessary.

A vote was taken and it was unanimously decided that the application should be approved.

DE The completion of a s106 agreement to secure appropriate payments for

the expansion of the local primary school and as set out in the report (£52,948.12)

Conditions, the details of which were delegated to the Head Of Regulatory Services but to include a requirement to commence development within 2 (years rather than the standard 3)

For the following reasons:

The provision of housing would contribute to the NPPF's objectives of boosting housing supply. Whilst the Borough is considered to have an adequate housing land supply this should not be regarded as an upper limit.

Nether Broughton is considered to be a reasonably sustainable location for housing development and the site would relate well to the existing settlement, and provided a range of house types that would address current shortfall and assist the sustainability of the village.

In conclusion it was considered that, on the balance of the issues, it is considered that the benefit – the contribution to housing supply in a adequately sustainable location – outweigh the harm arising form the site.

PL33

Urgent Business

The Officers and Members discussed some existing cases.

The meeting closed at: 7.42 pm

Chair



TOWN AREA COMMITTEE

PARKSIDE, STATION APPROACH, BURTON STREET, MELTON MOWBRAY

21 AUGUST 2017

PRESENT:-

Councillors M. Glancy (Chair),
T. Beaken, M. Blase, T. Greenow, J. Illingworth

Acting Chief Executive
Administrative Assistant Communication and Member Support

T13. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bains, Cumbers, Douglas, Faulkner, Freer-Jones, Hurrell (post meeting), Lumley and Pearson. Councillors Posnett and Wyatt were also not present.

T14. DECLARATIONS OF INTEREST

Councillors Greenow and Illingworth each declared a personal interest as Members of the Planning Committee and here left the meeting.

Councillor Glancy declared a personal interest as a Member of the Planning Committee and stated she would not participate in the determination of this planning application at the Planning Committee.

(Inquorate meeting : It was agreed that the Consultation proceed and comments be put forward to the Planning Committee from an inquorate Town Area Committee Consultation).

T15. CONSULTATION – PLANNING APPLICATIONS

The following Planning Application was considered and comments submitted on the application as indicated.

Item No.	Application Reference	Application Summary
1.	17/00711/FUL	<u>Nottingham Road, Melton Mowbray.</u> Proposed re-plan of 77 residential units from reserved matters application 16/00259/REM for 85 units

The Acting Chief Executive gave an overview of Planning Application reference 17/00711/FUL and plans of the site were viewed by Members.

Committee Comments

A discussion was held, concerning the planning application and Members made the following comments:-

- This area was prone to flooding. Safeguards would need to be put in place to mitigate this risk
- Concerns over road width, particularly the main access road. What was the proposed width of the road? Would it facilitate off-road parking? Would there be provision for up to several cars to park there? Roads within the development needed to be appropriate to facilitate access/egress and parking for residents and visitors as well as for refuse, delivery and emergency vehicles
- Concerns over garage size. It was suggested that parking an average size car in the proposed garages would not provide enough room for the driver and passengers to get in/out of the car
- Concerns over parking, particularly within the 'central area' of the 'Masterplan' (and taking in to account increases in traffic each year). The proposed layout encouraged pavement parking
- What was the purpose of the screen wall and screen fence?
- The green areas indicated on the 'Masterplan' were appreciated by Members but it was suggested that slightly less green areas and wider roads would be more beneficial

Additional Comments/Reasons:

- It was noted that permission was already in place for development under 16/00259/REM and comments would be submitted on the proposals within the new application (17/00711/FUL). It was also noted that the proposal to build 85 properties remained and the properties outlined red on the 'Masterplan' would not change under this application
- Members commented that in general, roads on new development sites were narrower than established roads and these needed to be wider in order to be fit for purpose, garages were not large enough and driveways and allocated car park spaces did not provide sufficient space to facilitate access/egress into properties
- It was noted that a lot of homes would be built in the area and it was vital that they be fit for purpose
- The inquirer's comments, as listed above form part of the consultation on Planning Application 17/00711/FUL.

T16. URGENT BUSINESS

- Meeting with Melton Matters

The Chair provided a brief update on details of a future meeting between Members and the Melton Matters group, advising that the meeting would take place on Friday, 8 September. She highlighted that the group had invited Members to a 'patch walk about' and advised that this would be a useful opportunity for Members to liaise with the group and gain a further understanding of how the group would work. She confirmed that 'Melton Matters' would be discussed in greater detail at Town Area Committee on 18 September.

The meeting which commenced at 6:34 p.m, closed at 7:00 p.m

Chairman

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RURAL, ECONOMIC & ENVIRONMENTAL AFFAIRS COMMITTEE

30 AUGUST 2017

Present:

Councillors M. Sheldon (Chair), E. Hutchison (Vice Chair),
T. Beaken, M. Blase, G.E. Botterill, R.de Burle,
M.C.R Graham MBE, M. Glancy, J.B Rhodes, J Simpson.

As Substitute:-

Councillor J.T. Orson for L. Higgins.

Chief Executive,
Head of Communities and Neighbourhoods, Corporate Director,
Administrative Assistant for Communities and Neighbourhoods.

R16. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Higgins.

R17. MINUTES

The minutes of the meeting held on the 07 June 2017 were confirmed and authorised to be signed by the Chairman

R18. DECLARATIONS OF INTEREST

Councillor Rhodes and Councillor Orson declared a personal interest in any matters relating to Leicestershire County Council.

R19. RECOMMENDATIONS FROM OTHER COMMITTEES

There were no recommendations from other committees.

R20. UPDATE ON DECISIONS

The Head of Communities and Neighbourhoods submitted an update on decisions report.

A Member enquired as to whether their membership of both this Committee and the Governance Committee would be an issue in regards to item 2 of the update 'Name of Committee' to which the Head of Communities and Neighbourhoods advised it would not.

A Member wanted clarification as to when item 4 of the update 'Melton Town Centre Audit report' will be brought back, The Head of Communities and Neighbourhoods noted this would be brought to the November meeting of this Committee.

RESOLVED that the Update on Decisions document be noted.

R21. CORPORATE REVIEW OF CHARGES 2018-19

The Corporate Director submitted a report to provide information on the various fees and charges that are made by this committee and to recommend changes to these charges to operate from 1st April 2018.

The Corporate Director presented a brief overview of the report, making note that specific details on 3.8- 3.10 of the report will be brought to this and other Committees in future reports.

A Member noted in regards to 3.11.1 of the report 'Pest Control' that it may be a disinvestment for the future, The Head of Communities and Neighbourhoods noted that it would provide needed capacity in this environmental service but we would still have opportunities and will still deliver a service to MBC properties and services. It was also noted that this will be brought back to this committee in further detail in an Exempt report.

Members enquired as to what the 'Bulky' waste management was, the Corporate Director noted that this is a service in which customers can ring up MBC to book and arrange collection of large waste items. However the current issue is that customers will ring to book collection and pay the fee, customers will then ring back to cancel and require a refund. This creates lots of extra work and the council feels like this admin cost should be covered; a policy for not providing full refunds for late cancellations could be implemented.

The Chair moved that the recommendation be approved. All Members were in favour.

RESOLVED that the level of charges for 2018-19 for each of the services as recommended and set out in the reports attached to operate from 1st April 2018 be approved.

R22. CAPITAL PROGRAMME MONITORING TO 31 JULY 2017

The Corporate Director submitted a report to update the Committee on the progress of schemes within the Capital Programme to 31 July 2017.

The Corporate Director presented an overview of the report bringing Members attention to;

- 5.2 Snow Hill Industrial Units Roofing Works: Noting the roofing issues have been investigated and it has been determined that the frequency of the incidents of the problem is not sufficient to justify high cost remedial works. The budget can therefore be removed as part of the budget setting process later in the year. It should also be noted that the industrial units have reached the age where other capital works will soon be required.
- 5.2 Cattle Market: Noting the Cattle Market Phase 1 project is now mainly complete and the Cattle Market Wash Down Area works are complete. A report will be created and circulated to the Cattle Market Work Group once everything is completely finished.

A Member stated that they believe the Snow Hill site needs to be maximised and looked into in order to stop costing MBC money, this was noted this for future report.

The Chair moved that the reports recommendation be approved. All Members were in favour.

RESOLVED that

- (1) Members took note of the progress made on each capital scheme and that the capital programme will be amended as part of the budget setting process as outlined in section 5.2
- (2) Members recommend to the Council's Policy, Finance and Administration Committee that the Cattle Market Phase 1 capital programme is increased by up to an additional £15k as section 5.2 refers; and
- (3) Members recommend to the Council's Policy, Finance and Administration Committee that the financing for the Cattle Market Wash Down Area is adjusted to take into account the contributions from Gillstream Markets as section 5.2 refers.

R23. BUDGET MONITORING APRIL TO JUNE 2017

The Corporate Director submitted a report to provide information on actual expenditure and income incurred on this Committee's services compared to the latest approved budget for the period 1st April 2017 to 30th June 2017.

The Corporate Director gave an overview of the report bringing Members attention to;

- 3.3 of the report, showing a summary of the income and expenditure for this Committee's services compared to the approved budget at June 2017, noting the forecast £132,490 overspend.
- 3.6.1 Which explains the three largest overspend areas, however noting that it is still early in the year and planning income has picked up since the report was written. The Corporate Director also noted that overall the Council is at a underspend position; however these areas will continue to be scrutinised.

A Member enquired at to why the waste management consultation fees have suddenly increased, The Corporate Director noted that a meeting has been set up to scrutinise and challenge these fees, this will be brought back to the waste task group.

A Discussion was had in regards to Car parking. Members wanted to know what the impact of the increase on charges on market day have made as some felt this may not be encouraging tourism. It was also noted that car parking income was significantly lower due to free parking areas in the town which people will use instead of car parks with charges. The Head of Communities and Neighbourhoods stated that a report will be brought back to this Committee with a 6 month trend of usage to see what is working well and what may need working on. The Corporate Director also noted that the car parking does bring in over £700,000 in income per annum therefore it is wise to be careful of making big changes that could effect the council's financial position in the long term. The Chief Executive wanted to note that it may be beneficial to bring this matter to the next Economic Board meeting for consideration to then bring back to this Committee for discussion.

The Chair moved that the recommendation be approved. All Members were in favour.

RESOLVED that Members note of the financial position and year end forecast on each of the Committee's services to 30th June.

R24. URGENT BUSINESS

There was no urgent business.

The meeting that started at 6:30pm finished at 6.55pm

Chairman

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Minutes

Meeting name	Planning Committee
Date	Thursday, 7 September 2017
Start time	6.00 pm
Venue	Parkside, Station Approach, Burton Street, Melton Mowbray, Leicestershire, LE13 1GH

Present:

Chair Councillor J. Illingworth (Chair)

Councillors

P. Posnett (Vice-Chair)	P. Baguley
G. Botterill	P. Chandler
P. Cumbers	P. Faulkner
M. Glancy	T. Greenow
E. Holmes	J. Wyatt

Observers

Officers

- Solicitor To The Council (SK)
- Head of Strategic Planning and Regulatory Services
- Regulatory Services Manager
- Planning Officer (GBA)
- Planning Officer (LP)
- Administrative Assistant (AS)

Minute No.	Minute
PL34	<p>Apologies for Absence None</p>
PL35	<p>Minutes Minutes of the meeting held on 17th August 2017.</p> <p>Approval of the minutes was proposed by Cllr Greenow and seconded by Cllr Glancy.</p> <p>It was unanimously agreed by all Members who were present at the meeting on 17th August that the Chair sign them as a true record.</p>
PL36	<p>Declarations of Interest Cllr Botterill declared a pecuniary interest in application 17/00890/FUL and stated he would leave the meeting for the duration of the discussion.</p> <p>Cllr Chandler declared an interest in application 17/00890/FUL as her son is a tenant of the Belvoir estate and it could be considered prejudicial even though she didn't believe so.</p> <p>Cllr Holmes declared that she had no interest in application 17/00281/OUT which had been previously suggested.</p> <p>Cllr Posnett declared that she had no interest in application 17/00281/OUT but she had been previously advised to declare an interest due to contact with the family. However she wished to confirm the contact was with the applicant's parents and she had never had any contact with the applicant.</p>
PL37	<p>Schedule of Applications</p>
PL37.1	<p>16/00704/OUT Applicant: Mr and Mrs Cook Location: Field OS 0044 Leicester Road, Frisby on the Wreake Proposal: Outline application, with all matters other than access to be reserved for future approval, for the residential development of up to 48 dwellings with associated access, community uses, landscaping, open space and drainage infrastructure.</p> <p>(a) The Regulatory Services Manager stated that: The determination of this application was deferred from the last meeting because of concerns about water supply and sewage.</p> <p>Before going through the report Members were updated on that matter.</p>

Severn Trent Water (STW) have commented on water supply and sewage disposal as follows:

Water Supply - An assessment of the system indicates that this area has good capacity to supply this development. The area is pressure managed, so STW has scope to carry out remedial works to bring the water pressure back up to the level it was at before this development.

Sewage – (*states, in summary*) STW has a statutory duty to dispose of sewage from all residential development. There is no technical or financial reason why this could not be achieved in respect of this development in Frisby. Although they have not established precisely what works would be necessary. The implementation of works could result in delays to development and the occupation of dwellings.

To ensure that no development comes forward in advance of any improvements to infrastructure it is suggested that any permission should be subject to the following additional condition :

Condition

No development approved by this permission shall be commenced until a scheme for the provision and implementation of foul drainage works has been approved in writing by the Local Planning Authority. Such works shall be implemented to the reasonable satisfaction of the Local Planning Authority before the associated buildings to which they relate are occupied. Any works required to upgrade the infrastructure sufficiently to provide capacity for the new development shall be undertaken prior to acceptance of the development's foul sewerage.

Reason

To protect water quality and to secure a satisfactory standard of development, in accordance with the requirements of paragraph 109 of the NPPF.

STW consider that this would be acceptable and the applicants agree to the imposition of the condition.

A Councillor raised concerns regarding the provision for dealing with the sewerage and what conditions had been imposed on Severn Trent regarding this.

The Regulatory Services Manager responded that Severn Trent has a legal duty to provide a sewerage connection and that this has to be put in place before any dwellings can be occupied.

A Councillor commented that no scheme had been submitted and that the developer wouldn't design a scheme without permission.

The Regulatory Services Manager reminded Members that this is not unusual with an outline application.

The Chair commented that it was unlikely any developer would create a scheme on a speculative basis and checked that the Members would like to proceed with the rest of the updates from the report now that this concern had been addressed.

Update since the agenda was published

Following the publication of the agenda the following has been received :

1. Representation from a resident – The proposed additional school parking/drop off, pedestrian access and land for possible future school expansion have not been agreed by the school.

Response *Noted, but no weight was given to these features in the determination of the application.*

2. Letter from the Chairman of the Neighbourhood Plan Advisory Group (This letter was copied to all of the Members of the Planning Committee) – Generally critical of the update report and request 4 amendments :

i) Statement that a “arrangements to appoint an Examiner of the NP are in hand” is not accurate as an Examiner has been appointed. **Response** - *An Examiner was only appointed after the publication of the agenda, so the report was accurate, but agree that it needs to be updated. But would note that the appointment of an Examiner does not add any more weight to the NP; it remains at the pre-Examination stage.*

ii) Considers that the breakdown of the 62 representations to Regulation 16 of the NP should differentiate in more detail between those who responded and their interests in any land in the village which may be developed.

Response - *The report accurately states that there were 62 representations and breaks them down into three categories; residents, consultees and landowners.*

The NPAG’s table separates residents who own or have an interest in possible development sites from those with no such interests. Similarly, land owners are separated and consultees fall into two categories. Would reiterate that the report notes that it is the content of the comments, not their number, or who submitted them that is important.

iii) Concerned that the comment that “the NPAG considers that as most objections come from developers the statement about the level of unresolved objections is misleading and should be removed from the report “ is inflammatory . Note that objections were understandable as developers have vested interests. Passing comment about whether residents of Frisby supported allocations in the LP.

Response – *No additional comment ,but agree with the NPAG that it is will be for an Examiner to consider and adjudicate upon these representations .It is the degree of unresolved matters is relevant ,,not the number of source of comments .Support for LP – noted. In this case Members need to take*

account of the representations in respect of this application and the planning matters which they raise, which are summarised in the main body of this report.

iv) Bemused and confused to references that the NP does not deliver the level of development set out in the LP. Delivers 78, 10 more than the 68 that the LP requires. Consider that these comments are misleading.

Response – *The LP allocates 118 dwellings to Frisby. 68 is the residual apportionment*

The Regulatory Services Manager then summarised the main points in the update report which had been published as part of the agenda. Noted that the original application report (appendix A) was taken as read and concentrated on the update report.

- (b) Kate Baxter, on behalf of Frisby Parish Council, was invited to speak and stated that: they strongly oppose approval. Concerns regarding:
- Increased vehicle movement and the route vehicles would take (shortest, most convenient not necessarily the designated one)
 - Visual splays do not meet guidelines especially turning towards Leicester
 - Increased vehicles throughout the day (109 extra)
 - Increase peak time congestion which doesn't include school traffic
 - Road too narrow – no opportunity to pass and not viable to widen
 - Not a classified main commuter route
 - Narrow entrance
 - Pedestrians would have to walk along an unlit road
 - Unlit lane with no room for cyclists, pushchairs or wheel chairs
 - Accessing the bus service is hazardous
 - Traffic accidents occur but are removed before the police are aware so not included in figures
- (c) Martin Smith, an objector, was invited to speak and stated that: at least 85% of occupied households in Frisby support our Neighbourhood Plan as shown by the large number of representations to the NBC regulation 16 local plan. There are concerns regarding:
- flooding
 - drainage plan should be available to view
 - road safety of pedestrians
 - negative visual impact
 - loss of privacy, sunlight, security and solar power production
 - light pollution from car parks, street and security lighting
 - block natural light to school especially in the winter months
 - signs of bronze age and roman remains
 - unresolved conditions
 - should request a financial viability and deliverability report

A Councillor asked for clarification regarding the source of the mentioned

supporting figures.

Mr Smith responded that it had been a community survey over the last four weeks. It was sent to everybody in the village to ask if they support the neighbourhood plan. There were over 400 signatures.

The Chair confirmed that the statistics were different however Members could only go by the official figures that had been provided to the Council.

It was noted that Cllr Hutchison now has the petition.

A Councillor asked for confirmation that Gaddesby Road crossroad is at Leicester Road.

Mr Smith confirmed it was.

- (d) Liberty Stones, agent for the applicant, was invited to speak and stated that: the officer had presented a detailed report in respect of addressing concerns and that it reflected the legal advice taken. The Neighbourhood plan is a material consideration and there was limited weight given to the emerging local plan. There had been a robust site search and this site had been included within the local housing trajectory and 5 year land supply. There are no constraints to the delivery of the proposed application. There are numerous benefits to residents with open space for all.
- (e) Cllr Hutchison, Ward Councillor for Frisby, was invited to speak and stated that: He would like to remind Members that the residents of Frisby were encouraged to get involved with the local plan and had a cooperative mind set. There is a healthy selection of development sites to choose from to fulfil its revised housing allocation of 68 new homes. The Parish Council created a neighbourhood plan group that has conducted 3 housing preference surveys. Frisby recently completed its regulation 16 consultation and has no negative feedback from any statutory stakeholders and has now been appointed an Examiner. Should be afforded considerable weight and this is also the view of legal experts funded by residents. They have stated our Neighbourhood Plan would stand up against planning appeal and also support the two third parties who have already contacted the Secretary of State to apply the call in policy against this application. Frisby's plan already includes provision for 48 new homes on the Great Lane site which were approved by this committee earlier this year. These will be built within the next four years hence the Frisby community has over 70% of its 20 year allocation target fulfilled in the short term. Over allocation development. Does not fit in to the Frisby Neighbourhood Plan as it is too large. High infrastructure costs. Extension of Great Lane would reduce disruption to residents. This is further supported by petitioned survey where 85% agreed. Protect community from over development by refusing this application.

Members requested clarification on numbers of total dwellings.

Mr Smith stated that the local plan has reduced from 78 to 68.

A Member asked what question was asked in the survey.

Cllr Hutchison responded that the survey asked if residents of occupied houses supported the neighbourhood plan and 85% had said yes. On the last survey there was a preference for Great Lane with 65% and this proposal got 15%.

The Head of Strategic Planning and Regulatory Services showed the Members the figures. The local plan changes were only recently consulted upon. Developments promoted in various locations. Frisby on the Wreake total over 3 sites. The 68 houses in the local plan was the 'residual requirement', this is the minimum requirement that the Local Plan suggests. He displayed the Neighbourhood Plan which proposes 78 in order to meet this requirement are at the Great Lane sites (78 made up of 58 and 20 from the Great Lane sites). He also showed the relevant page of the Local plan in which 3 site allocations are proposed for Frisby which, combined, add up to a total 'estimated capacity' of 118. He explained why these figures are important by referring Members to the measures on bottom of page 2 of covering report in which national guidance on assessing the weight of the NP is reproduced. He also displayed para 186 of the NPPF in which it is stated that neighbourhood plans are not to promote less development or undermine strategic policies.

Cllr Holmes proposed to defer until the neighbourhood plan was in place and asked how long this would take.

The Head of Strategic Planning and Regulatory Services responded that two had been done so far. One took well over 8 weeks and the other took over 4 weeks.

The Solicitor to the Council advised that a deferral should not be based on convenience or betterment issues. Bona fide planning grounds should be provided.

Cllr Cumbers seconded the proposal to defer.

The Chair commented he was reluctant to accept the proposal to defer based on an emerging plan and that it would have to be based on planning grounds.

A Member commented that all application can't be deferred until plans are in place as they would allow and appeal to the Inspectorate due to non-determination.

The Head of Strategic Planning and Regulatory Services confirmed this could be the case if the non-determination lasts for an extended amount of time, beyond the period agreed with the applicant.

A Councillor asked if the sewerage had been taken into account by Severn Trent regarding the application that already had permission granted for houses to be built

opposite.

The Chair responded that the first developer that proceeds has to put scheme in to place and that the second developer will also have to comply. It is a statutory obligation to comply so it doesn't matter which one builds first.

The Regulatory Services Manager added that they have a legal duty to provide adequate sewerage and drinking water.

A Councillor commented the application shouldn't be deferred and that the Members must take the legal advice they have been given.

The Chair ruled that they wouldn't take the proposal for a deferral, as advised by the Solicitor to the council.

Cllr Holmes proposed to refuse the application due to concerns regarding the sewerage and water supply, road safety, the number of houses on the site and the infrastructure not being correct for a category two village.

Cllr Baguley seconded the proposal to refuse the application.

The Chair noted that the highways authority have no objection to the application.

Several Members raised concerns regarding the speed limit, cars passing safely at speed and the need to fulfil housing requirements being completed in a short amount of time when they have 20 years to comply.

A vote was taken. 3 Members voted in favour of refusal and 8 Members voted against refusal.

Cllr Wyatt proposed to permit the application and noted that the development itself hadn't been considered.

Cllr Greenow seconded the proposal to permit and added that it's a balance of issues and there have been assurances from Severn Trent which are sufficient and enforceable. There is no evidence that the harm doesn't outweigh the benefits. Asked if the proposer would add conditions to provide a footpath to Leicester road and to ensure Severn Trent complied.

Cllr Wyatt, the proposer, agreed to add the condition regarding Severn Trent but declined a condition regarding a footpath as he felt there was no room for it and there may be issues with maintenance responsibility.

Cllr Greenow agreed with the proposer.

A Member commented that they didn't want to see current residents sewerage and water services deteriorate.

The Chair asked if the proposer would add to the Severn Trent condition that the new scheme could not be detrimental to current residents.

Cllr Wyatt agreed.

A vote was taken. 8 Members voted to permit the application and 3 Members voted against. Cllr Holmes requested that her vote against permit was recorded.

Determination: PERMIT, subject to:

- (i) Completion of a s106 Agreement as set out in the report and**
- (ii) Conditions as set out in the report**
- (iii) A further condition ensuring that any works required to upgrade infrastructure sufficiently to provide capacity for the new development shall be undertaken prior to acceptance of the development's foul sewage.**

For the following reasons:

The Borough is not deficient in terms of housing land supply. The methodology used to demonstrate that there is a 5year supply has included sustainable sites, such as this, which have been scrutinised as part of the evidence supporting the new local plan.

Affordable housing provision remains of the Council's key priorities. This application presents affordable housing that helps to meet identified local needs. Accordingly, the application represents a vehicle for the delivery of affordable housing of the appropriate quantity, in proportion with the development and of a type to support the housing need. Frisby on the Wreake is considered to be a sustainable location with a reasonable range of facilities and capacity to accommodate some growth. It is considered that there are material considerations of significant weight in favour of the application, and its partial alignment with the Pre-submission Local plan adds additional support.

The site is considered to perform reasonably well in terms of access to facilities and transport links, particularly to Melton Mowbray.

It is considered that balanced against the positive elements are the specific concerns raised in representations, particularly the development of the site from its green field state and the impact on the character of the rural village and approaches to it from the south and conflict with the emerging Neighbourhood Plan.

In conclusion it is considered that, on the balance of the issues, there are significant benefits accruing from the proposal when assessed as required under the guidance in the NPPF in terms of housing supply and affordable housing in particular. The balancing issues – development of a green field site, landscape impact and limited sustainability and conflict with the Neighbourhood Plan – are considered to be of limited harm.

Applying the ‘test’ required by the NPPF that permission should be granted unless the impacts would “significantly and demonstrably” outweigh the benefits; it is considered that permission can be granted.

PL37.2

17/00281/OUT

Applicant: Mr M Brown

Location: Land at South of Hill Top Farm, St Bartholomew’s Way, Melton Mowbray

Proposal: Outline application for up to 30 dwellings (Access of St Bartholomew’s Way already approved)

(a) The Planning Officer (LP) stated that: This application seeks outline permission for the erection of up to 30 dwellings with associated access which has been approved under application reference 15/00593/OUT.

All other matters are reserved at this time

The application is located to the south of Hill Top Farm St Bartholomew’s Way, the site itself is located alongside two previously approved applications for a total of 45 dwellings. The application proposes to use the land previously considered unacceptable in application 15/00593/OUT within the 100m buffer of the Scheduled Ancient Monument.

The site is currently a field with no presumption in favour of development, however the proposal does include a mix of affordable housing.

The Borough whilst not deficient in terms of housing land supply, housing does remain one of the Council’s key priorities.

Since the publication of the committee report additional clarification has been sought from the Education authority for their contribution, the details as set out in the report remain up to date with a contribution request of £80,621.53 towards the Secondary School Sector.

It is considered that, on balance of the issues, there are benefits from this proposal when assessed under the NPPF in terms of housing supply and affordable housing in particular.

The balancing issues are considered to be development of a greenfield site and the impact of the proposal on the nearby Sysonby Grange Scheduled Ancient Monument, the harm to the asset derives mainly from the proximity of the proposed development. The narrowness of the buffer and topography of the site would lead to the development being intrusive to the setting and harmful to the significance of the asset.

As such the application is recommended for refusal for reasons as set out in the report.

(b) Dr Patrick Clay, on behalf of the applicant , was invited to speak and stated

that:

- The setting of the monument has already been compromised by the wind farm.
- The boundary may not be relevant to the site itself and has been compromised by development over the centuries, including St Bartholemew's Way itself.
- Trial trenching has been carried out and produced limited interest.
- There will be information boards so as not to keep the site secret as it isn't currently well known.
- The site can't be seen from new hedgerow. Topography falls away. Far less severe than Historic England suggest. In favour of protecting the setting.

A Councillor asked if archaeological digs had taken place.

Dr Clay commented that they should be done if permission is granted.

A Councillor asked if they would let the hedgerow grow higher.

Dr Clay noted that this would afford the monument protection from the permission already granted. You wouldn't see the development and it would protect the setting further which is already well protected.

- (c) Maurice Fairhurst, agent for the applicant, was invited to speak and stated that: we obtained expert advice from highways and ecological consultants. This has been researched in great detail. Already highlighted the benefits of the proposal. Straight forward and sensitive application. There will be tree planting. Approved development and access which has started to be constructed. Good accessibility. Financial contributions to school. Play space requirements can be met. No public access to view monument. Will provide access, and information board for the monument. Access already has highway approval. Benefits outweigh harm.

A Councillor asked if it would acceptable to condition completion to be 2 years instead of the usual 3.

Mr Fairhurst commented that it depends on the date it starts from and noted that 2 years within the first REM would be appropriate.

A Councillor asked if the drainage would be adequate.

Mr Fairhurst noted that they had received favourable reports from the Lead Local Flood Authority. Providing it is designed properly it won't contribute to flooding.

A Councillor asked who would design and maintain the information boards.

Mr Fairhurst commented that Dr Clay would be the best person to provide the Wording however the maintenance was yet to be agreed.

- (d) Cllr Freer-Jones, Ward Councillor for Sysonby Ward, was invited to speak and stated that: a lot of thought and planning had gone in to the site. Impressed with the size of the gardens instead of squeezing them in. The applicant is going to live here too so they want it nice. Sites and monuments should be protected. Most consideration in any site ever visited. Thought gone in to a recreation area. Not many do this. Contributions to the community have been considered. They have mitigated against the objections of historic England very well. Setting of the monument is at the observers discretion and what can be seen from the actual area.

A Councillor asked how far the Monument is from the road.

It was noted that it is 15 metres from the monument field to the mine road.

Cllr Wyatt proposed to permit the application.

Cllr Cumbers seconded the proposal and added conditions regarding the interpretation boards and archaeological digs as well as the usual conditions on applications.

Cllr Greenow noted that he would like to see a faster delivery and asked if the proposer would consider adding a condition of 2 years.

The proposer and seconder agreed.

A vote was taken and the Members voted unanimously to permit.

Determination: PERMIT, subject to:

- (i) **The completion of a s106 agreement securing the contributions to civic amenity provision, education and sustainable travel as set out in the report**
- (ii) **Conditions, the content of which was delegated to the Head of Regulatory Services**

For the following reasons:

Although the Council can demonstrate a 5 year housing land supply, the delivery of housing in particular affordable housing is considered as a key priority for the Borough, this application presents housing that help to meet identified local needs, accordingly, the application represents a vehicle for the delivery of housing of the appropriate quantity, in proportion with the development and of a type to support the housing need in a sustainable location close to Melton town centre.

It is considered that balanced against the positive elements, there is a clear harmful impact upon Sysonby Grange scheduled ancient monument as a result of the proximity of the proposed development. However, this harm is considered to be 'less than substantial'.

In conclusion it is considered that, on the balance of the issues, it is considered that the benefit – principally the contribution to housing supply – outweigh the harm arising from the site as discussed above.

Applying the ‘test’ required by the NPPF that permission should be granted unless the impacts would “significantly and demonstrably” outweigh the benefits; it is considered that permission can be granted in this case.

PL37.3

17/00401/OUT

Applicant: Andrew Granger & Co

Location: Land off Canal Lane, Hose

Proposal: Outline application for residential development of 16 dwellings with associated access.

- (a) The Planning Officer (LP) stated that: This application seeks outline permission for the erection of up to 16 dwellings with associated access. All matters are reserved except for access from Canal Lane which would use a previously approved access point agreed as part of outline application 15/00944.

The application is located in Hose, the site itself is located to the rear of the existing built form of the village and forms what could be considered as a second phase to the previously approved 25 dwellings.

The site is currently a field with no presumption in favour of development, however the proposal does include a 37% mix of affordable housing.

The Borough whilst not deficient in terms of housing land supply, housing does remain one of the Council’s key priorities.

Since the publication of the committee report additional items have been received namely comments from the Parish Council and comments from the Lead Local Flood Authority.

The parish council object to the proposal on grounds of access and also request further archaeological details to be submitted. Details of highways and access have been covered within the Committee report, in terms of archaeology conditions 23, 24 and 25 request such details.

The Parish Council have requested a contribution towards community facilities, however insufficient information has been presented to assess the requirement against CIL regulations in this instance. If Members are minded to approve the application, discussions can be held with both the parish council and the applicant regarding clarification and acceptance of the request.

Comments from the Local Lead Flood Authority have confirmed that the proposed development would be considered acceptable to Leicestershire County Council as the Lead Local Flood Authority subject to conditions relating to Surface Water, Construction Surface Water, SUDS Maintenance Plan and Schedule and Infiltration Testing.

It is considered that, on balance of the issues, there are significant benefits

from this proposal when assessed under the NPPF in terms of housing supply and affordable housing in particular.

The balancing issues are considered to be development of a greenfield site which is considered to hold limited weight particularly as this proposal forms a second phase to an existing outline planning permission and the site is allocated for development.

As such the application is recommended for approval subject to conditions as set out in the report and the additional conditions advised by the lead local flood authority.

- (b) Neil Benison, from M-EC on behalf of the agent for the applicant, was invited to speak and stated that: developing the highways had been done in consultation with the Highways Authority. Access was improved in 2015 and deemed still to be acceptable. It introduced a chicane for traffic calming and added additional passing bay out of the village. No grounds to resist permission on highway grounds. The LLFA have no objection. Similar conditions to 2015. The attenuation pond naturally drains to that area into a ditch and across to a culvert. Managing surface water can be considered a benefit.

A Councillor raised the following concerns:

- regarding provision of patient spaces at Long Clawson Drs surgery
- Single track road with no passing places (condition that there are passing places on Canal Lane)
- Speed of traffic along the lanes

Cllr Holmes proposed refusal of the application and added that she would like a condition adding for water and sewerage. The Drs surgery is overflowing. Concerns regarding school places. Hose is a tiny village and the infrastructure isn't good enough. Over intensification of a small village.

Cllr Baguley seconded the proposal and added that the access is bad and very narrow.

A Councillor asked for the date of the education figures.

The Planning Officer (LP) stated they were from April 2017.

A Councillor asked if we have we had conversations with CCG about health care.

The Head of Strategic Planning And Regulatory Services commented that we don't consult individual surgeries but we do consult the CCG.

Cllr Holmes noted she could change her proposal for refusal to deferment and felt it was poor not to consult surgeries.

The Head of Strategic Planning And Regulatory Services responded that we can consult surgeries if Members instruct us to. Options may be to defer for more information or delegate to officers to follow that through.

Cllr Holmes asked the seconder, Cllr Baguley, if she would also consider deferral.

A Councillor noted that they haven't got the reasons for conditions.

Cllr Baguley commented that she still wishes to go with refusal due to issues with sustainability.

A Councillor advised Members that decisions to have a new surgery rests with the NHS not the CCG's. It has been reported that it is possible to extend Latham House surgery. No catchment area for the school it is based on parental preference.

Cllr Holmes declared she was still proposing refusal due to floods and the village is too small. Over intensification of a very wet site. Poor transport links. Very narrow road. Concerns over education and health service.

Cllr Baguley confirmed that she would still be seconding the proposal. It is an inappropriate development. Urban development.

The Head of Strategic Planning And Regulatory Services noted the reason for refusal as: Hose is an unsustainable location for housing, opposite to local plan, passing places inadequate. Schools can't accommodate additional children. Surgery can't accommodate additional patients. Drainage is inadequate. Water can't supply to properties or at least without detriment to someone else.

Cllr Holmes asked for the number of other developments in Hose.

The Head of Strategic Planning And Regulatory Services confirmed that there are 77 dwellings over 3 sites.

A vote was taken. 2 Members voted in favour of refusal and 8 voted against. There was 1 abstention. The reason for abstention was that the Member would like more information.

Cllr Wyatt proposed to permit the application with the usual condition as well as the ones previously referred to.

Cllr Glancy seconded the proposal.

A vote was taken. 8 Members voted to permit and 2 voted against. There was 1 abstention.

Determination: PERMIT, subject to:

- (i) The completion of an agreement under s 106 for the quantities set out in the above report to secure:
- Contribution for the improvement to Education.
 - Contribution to maintenance of open space
 - The provision of affordable housing, including the quantity, tenure, house type/size and occupation criteria to ensure they are provided to meet identified local needs;
- (ii) Conditions, as set out in the report;

For the following reasons:

The Borough is not deficient in terms of housing land supply. The methodology used to demonstrate that there is a 5year supply has included sustainable sites, such as this, which have been scrutinised as part of the evidence supporting the new local plan. Affordable housing provision remains of the Council's key priorities. This application presents affordable housing that helps to meet identified local needs. Accordingly, the application represents a vehicle for the delivery of affordable housing of the appropriate quantity, in proportion with the development and of a type to support the housing need.

Hose is considered to be a sustainable location with a reasonable range of facilities and capacity to accommodate some growth.

It is considered that there are material considerations of significant weight in favour of the application, and its alignment with the Pre-submission Local plan adds additional support.

The site is considered to perform well in terms of access to facilities and transport links, particularly to Melton Mowbray and other Service Centres.

It is considered that balanced against the positive elements are the specific concerns raised in representations, particularly the development of the site from its green field state.

In conclusion it is considered that, on the balance of the issues, there are significant benefits accruing from the proposal when assessed as required under the guidance in the NPPF in terms of housing supply and affordable housing in particular. The balancing issues – development of a green field site, landscape impact, issues of noise and drainage and limited sustainability – are considered to be of limited harm.

Applying the 'test' required by the NPPF that permission should be granted unless the impacts would "significantly and demonstrably" outweigh the benefits; it is considered that permission can be granted.

Cllr Chandler and Cllr Botterill left the meeting at 8.37pm due to their declarations of interest regarding application 17/00890/FUL.

PL37.4

17/00890/FUL

Applicant: Belvoir Estate - Mr Giles Bilton

Location: Church Farm, Middle Street, Croxton Kerrial

Proposal: Construction of new grain store

- (a) The Planning Officer (GBA) stated that: This application seeks full planning permission for the construction of an agricultural grain store building, positioned to a parcel of land east of the tenants farm holding being Church Farm, Croxton Kerrial. It is presented before the Development Committee due to the Tenant Cllr Botterill being a member of the Council

Proposals for agricultural buildings are generally supported in terms by policy within the NPPF, OS2 and C3 of the Local Plan Whereby local planning authorities should support the sustainable growth and expansion of all types of business and enterprise in rural areas, subject to the more detailed criteria within those policies, thus being reasonably necessary for the purposes of agriculture.

The new building will enable the family farming business of more than 60 year to grow and manage their business in a more efficient and cost effective way. The development will have little impact on the landscape, mitigation measures including appropriate size, design and location have all been considered in order to minimise the impact of the proposed new agricultural building on its surroundings.

Accordingly the application is recommended for approval as set out in the report.

Cllr Wyatt proposed to permit the application.

Cllr Cumbers seconded the proposal.

A vote was taken and the Members still in attendance at the meeting voted unanimously to permit.

Determination: PERMIT in accordance with the recommendation and conditions as set out in the report.

For the following reasons:

The principle of the proposed new grain store is considered to be acceptable, as is the design and siting. The extension would preserve the character and appearance of the conservation area and would have no adverse impact on adjacent properties. The proposal would also be acceptable in terms of highway safety. The proposal complies with policies OS1 and BE1 and

accordingly, it is recommended for approval subject to conditions.

The application site boundary may be incorrect and require amendment. If amended plans are necessary they would be subject to re-consultation, which would expire after the date of this committee meeting.

Should the Planning Committee be minded to approve the application, it is requested that delegated powers are given to the Head of Regulatory Services to issue the planning permission after the expiry of any re-consultation period. This is subject to no new material planning matters being raised during that period.

PL38

Urgent Business

None

The meeting closed at: 8.41 pm

Chair



COMMUNITY AND SOCIAL AFFAIRS COMMITTEE

PARKSIDE, STATION APPROACH, BURTON STREET, MELTON MOWBRAY

13 SEPTEMBER 2017

PRESENT:-

Councillors A. Pearson (Chair) T. Beaken,
M. Blase, P.M Chandler, A. Freer-Jones, S. Lumley,
P.M Posnett, M.R.Sheldon, D. Wright.

The Chief Executive,
Head of Communities and Neighbourhoods, Central Services Manager,
Strategic Housing Officer, Administrative Assistant for Communities and
Neighbourhoods.

C17. APOLOGIES FOR ABSENCE

Apologies for absence were given for Councillor de Burle.

C18. MINUTES

The Minutes of the Committee held on the 21 June 2017 were approved to be signed by the Chair with the addition of Councillor Chandlers' apologies for absence to be added.

The AD HOC Committee held on the 12 July 2017 were approved to be signed by the Chair.

C19. DECLARATIONS OF INTEREST

Councillor Pearson declared a personal interest in any matters relating to Leicestershire County Council on behalf of his membership as a County Councillor.

C20. RECOMMENDATIONS FROM OTHER COMMITTEES

There were no recommendations from other committees.

C21. UPDATE ON DECISIONS

The Head of Communities and Neighbourhoods submitted a report for Members to note the update on decisions from the previous meetings of this Committee.

A Brief discussion took place regarding item 5 of the update report 'The Windmill asset of community value review'. The Head of Communities & neighbourhoods confirmed that the actions from the review had been carried out

RESOLVED that The Update on Decisions be noted.

C22. CAPITAL PROGRAMME MONITORING TO 31 JULY 2017

The Corporate Director submitted a report to provide information on actual expenditure and income incurred on this Committee's services compared to the latest approved budget for the period 1st April 2017 to 30th June 2017.

The Central Services Manager gave an overview of the report, bringing Members attention to:

- Appendix A of the report showing the Capital Programme Progress Report 2017/18– Jul 2017.
- 5.2 of the report noting the General Expenses underspend of £27,000.
- 5.3 of the report noting the forecast is generally in line with the budget with schemes progressing although much expenditure has yet to be incurred. The three exceptions to this are: The Disabled Facilities Grants, which is expected that there will be an underspend against budget of £67k for which alternative uses are being explored. However, it is difficult to predict given the changes due to come in October regarding lightbulb. The Warm Homes Grant budget will be reduced by £10k as part of the budget setting process later in the year to reflect the refund of a repayment of a grant from 2016/17 which was partially funding the budget in 2017/18. The Central Services Manager paid particular attention to the third exception which was Tenders in relation to the Public Conveniences project; these have been received and evaluated with the anticipated costs of the main contract and other associated costs being £50k over budget. Members were asked to consider either increasing the programme or developing only one of the two sites (likely Wilton Road) and are asked to instruct officers as per recommendation 2.3.

A Discussion was had regarding Housing stock in regards to whether they have all had full electric checks, as a Member had read a report stating they have not.

The Head of Communities and Neighbourhoods noted that the performance information related to re-wiring and not the statutory checks the council has to undertake, these are carried out and the council has over 99% access and is progressing those properties they cannot access.. It was also noted that a full re wiring contract is being procured which would significantly improve the decent homes performance.

A Member enquired as to whether the work which is starting on Beckmill will involve cladding and sprinklers, to which the Head of Communities and Neighbourhoods noted that neither Granby House nor Beckmill court will have AMC cladding. With regards to sprinklers, there are no properties over three floors that require sprinklers. A Member noted that a MBC officer had told them that there would be cladding at Beckmill, which may want to be looked into. The

Head of Communities & Neighbourhoods assured the Committee that specifications for the project had been reviewed to ensure they met all standards.

A Member noted that the Park Lane public convenience site would have more potential value if it receives planning permission.

A brief discussion took place regarding the Fairmead regeneration project with the Head of Communities and Neighbourhoods noting that this project is re starting and expecting delivery to start in 2018/19, and that it is potentially a 2 year project.

The Chair sought a proposer and seconder to move the recommendations. All Members were in favour.

RESOLVED that

- (1) The progress made on each capital scheme and that the capital programme will be amended as part of the budget setting process as outlined in sections 5.3 and 5.4 be noted by Members.
- (2) The revised HRA capital programme under the Head of Communities and Neighbourhoods delegation as detailed in paragraph 5.4 be noted by Members.
- (3) Members recommend a supplementary estimate to the Policy, Finance & Administration Committee for approval of £50,000 to be funded from capital receipts in order to progress the Public Conveniences Project for the construction of two new facilities.

C23. BUDGET MONITORING APRIL TO JUNE 2017

The Corporate Director submitted a report 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 2017 to 30 June 2017.

The Central Services Manager gave an overview of the report, bringing Members attention to:

- 3.3 of the report noting the general expenses over spend of £12,960.
- 3.6 of the report showing more detail on which areas are overspending and underspending. It was noted that a report on Wheels 2 Work will be brought back to this Committee at a later date.

A Discussion was had regarding Wheels 2 Work (W2W). A Member noted that although they are a keen supporter of the scheme they feel it does need to 'pay its way', the Head of Communities and Neighbourhoods noted that this scheme is in fact contributing and paying for itself however against the income profile that MBC over predicted it looks like it is down. It was also noted a more in depth review will be brought back to this Committee. Another Member noted that they were impressed that the age range that W2W will accept has been increased to age 45, as not just young people need this help and believed this could also bring in more users.

The chair sought a proposer and seconder to move the Recommendation. All Members were in favour.

RESOLVED that the financial position on each of this Committee's services to 30th June 2017 and year end forecast be noted by Members.

C24. HRA – BUDGET MONITORING 1 APRIL 2017- 30 JUNE 2017

The Corporate Director and The Head of Communities and Neighbourhoods submitted a report 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 2017 to 30 June 2017.

The Central Services Manager gave an overview of the report, bringing Members attention to:

- 3.3 of the report showing a summary of the total income and expenditure for the Housing Revenue Account compared to the approved budget at June 2017.
- 3.4 of the report highlighting the predicted potential underspend of £22,000.
- 3.5 of the report noting a deficit of £59,910 has been budgeted for in 2017/18 to reduce the working balance to ensure that large balances are not carried in the revenue account and surpluses are transferred into the Regeneration and Development Reserve.
- 3.6 of the report which outlines the reasons for the current potential year end underspend and the action currently being taken by officers to ensure that value for money, efficiency and effectiveness are at the forefront of the service provision.

The Chair and Members noted that this was a very positive report.

The Chair sought a proposer and seconder to move the recommendation. All Members were in favour.

RESOLVED that the financial position on the HRA to 30 June 2017 and the yearend forecast be noted by Members.

C25. HRA- REVIEW OF FEES AND CHARGES 2018/19

The Corporate Director and The Head of Communities and Neighbourhoods submitted a report to provide information on the various fees and charges that are made by this committee for the HRA and to recommend changes to these charges to operate from 1 April 2018, other than Council dwelling rents which will be subject to a separate report to be presented to this committee in January 2018.

The Central Services Manager gave an overview of the report, noting that the majority of the income changes are only minor increases and decreases.

A Discussion was had regarding the second recommendation of the report to 'delegate authority be granted to the Head of Communities and Neighbourhoods in consultation with the Corporate Director to re-set these existing charges and that the constitution of the Council be changed in order to reflect this delegation.' Members felt that although they understand this requisition they would not want to approve it. Members feel that as they are ultimately the people who are responsible for the decisions they should see them. A Member noted that as they have a lot of direct contact with residents they need to know the correct information in order to help and give advice correctly.

A Brief discussion took place regarding how the communal areas cleaning is currently being performed, The Head of Communities and Neighbourhoods noted that currently MBC are providing 'deep cleans' however a cleaning contract is currently being procured and this will be brought to this Committee for approval in 2018/19.

The Chair sought a proposer and seconder for Recommendation 2.1 of the report. All Members were in Favour.

Recommendation 2.2 of the report was not approved.

RESOLVED that the committee Members approved the level of charges for 2018/19.

C26. A COROPORATE REVIEW OF CHARGES 2018-19

The Corporate Director submitted a report to provide information on the various fees and charges that are made by this committee and to recommend changes to these charges to operate from 1st April 2018.

The Central Services Manager gave an overview of the report, noting the Public conveniences, Strategic Sports and Homelessness charges. Members' attention was brought to Appendix A of the report showing the review of fees and charges.

It was noted that the Waterfield Leisure Centre and Melton sports Village as well as the Wheels to work will be brought back in a separate report to this Committee at a later date.

A Member enquired as to how the Wheels 2 Work advertises in the public domain, the Head of Communities and Neighbourhoods noted that it is advertised in lots of form i.e. online and through Me and My Learning.

Councillor Sheldon left the meeting at this point.

The Chair sought a proposer and seconders to move the Recommendation, All Members were in Favour.

RESOLVED that the Committee determined the level of charges for 2018-19 for each of the services set out in the attached table to operate from 1st April 2018

C27. HOMELESSNESS REVIEW 2017 & HOMELESSNESS STRATERGY CONSULATION.

The Head of Communities and Neighbourhoods submitted a report to present Members with the Homelessness Review (2017) and the Towards a New Homelessness Strategy Consultation document and subject to Member approval undertake a period of consultation to help develop a new homelessness strategy.

The Housing Strategy Officer gave a overview of the report bringing Members attention to the 'Homelessness Review' and the 'Towards a New Homelessness Strategy Consultation'. It was noted that officers will have more information once official guidance comes through.

Councillor Sheldon entered the meeting at this point.

A Discussion took place regarding the private housing sector noting that the current rent prices are very high although some agents will take on tenants who are receiving benefits, this usually only happens if they can give money in advance.

A Member enquired as to whether MBC is looking into site for potential housing e.g. the old hospital site. The Chief Executive noted that he will be looking at opportunities around Melton area to develop housing.

A Discussion was had regarding using or creating more projects e.g. the healthy housing scheme to help with the housing situation and to pre-empt the new law coming in.

The Chair and Members noted that this was an excellent report and thanked the Housing Strategy officer for its comprehensive content.

The Chair sought a proposer and seconder to move the recommendations. All Members were in Favour.

RESOLVED that

- (1) Members approved and noted the Homelessness Review (2017).
- (2) Members took note, made comments and approved the Towards a New Homelessness Strategy consultation document, to be released for consultation.

C28. URGENT BUISNESS

There was no Urgent Business.

EXCLUSION OF THE PUBLIC

RECOMMENDED that the public be excluded during the consideration of the following items of business in accordance with Part 1 of schedule 12A of the Local Government Act 1972 (Access to information: Exempt Information) under paragraph 3.

C29. EXEMPT- PUBLIC CONVENIENCES- REPLACEMENT PROPOSALS

The Head of Communities and Neighbourhoods and The Corporate Director submitted a report to seek delegation from members to deal with the staffing issues arising from the Public Conveniences replacement proposal.

RESOLVED that the Recommendation of the report be approved by Members.

The meeting which commenced at 6.30 p.m. closed at 7.39 p.m.

Chairman

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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TOWN AREA COMMITTEE

PARKSIDE, STATION APPROACH, BURTON STREET, MELTON MOWBRAY

18 SEPTEMBER 2017

PRESENT:-

Councillors T Beaken, J Douglas, P Faulkner, J Illingworth,
S Lumley, A Pearson, P Posnett, J Wyatt

Chief Executive
Deputy Chief Executive
Head of Strategic Planning & Regulatory Services
Corporate Services Manager
Administrative Assistant Communications & Member Support

T17. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Cumbers, Glancy (Chair), Freer-Jones and Greenow. Councillors Bains, Blase and Hurrell were also not present.

[In the absence of Councillor Glancy, it was agreed that Councillor Lumley would Chair the meeting.]

T18. MINUTES

The Minutes of the meeting held on 19 June 2017 were confirmed and authorised to be signed by the Chair.

The Minutes of the Consultation meeting held on 24 July 2017 were confirmed and authorised to be signed by the Chair.

The Minutes of the Consultation meeting held on 21 August were confirmed and authorised to be signed by the Chair subject to the following amendment:-

Minute T13 – Apologies for Absence

Councillor Faulkner advised that he had submitted his apologies for this meeting.

T19. DECLARATIONS OF INTEREST

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

T20.RECOMMENDATIONS FROM OTHER COMMITTEES

There were no recommendations from other Committees.

The Chair suggested that in order to receive and send recommendations appropriately between Committees, it would be wise to review the timetable of Committee meetings and the order in which they occurred, with any changes to commence following the next Annual General Meeting on 15 May 2018.

Members agreed this was a good idea and officers confirmed this would be considered.

T21.PRIORITY NEIGHBOURHOODS - ADDRESSING KEY TOWN ISSUES THROUGH NEIGHBOURHOOD MANAGEMENT

The Deputy Chief Executive

- (a) delivered a presentation outlining the priority neighbourhood approach in identifying and addressing issues in the Town;
- (b) advised that the presentation, originally delivered in 2007 was relevant in addressing current issues faced by this Council, particularly in relation to emerging concerns over crime and the environment. Member comments would feed into an upcoming Review;
- (c) highlighted
 - the apparent increase in crime figures locally had been a rise from an initially low base
 - co-ordination and the joining up of services was key to achieving better value for money
 - there had been four priority neighbourhoods in the Borough and these were the only areas targeted with this focused, joined-up approach
 - the 'Working Model Agreed with our LSP Partners' would need to be re-drafted to reflect current Council partnerships. The Model would be considered as part of the upcoming Review (it was noted there were staff in post who could take responsibility for some issues). Attention would be given to how Town Area Committee and Melton Matters would operate within the Model.

Members expressed concerns about the number of complaints they received from residents, regarding unkempt areas within the Town e.g. long grass and bins left in the street by other residents, as well as 'a whole range of other issues'.

A Member further commented that low level crime did not receive adequate attention from the Police. Members were advised that the Chair and Vice Chair intended to start meeting regularly with Police to discuss issues affecting the Town

and the Member who had made the above comment advised they too would like to be involved.

A Member suggested implementing a team of staff, responsible for patrolling and enforcement within the Town. Another Member cautioned against this, commenting that it was important to work not in isolation but with the support and partnership of the Police. The focus should be on prevention rather than enforcement (providing good practice, education and targeting appropriately).

The Deputy Chief Executive agreed that there were some concerning crime related issues. He commented that the prison population had more than doubled in the past twenty years and this resulted in Police Forces having to tackle crime and justice differently. A positive approach would be engagement with repeat offenders and if some of these were tenants of this Council, there were certain powers to cause them to engage.

The Chief Executive commented that focussing on particular areas would be beneficial and increase the likelihood of achieving successful results. There were also a number of options to consider on how best to resource this. Collective efforts such as working with Police would be more effective.

A Member commented that this was the right time to focus on this, especially with the appointment of a new Chief Executive, who had a lot of experience and a passion for resolving these issues.

A Member agreed and commented that clarity would be needed, concerning what this Council would be responsible for enforcing and what would be dealt with by the Police.

Another Member highlighted the importance of ensuring that initially, this Council agreed a 'working position' before involving Partner organisations.

It was suggested that the Deputy Chief Executive provide an update on addressing key Town issues through neighbourhood management at Town Area Committee meeting on 20 November 2017.

There being no further comments or questions from Members it was

RESOLVED that

- (1) the priority neighbourhood approach in identifying and addressing issues in the Town, as detailed in the presentation be noted;
- (2) the Deputy Chief Executive provide an update to this Committee on 20 November 2017 on addressing key Town issues through neighbourhood management.

T22.BUDGET MONITORING APRIL TO JUNE 2017

On behalf of the Corporate Director, the Corporate Services Manager

(a) submitted a report (copies of which had previously been circulated to Members) which provided information on actual expenditure and income incurred on this Committee's services compared to the latest approved budget for the period 1 April to 30 June 2017;

(b) gave a brief overview of the report, highlighting

- the recommendation at 2.1 of the report
- copies of the budget holder's returns were available for further information
- a summary of the income and expenditure for this Committee's services was detailed within Appendix A of the report
- the summary of the income and expenditure for this Committee's services, compared to the approved budget at June 2017, at 3.3 of the report, showing a predicted underspend of £2,955.

Members commented that it would be sensible for this Committee to have responsibility for the Town car parking service and budget, stating that Town area issues should be dealt with by Town Area Committee.

The Chief Executive advised that there was an opportunity to consider this as part of the upcoming Peer Review. He highlighted that currently, the constitution required the Town car parks information be submitted to the Rural, Economic and Environmental Affairs Committee but this could be adapted as per the will of Council.

A Member advised that they would like a breakdown of income generated by the car parks per hour, per day etc.

The Corporate Services Manager advised that these figures had been provided to the Rural Economic and Environmental Affairs Committee, as part of the Head of Communities and Neighbourhoods Car Parking Strategy review which was undertaken last year.

Members requested that the car parking budget information provided to the Rural, Economic and Environmental Affairs Committee also be submitted to this Committee. The Chief Executive advised that he would confirm if this was workable and highlighted the aim for cohesion and avoiding duplication.

There being no further comments or questions forthcoming from Members, it was

RESOLVED that the financial position on each of this Committee's services to 30 June 2017 and year end forecast be noted.

T23. CAPITAL PROGRAMME MONITORING APRIL TO JULY 2017

On behalf of the Corporate Director, the Corporate Services Manager

(a) submitted a report (copies of which had previously been circulated to Members) updating the Committee on the progress of the scheme within the Capital Programme to 31 July 2017;

(b) gave a brief overview of the report, highlighting

- the recommendation at 2.1 of the report
- capital expenditure against the budget for the Play Area Equipment Kirby Fields and Honeysuckle Way Scheme (up to 31 July 2017), was detailed within Appendix A of the report
- the summary, at 5.2, showing the overall position for the Scheme.

A Member stated that a resident had raised concerns regarding the replacement of the play equipment. It was reported that in the view of a local resident the equipment which had been removed was still and the resident was very disappointed that her grandchild had been unable to use the play area for a number of months. The Member commented that it was reasonable for dangerous equipment to be removed urgently, with some delay in providing replacements but if functional, work should be completed quicker to avoid residents encountering a lack of facilities.

The Corporate Services Manager confirmed that he would liaise with the Waste and Environmental Maintenance Manager and a response to the resident's concern would be circulated to all Members of this Committee.

RESOLVED that the progress made on the Capital Scheme as detailed in Appendix A of the report be noted.

T24. CORPORATE REVIEW OF FEES AND CHARGES

On behalf of the Corporate Director, the Corporate Services Manager

(a) submitted a report (copies of which had previously been circulated to Members) providing information on the fees and charges made by this Committee and recommended changes to operate from 1 April 2018;

(b) gave a brief overview of the report, highlighting

- the recommendation at 2.1 of the report
- only new proposed charges or charges that were proposed to be increased above or below inflation were included for Member consideration, as detailed within Appendix A of the report. This Appendix also summarised the financial objective of the current charging policy, the existing charges, the current level of any subsidy and the reason for the recommended charge
- the Medium Term Financial Strategy charging policy should be used as a guide when setting fees and charges
- budget holders were asked to complete a Review of Charges Form for 2018/19 for each distinct charging area, in order to gather background information on the charges being reviewed
- the proposed fee increase for casual football pitch booking resulted from a benchmarking exercise and would bring the charge in line with the lowest of the benchmarks (much take up of these services was not anticipated, due to the Melton Sports Village and other local facilities)
- as part of the 2017/18 fees and charges setting process, Members had approved a three year fixed allotments fee, which remains in place until 2019/20

- charges had not been introduced for Melton Country Park Car Park, as detailed in Appendix B of the report.

A Member suggested implementing a 'pricing structure' for organisations wishing to use Melton Country Park as there had been concerns raised that after events the Council had to incur clean-up costs. However, another Member stated that they were not in favour of this, querying if charities too would be charged.

Members agreed that those holding events at the Country Park should leave it clean and in good order and that this should be enforced. It was suggested that a deposit be taken with each booking and returned only if the Country Park was left in good order following the event. The Corporate Services Manager suggested that he would liaise with the Service Area concerning the 'clean up' issue at the Country Park and if there was a cause for concern.

A Member queried what the £394,090 open spaces cost related to and the Corporate Services Manager clarified that this represented the cost of delivering all open space services. These services generated little income and it may be helpful for Members to consider this in relation to setting charges. .

RESOLVED that the level of charges for 2018/19 for each of the services set out in Appendix A of the report be approved.

T25.DOG FOULING UPDATE AND PROPOSALS

The Head of Strategic Planning and Regulatory Services

- (a) submitted a report (copies of which had previously been circulated to Members) updating Members on activities planned to tackle dog fouling;
- (b) advised that there were some actions to be taken forward via Councillor Pearson as Environmental Champion;
- (c) highlighted
 - each of the steps taken and the progress made to date
 - there would be a further report to the Rural, Environmental and Economic Affairs Committee in November 2017. Members were invited give further opinion and change the scope of enforcement if necessary
 - Dog Control Orders had been extended.

A Member queried how many of the complaints received about dog fouling concerned rural areas and how many concerned the Town and the Head of Strategic Planning and Regulatory Services confirmed that the majority of complains concerned the Town and this was overwhelmingly a Town issue.

A Member commented that a 'zero tolerance' approach to dog fouling was needed and prosecuting irresponsible dog owners would achieve results.

The Chief Executive confirmed that there were currently no Enforcement Officers assigned to patrol of the Town in respect of dog fouling. He commented that Public Space Protection Orders were very effective legislation, which could be used

flexibly and jointly with intelligence from people and other proactive actions such as circulating enforcement notices to signal a 'zero tolerance' approach. He was aware that in other areas of the country, it had been made an offence not to carry a 'dog bag' when walking a dog. It would be good to consider dog fouling, together with other anti-social behaviour, in the context of Priority Neighbourhoods – Addressing Key Town Issues through Neighbourhood Management.

The Chief Executive agreed, commenting that it would be useful to capture 'soft intelligence' to know the extent of the problems which need to be solved.

Further suggestions from Member included paying people to name irresponsible dog owners, using drones to help identify these dog owners and improving knowledge with regards to locations of bind for dog foul. The Chief Executive advised that Central Government had advised that CCTV could not be used in connection with minor offences (such as dog fouling).

RESOLVED that

- (1) the steps taken and progress made as described in the report be noted;
- (2) the intention to submit a further report to REEA Committee in November 2017 in relation to Public Space Protection Orders and options for enforcement, including resource implications be noted;
- (3) this issue would be considered in context of Priority Neighbourhoods.

T26.URGENT BUSINESS

The Thomas Cook Building – Members highlighted that this building had not been adequately maintained for approximately thirty years. It was not known who owned the building.

The Chief Executive commented that this matter had been brought to his attention by colleagues from BID and he would discuss this further with the Head of Strategic Planning and Regulatory Services.

The meeting which commenced at 18:30 p.m., closed at 19:58 p.m.

Chairman

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RURAL, ECONOMIC AND ENVIRONMENTAL AFFAIRS COMMITTEE

25 September 2017

PRESENT:-

Cllr Sheldon (Chair), Cllr Beaken, Cllr Blasé,
Cllr Botterill, Cllr Chandler, Cllr De Burle, Cllr Graham,
Cllr Higgins, Cllr Hutchinson, Cllr Illingworth,
Cllr Rhodes, Cllr Wyatt, Cllr Simpson, Cllr Sheldon

As Observer
Cllr Orson,

Head of Regulatory Services, Planning Policy Officer

R25. APOLOGIES FOR ABSENCE

No Apologies were received.

R26. DECLARATIONS OF INTEREST

Cllr Rhodes as a member of the County Council.

R27. Wymondham Neighbourhood Plan

The Head of Regulatory Services submitted a report (copies of which had previously been circulated to Members) which detailed the position of Wymondham Neighbourhood Plan and recommended it be approved to proceed to Referendum.

Cllr Graham proposed that the recommendation be approved. Stating that even the Examiners Report congratulated the group for the quality of the final plan. The Head of Regulatory Services stated that Wymondham had come through a journey and produced a very good document. Cllr Chandler stated that the plan had also been through the MLPWG and that members of that committee wanted to congratulate the group and in particular the two people who spearheaded its progression. Cllr Rhodes added that despite of this, it was no surprise it went through examination so easily given the quality of the document. Cllr Orson stated he would of supported this document if he was a s member of the REEA committee. Cllr Higgins described the plan as a really positive document with minimal conflict [with the MLP], especially compared to other places and recommended NDPs in his ward do similar and seconded the proposal.

RESOLVED that the Wymondham Neighbourhood Plan advance to Referendum unanimously.

The meeting which commenced at 5.00 p.m., closed at 5.10p.m.

Chairman

MEETING OF COUNCIL

11th OCTOBER 2017

PARTICIPATION IN THE 'LIGHTBULB' PROJECT

REPORT OF HEAD OF REGULATORY SERVICES

1.0 PURPOSE OF REPORT

- 1.1 The purpose of this report is to seeks approval for the details of the Council's involvement in the above project.

2.0 RECOMMENDATIONS

It is recommended that Council agrees to the involvement within the terms determined by Policy, Finance and Administration Committee on 11th July 2017 (see appendix 1), in particular to:

- (i) Agrees to the delegation of the Council's Disabled Facilities Grant responsibilities under the Housing Grants, Construction and Regeneration Act 1996 Act to Blaby DC to implement on the Council's behalf and;**
- (ii) Delegate authority to the Head of Regulatory Services, in consultation with the Solicitor to the Council, to sign the Legal Agreements with Blaby DC and other partner Authorities to facilitate the above.**

3.0 KEY ISSUES

- 3.1 The Policy, Finance and Administration Committee considered the participation of the Council in the county – wide 'Lightbulb' project n 11th July 2017, including organisational arrangements and financial implications etc. These details are set out in the report to that meeting which are reproduced as Appendix 1 to this report.
- 3.2 However additional authority to proceed on this basis is required from Council as a result of the need to authorise the delegation of the Disabled Facilities Grant responsibilities to Blaby DC who are appointed as the 'host authority' for this project and who would discharge these responsibilities on our behalf.
- 3.3 The arrangements are supported be a series of legal agreement that set out the relationships between the partner Authorities and the details of financial and staffing arrangements, as described in the report that forms Appendix 1. These have been reviewed by the Solicitor to the Council and the legal advisors of each of the partner Authorities and are now ready to be signed in order to implement the project and the partnership approach it provides. Delegation to the responsible officers is therefore requested in order for the Council to participate.

4.0 POLICY AND CORPORATE IMPLICATIONS

- 4.1 The 'Lightbulb' project has strong alignment with our priorities of improving the customer journey and enabling the vulnerable to live independently as long as they are able.

5.0 FINANCIAL AND OTHER RESOURCE IMPLICATIONS

- 5.1 Full details of the financial implication of the participation in the project are set out in the report that comprises Appendix 1. The Policy, Finance and Administration Committee

resolved on 11th July 2017, to approve the additional costs of £30,000 per annum with the part year costs of £15,000 for 2017/18 being met from within existing resources.

5.2 Capital contributions for DFG's are currently met in full from the grant provided. In 2016/17 these were sufficient to fully meet demand and alleviated the need for any capital contribution from the Council. However it should also be noted that both demand and the grant awarded is volatile and as such further requests may be submitted through the capital programme.

6.0 LEGAL IMPLICATIONS

6.1 The authority for the delegation of services between Local Authorities is provided by the Local Government Act 2000 and The Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012.

6.2 The agreements put into place between partners have been drafted under Regulation 9EA of the Local Government Act 2000 and Regulation 5 of The Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012

7.0 EQUALITIES

7.1 The implementation of the service across Leicestershire and in line with an agreed SLA should seek to ensure equality of access to this service.

8.0 RISKS

8.1 A comprehensive risk register is in place for the Lightbulb Programme, with risk and issues reported regularly through Programme governance structures. A formal review of the risk register is undertaken on a quarterly basis. Please see Appendix 1.

9.0 CLIMATE CHANGE

9.1 There are no specific climate change implications.

10.0 WARDS AFFECTED

10.1 Works could take place in any ward in the Borough.

Contact Officer J Worley – Head of Regulatory Services
Date: 22nd September 2017

Appendices : Appendix 1: Report to PFA Committee 11/7/2017

Background Papers: *Report to to PFA Committee :*

- 30/11/2016 and Appendix A, lightbulb Business Case
- 11/7/2017

Reference : PFA

POLICY, FINANCE AND ADMINISTRATION COMMITTEE

11th JULY 2017

REPORT OF HEAD OF REGULATORY SERVICES

PARTICIPATION IN THE 'LIGHTBULB' PROJECT

1.0 PURPOSE OF REPORT

1.1 The purpose of this report is to explain progress made with regard to the 'the Lightbulb Project' for transforming practical housing support in Leicestershire and to seeks approval for the details of the Council's involvement.

2.0 RECOMMENDATIONS

It is recommended that the Committee agrees to:

- (i) **participate in the project from a start date of 1st October 2017; on the basis set out at paras 3.8 – 3.11 below;**
- (ii) **delegates authority to the Head of Regulatory Services, in consultation with the Solicitor to the Council, to sign the Service Level Agreement and Memorandum of Understanding relating to the project;**
- (iii) **Approves the additional costs of £30,000 per annum with the part year costs of £15,000 for 2017/18 being met from within existing resources.**

3.0 KEY ISSUES

3.1 Members may recall that the recommendation to participate in the 'Lightbulb' project was considered by this Committee on 30th November 2017. At that meeting it was resolved that:

1) The potential benefits of service transformation and integration set out in the Lightbulb Business Case be noted.

2) The Lightbulb Service model set out in the Business Case as the future intended mechanism for delivering the housing support offer across Leicestershire, be approved.

3) The Head of Regulatory Services in consultation with the Head of Central Services be given authority to progress the practical actions set out in the Business Case to support implementation of the Lightbulb Service model within the authority and across the County no later than October 2017.

3.2 The report and related Appendix, comprising of the Business case is included as a background paper to this report but the main purpose of the project is summarised as an intention to transform practical housing support in Leicestershire . District and County Council partners have been awarded £1m of funding which will be used to look at the Lightbulb programme which will focus on prevention by reducing care home placements or demand on other social care services. A dedicated team within will act around DFG's, Warm Homes and enhance homes for the customer – these responsibilities are currently shared across several agencies including district Councils and County Council and service delivery has traditionally been difficult to navigate and fragmented. Under the new arrangements 'Lightbulb' model a team will be based in Melton. However a centralised management, performance monitoring and development 'hub', hosted by one partner authority, (Blaby DC) will ensure consistency and resilience across the County.

- 3.3 The key objectives of the Project are to:
- Deliver savings to the health and care economy by maximising the part housing support can play in keeping people independent in their homes; preventing or reducing care home placements or demand on other social care services, avoiding unnecessary hospital admissions/re-admissions or GP visits and facilitating hospital discharge
 - Improve the customer journey; making services easier to access and navigate and ensuring the right solution is available at the right time with the right outcome
 - Provide efficient, cost effective service delivery, particularly in relation to the delivery of Disabled Facilities Grants
- 3.4 Detailed work has been undertaken in the intervening months and the financial, resource and HR implications have been worked through. The project was grant funded through Transformation Challenge Award grant funding and implementation would take place late in 2017.
- 3.5 The Council had anticipated that participation in the Project following the feasibility would be 'cost neutral' and be limited to reassigning the revenue costs associated with DFG's to the project. However various factors have emerged that indicate this is not possible
- 3.6 This report provides update on the establishment of the arrangements and addresses associated resource and financial implications. Its essential purpose is to secure agreement to participate in the project on the basis set out below, with a start date of 1st October 2017.
- 3.7 It is proposed that the team dedicated to Melton would (so far as Melton Borough Council is concerned) comprise staff recruited for the specific purpose of the new operating model. This is recognised as a departure from the earlier suggested approach which anticipated the transfer of existing staff operating in the subject area. This is because the delivery team for Melton in the approved Business Case comprises:
- Housing Support Co-ordinator (new role): 1FTE
 - Technical Officer: 0.4FTE
 - Admin: 0.3 FTE
- 3.8 As described above, the project proposes to bring together the delivery of several services delivered by different agencies. Within these, only Disabled Facilities Grants are currently delivered by Melton BC. This occupies approx.. 0.2 FTE of a Senior Environmental Health Officer, the remainder of the officer's time is employed on a range of 'mainstream' Environmental Health issues. It is considered impractical to transfer this proportion of an officer as their time apportionment – both assigned to the Project and remaining with the MBC Environmental Health team – would be impractical and unviable.
- 3.9 The officer concerned would, instead, relinquish involvement in DFG' s and their time redeployed for mainstream EH responsibilities. This would be cost effective at present as the team currently has a number of vacancies and temporary arrangements for staffing, but in the longer term would result in an increase to the Environmental Health budget of £9,300 per annum (at 2017/18 values) arising because the opportunity to 'capitalise' part of the salary costs would be lost as the officer would no longer be performing a DFG delivery role.. In the current year this would apply only to the period after 1st October 2017 at a cost of £4,650 and it is anticipated that budget efficiencies within the service budget (Environmental Health - 005) are sufficient to meet this in full, or contribute a substantial proportion.
- 3.10 It is also proposed that the 'Lightbulb' team dedicated to Melton should be 'hosted' by Blaby DC as employer. This has been considered against the option of employment by

MBC as 'host' but is considered preferable because of the strong linkages to the 'central hub' also hosted by Blaby, and because with a single exception, all of the other District based ('Locality') teams will be similarly administered. This has particular advantages in terms of ensuring the compatibility of terms and conditions, recruitment and the ability to manage the flexibility between the Locality teams to respond to fluctuations in workload, staff vacancies etc. However it should be noted that day to day management and supervision would still be provided from MBC staff (the Environmental Health Manager) and an overview of operation and deployment is secured by positions on the Project Board and Steering Group.

3.11 Finally, it is necessary to provide an update on the financial implications of the Project. These are set out in Section 5 below and expressed for both the period of the current financial year from 1st October 2017 and 'whole year' costings for 2018/19 and years beyond.

4.0 POLICY AND CORPORATE IMPLICATIONS

4.1 There is strong alignment with our priorities of improving the customer journey and enabling the vulnerable to live independently as long as they are able.

5.0 FINANCIAL AND OTHER RESOURCE IMPLICATIONS

5.1 Historically the Council has supplemented grant funding for DFGs from capital receipts at a level of £50k per annum. With the reduction in capital receipts this has become unviable. From 2017-18 Melton Borough Council will receive an allocation from the Better Care Fund through Leicestershire County Council as the administrators which is likely to fully cover the cost of mandatory adaptations in the Borough.

5.2 Capital contributions for DFG's are currently met in full from the grant provided. In 2016/17 these were sufficient to fully meet demand and alleviated the need for any capital contribution from the Council. However it should also be noted that both demand and the grant awarded is volatile and as such further requests may be submitted through the capital programme.

5.3 The overall financial contribution (based on 2017/18 values) from Melton BC towards the project is as follows:

Lightbulb Team:

Melton Housing Support Co-Ordinator	£	32,108
Melton Tech Officer	£	11,969
Admin (0.3 FTE)	£	9,023
	£	<u>53,100</u>

Central Hub	Total	MBC (9%)
Lightbulb Service Manager	£ 55,501	£ 4,995.09
Senior Housing Support Co-Ordinator	£ 39,894	£ 3,590.46
Senior Housing Support Co-Ordinator	£ 39,894	£ 3,590.46
Admin Support	£ 22,560	£ 2,030.40
Other employee costs e.g mobile phones	£ 3,000	£ 270.00
		£ 14,476
TOTAL		<u>£ 67,576</u>

The annual cost would amount to £ 67,576 and for the period of 2017/18 from 1st October 2017 the overall cost is £33,788. The project would receive a contribution from Leicestershire CC as administrators of the Better Care Fund of £32,913 p.a. (£16,457 for the 6 month period within year 2017/18 from 1st October 2017), resulting in the following cost allocation:

	Whole Year	1/10/17 – 31/3/18
County Contribution	£ 32,913	£ 16,457
MBC Contribution	£ 34,663	£ 17,331
	<u>£ 67,576</u>	£ 33,788

5.3 The Council is able to meet a proportion of its costs by the capitalisation of funds expended on the delivery of DFG's, as agreed with the External Auditors. This has been calculated as £13,673.29 (£6,837 for the six month period in 2017/18) resulting in a shortfall requiring a further financial contribution of £20,990p.a. (£10,495 for the six month period from 1/10/2017).

5.4 The combined costs for Melton, comprising the contributions described above and implications described at para. 3.9 above (capitalisation) are therefore:

	Whole Year	1/10/17 – 31/3/18
MBC contribution to Lightbulb staffing	£ 34,663	£ 17,331
Reduced capitalisation of existing staff costs (see para 3.9)	£ 9,300	£ 4,650
TOTAL COST	£ 43,963	£ 21,981
Capitalisation of DFG costs	£ 13,673	£ 6,837
Additional Finance Required	£ 30,290	£ 15,114

5.5 An alternative approach would be to transfer the relevant proportion of officer time to the Project through TUPE (0.2 FTE – see para 3.8 above). This would counter balance the financial contributions described above in the form of salary savings (and related employment costs) by a sum of £ 9,315 p.a. (£4,657 for the initial 6 month period), resulting in a net additional cost to the Council of £20,975 (£10,457 for 6 months rather than the sums set out at para. 4.4 above).

5.6 A further alternative would be to conclude that the post that currently administers DFG's is redundant. This would give rise to redundancy costs of approx. £4186 (£6279 if voluntary), and employment cost savings of £18,630 (£9,315 for the period 1/10/2017 – 31/3/2018). However, there are significant doubts as to whether this is a viable proposition because the postholder undertakes a range of Environmental Health tasks that are not affected by the proposals, and which are unlikely to be able to be absorbed by the service team remaining and would lead to a wider restructuring. It is suggested that if this approach is preferred, authority is delegated to the Head of Regulatory Services in consultation with the Head of Communications to make the necessary amendments.

5.7 It is suggested that if the approaches described above at paras 5.5. and 5.6 above are preferred, authority is delegated to the Head of Regulatory Services in consultation with the Head of Communications to make the necessary amendments.

6.0 LEGAL IMPLICATIONS

6.1 Any agreements put into place between partners are expected to be in the form of Service Level Agreements and Memorandum of Understanding. These are currently in production

and authority is sought for the Head of Regulatory Services to sign these documents in consultation with the Solicitor to the Council. No other specific legal implications are anticipated.

7.0 EQUALITIES

7.1 The implementation of the service across Leicestershire and in line with an agreed SLA should seek to ensure equality of access to this service.

8.0 RISKS

8.1 A comprehensive risk register is in place for the Lightbulb Programme, with risk and issues reported regularly through Programme governance structures. A formal review of the risk register is undertaken on a quarterly basis.

8.2 As part of the risk assessment process, each identified risk is given a red, amber or green status. A summary of the most significant (red) risks are outlined below, together with mitigating actions:

Risk description	RAG/score	Mitigation
Partner LA's withdrawing from the Programme due to, for example, lack of commitment to a new service model or unwillingness to change	RED	Ensure regular engagement with all partners as the programme develops Provide regular opportunities for partners to raise issues and concerns that can be quickly and appropriately addressed Develop arrangements to move forward with Lightbulb among remaining partners
Commissioning partners are not able to agree and implement Lightbulb in time to effectively manage the shift from existing contractual arrangements	RED	Develop Lightbulb Business Case for sign off by all Partners Partners who are commissioning aligned services to have a decision making/action plan in place based on Business Case.
There are insufficient resources/skills within the PMO and/or partner organisations to implement the transformation required into the new Lightbulb model	RED	Identify requirements across PMO and partner organisations together with an agreed plan for meeting these across

9.0 CLIMATE CHANGE

9.1 There are no specific climate change implications.

10.0 WARDS AFFECTED

10.1 Works could take place in any ward in the Borough.

Contact Officer: J Worley – Head of Regulatory Services
Date: 1st July 2016

Appendices : None

Background Papers: *Report to to PFA Committee 30/11/2017 and Appendix A, lightbulb Business Case*

Reference : PFA