

Minutes

Meeting name	Full Council
Date	Tuesday, 12 December 2017
Start time	6.30 pm
Venue	Parkside, Station Approach, Burton Street, Melton Mowbray LE13 1GH

Present:

Chair Councillor T. Bains (Chair)

Councillors

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
E. Hutchison	J. Illingworth
J. Orson	A. Pearson
P. Posnett	B. Rhodes
J. Simpson	D. Wright
J. Wyatt	

Officers

Chief Executive
 Deputy Chief Executive
 Director for Corporate Services
 Democracy & Involvement Officer
 Licensing & Compliance Officer (Business Advisor: Licensing) (SG)

The Reverend Kevin Ashby offered prayers.

Minute No.	Minute
CO66	<p>APOLOGIES FOR ABSENCE Apologies for absence were received from Councillors Baguley, Hurrell, and Lumley. Councillor Sheldon was not present.</p>
CO67	<p>MINUTES The minutes of the Extraordinary meeting held on 27 September 2017 and the Ordinary meeting held on 11 October 2017 were confirmed as correct records and authorised to be signed by the Mayor.</p>
CO68	<p>DECLARATIONS OF INTEREST Councillors Orson, Pearson, Posnett and Rhodes each declared a personal interest in any matters relating to the Leicestershire County Council due to their roles as County Councillors.</p>
CO69	<p>MAYOR'S ANNOUNCEMENTS The Mayor</p> <p>(a) reported that since the last meeting of the Council he had attended 25 engagements and the Deputy Mayor had attended 9 engagements on his behalf. He referred to some recent challenging times regarding his professional commitments and expressed his gratitude to the Deputy Mayor for attending these engagements for him. As his work situation had now been resolved, he looked forward to representing the Borough at forthcoming events;</p> <p>(b) highlighted some of the events he had attended and commented thereon, including:</p> <ul style="list-style-type: none"> • the Remembrance Day parade and service which had been well supported by the community; • local school visits at which he had reinforced his message about being the youngest Mayor and encouraging young people's engagement in local democracy; • the switching on of the town's Christmas lights; • the recent visit by two representatives from the twin town of Sochaczew – both Councillors Graham and Posnett were thanked for helping to co-host their stay; • the Melton & Belvoir Agricultural Society Annual Fatstock Show and Dinner Dance – these events demonstrated the strength of community spirit at the Melton Market and the Mayor expressed his thanks to Messrs Harry Bains from Shoulers and Tom Greenow at Melton Market for their input; • a reminder to Members that the Special Service of Re-opening at St Mary's Church was being held the following evening and the Mayor's Carols by Candlelight Service was on Thursday 14 December at 6.30pm at which all Members were welcome;

- the good attendance at the Civic Dinner on 17 November which had been enjoyed by all.

The Council was then given some information regarding a former Mayor. After the meeting this information was subsequently found to be incorrect. In view of the sensitive nature of the matter, the details have not been recorded in these minutes.

CO70

LEADER'S ANNOUNCEMENTS

Before starting his report to the Council, the Leader

- thanked the Mayor and commended him for the success of the Civic Dinner which had been well attended by other Civic Heads. This was a good reflection in terms of the regard in which the Mayor was held;
- congratulated Councillor Pam Posnett on receiving her MBE award at the Palace last month and complimented her on the photographs and coverage this had received in the local press;
- referred to the Mayor's attendance at the recent Melton & Belvoir Agricultural Society events where he had impressed and won over those attending. The Leader said Councillor Bains was a great credit to the Council.

The Leader then began his report on the following matters:

(a) Peer Challenge: acknowledged the work that had taken place over the last two days to support the Peer Challenge. Despite bad weather, five local government colleagues had arrived at the Council on Monday to undertake an intensive review of the Council and to act as critical friends to help support the authority's future direction of travel. The Leader expressed his thanks to the team for their support and he looked forward to receiving their feedback the following day at 2pm in the Council Chamber. All Members were invited to attend;

(b) MMDR Update: reported on recent significant developments towards meeting the aspirations to deliver the relief road. The Policy, Finance & Administration Committee had agreed the principles which would allow the Council to enter into an agreement with the County Council to ensure the road could be fully funded. The County Council's Cabinet had considered the proposals that day and with their approval, the Council would be on track to submit the business case to the Department of Transport before Christmas. Referring to the significant amount of work that had gone into to getting to this point, the Leader thanked Members and Officers from both County and Borough councils for working to deliver this important project for Melton. The County Council had made a massive commitment of £4M towards the submission without any guarantee of Government funding. The Leader said he would be meeting with Sir Alan Duncan MP after Christmas to keep up the lobbying for funding. The outcome of the submission to the Government for £55M of funding would be known in the New Year.

(c) Rail Improvements: further to his report to the last Council meeting on the issue of rail connectivity between Melton and Nottingham, the Government had announced in the budget recently £3M investment in the Old Dalby test track to

support 5G connectivity. Referring to the Government's recently publicised rail vision in which included the aspiration to re-open old lines, he and the Deputy Leader responded to this on the Sunday Politics Show, making the case for re-opening the test track to passengers. Although early days, Officers were talking with colleagues from Network Rail, the County Council and East Midlands Councils to explore the potential for re-examining the business case for this investment.

(d) Senior Management Realignment: referred to the recommendations before the Council from the PFA Committee regarding the senior management realignment which would allow the Council to re-focus its resources on supporting people, whilst also releasing capacity to support its ambitious growth agenda. The proposals also included an ambition to bring back the legal service in house which would enable the Council to strengthen its internal governance processes. The Leader emphasised he had made improving the workforce retention a key priority for the Council and was pleased that following the adoption of the new structure, the Council would be in a position to commence a significant recruitment drive in the New Year with a view to the new positions being filled by the Spring. The new Workforce Strategy was developing well and a number of staff workshops had been held where colleagues had the opportunity to feed in their views towards developing a 'can do' and supportive culture.

(e) Local Plan: the date for the commencement of the Local Plan examination in public had been confirmed as 30 January 2018 and this would run for two weeks. Officers were now busy responding to the initial round of questions from the Examiner and would be submitting final responses early in the New Year.

The Leader concluded his report by inviting all Members to a Christmas Dinner at the Harborough Hotel on 20 December. The Mayor gave his apologies due to a prior Mayoral engagement that evening.

CO71 **PUBLIC QUESTION TIME**

There were no questions to be put.

CO72 **PETITIONS**

In accordance with Procedure Rule 24.1, the Chief Executive reported the receipt of a petition received on 27 October 2017 which had been signed by 307 residents of the Borough. The petition stated :-

'We the undersigned residents of Long Clawson, Hose and Harby are concerned about excessive development in our villages and the lack of concern shown by MBC about heritage and infrastructure issues focussing on traffic, flooding and schooling for which evidence has been formally presented to them but ignored. We "request" that MBC accelerates the process for determining the Clawson, Hose and Harby Neighbourhood Plan for which Regulation 16 will be completed at the end of August before determining ANY of the outstanding planning applications.'

As the content of the petition related to the business of two separate Committees, the following Committees provided a response in each case :-

- Planning Committee held on 9 November 2017 considered the request to postpone consideration of all planning applications in Long Clawson, Hose or Harby and declined to accept this request.
- Ad Hoc Melton Environmental and Economic Affairs Committee held on 4 December 2017 - regarding the acceleration of the Neighbourhood Plan

The Council noted receipt of the petition.

CO73 Governance Committee: 21 November 2017 - Minute number G42 -

Constitution Update

Councillor Cumbers presented the recommendations from the Governance Committee meeting held on 21 November 2017 (minute G.42 refers) in respect of updating the Council's Constitution and so moved the recommendations as contained in the Order Paper before Members. The motion was seconded by Councillor Simpson.

A Member raised concern about the recommendation to remove reference to Member involvement in appraisals for the Deputy Chief Executive and Corporate Director within the Roles and Responsibilities of Members document at Part 5 of the Constitution. He opposed this change on the grounds that when he had sat in on the Chief Executive appraisals he had found it extremely useful and was therefore opposed to its removal and, after clarification was sought from the Leader, so moved the deletion of this recommendation as an amendment. Councillor Orson seconded the amendment.

The Chief Executive clarified that the intention was not to remove Member involvement from the Chief Executive's appraisals; it referred to the other members of his senior management team only. The Member involvement in the Chief Executive's appraisal process would then give a clear focus for discussions between the Chief Executive and his senior management staff. This was a recommendation from the Local Government Association and he had felt it a useful strategy to adopt.

Noting the Chief Executive's advice, support for the amendment was expressed having regard to the importance of the opportunity for Members to challenge the appraisal process. Upon being put to the vote, the amendment was carried.

A further vote was then taken on the remaining recommendations before the Council, which were subsequently carried.

RESOLVED:

- (1) to not amend the existing provisions within Part 5 of the Constitution regarding Roles and Responsibilities of Members – Officer Appraisals;
- (2) to amend the following sections of the Constitution as set out below:
 - (a) Part 4 - Contract Procedure Rules

To approve 3 new appendices to the Contract Procedure Rules as detailed in paragraph 3.4 of the report :-

- Appendix A – Approval for the use of a Framework Agreement
- Appendix B – Approval for Contract Award
- Appendix C – Approval to Extend a Contract

(b) Part 4 - Financial Procedure Rules

To approve the following 3 new paragraphs at Section 3 of the Financial Procedure Rules as detailed in paragraph 3.5 of the report :-
Section 3 – Financial Systems and Procedures

2. Income and Expenditure

Key Controls

2.2(k) - set up and operation of a PayPal or World Pay account for the collection of income from specific website transactions within services shall require the approval of the Corporate Director, who shall establish appropriate procedures for their operation. Where applicable, the Corporate Director should nominate a separate PayPal administrator and certifying officer whose responsibility will entail reconciling the income received and charges levied via the PayPal account to amounts due and to the Council's financial system.

Responsibilities of Corporate Director

2.7 - to authorise the setting up and controls to operate with regard to a PayPal account for the collection of income from specific website transactions within services as stated in the key controls above

Responsibilities of Directors / Heads of Service

2.20 - to request the Corporate Director to set up a PayPal account for their service if required and to nominate a PayPal administrator who will be responsible for the operation of the account in line with the required procedures.

(c) Part 3 – Terms of Reference of Policy, Finance and Administration

To amend the existing terms of reference to include new paragraphs 14 -18 set out at Appendix D which deal with disciplinary matters relating to the Council's statutory officers.

(d) Part 3 – Terms of Reference of the Appeals Committee

To amend the existing terms of reference of the Appeals Committee to amend paragraph 2 to read as follows:

“To determine any appeals in respect of staff matters as detailed and provided for in the Council's human resources policies and procedures including appeals

against decisions of the Policy, Finance and Administration Committee to take action short of dismissal with respect to the Council's Statutory Officers”

Recommendation (c) and (d) above make the consequential amendments to the Constitution required as a result of a resolution of Council on 11 October 2017.

CO74 Policy, Finance & Administration Committee: 29 November 2017 - Minute number P47: Provision of Payroll Services

Councillor Orson presented the recommendations of the Policy, Finance & Administration Committee meeting held on 29 November 2017 concerning the provision of Payroll Services as set out on the Order Paper before Members and so moved the motion. This was seconded by Councillor Higgins.

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

RESOLVED:

- (1) the Council delegate its payroll service to Leicester City Council from 1 April 2018;
- (2) that the Council delegate authority to the Corporate Director in consultation with the Solicitor to the Council to finalise the delegation agreement with Leicester City Council for the provision of payroll service;
- (3) the financial implications of the delegation, the one-off costs of up to £53,700 and on-going savings of circa £22,000 as outlined in section 5 be approved.

CO75 Ad Hoc Policy, Finance & Administration Committee: 7 December 2017 : Corporate Structural Realignment & Associated Implications

Councillor Orson presented the recommendations of the Ad Hoc Policy, Finance & Administration Committee meeting held on 7 December 2017 as set out in the Order Paper before Members. In support of the recommendations, Councillor Orson advised that when the new Chief Executive took up post, the corporate structure was out of balance. The proposals before the Council sought to address this imbalance and provide the required capacity to take the Council forward as previously referred to in his report. Members were informed that this would be an initial realignment and that further amendments may be required to the structure in due course. Reference was also made to the proposals to bring the legal service back in house arising from the request from Harborough District Council to cease the shared service arrangement for the Solicitor to the Council role. In moving the recommendation, Councillor Orson emphasised the fast pace of change that was now happening at the Council.

The motion was seconded by Councillor Higgins who stated that the creation of an in house legal team was very important for officers and Members alike. A Member expressed her support for the recommendation regarding provision of an in house legal service.

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

RESOLVED: that

- (1) changes to the senior management team and relevant T3 designations, responsibilities, structure and managerial reporting lines as set out in the report be approved. This includes establishing a Director for Growth and Regeneration and Director for Legal and Democratic Services on Chief Officer terms and conditions;
- (2) a Sub-Committee to oversee the recruitment of the chief officer roles be appointed;
- (3) notice to terminate the shared legal service be served on Harborough District Council and delegated authority be granted to the Chief Executive to sign the termination notice. The Chief Executive also be granted delegated authority to agree an earlier termination date as appropriate for the Council;
- (4) the creation of an in-house Legal and Democratic Services Team and associated structure be approved, ensuring a managed transition from the shared arrangement;
- (5) once the Director for Legal and Democratic Services post is filled the Council shall appoint the postholder as Monitoring Officer;
- (6) the salary benchmarking exercise undertaken by East Midlands Councils be noted and the financial implications associated with these changes be approved with delegated authority being granted to the Chief Executive, in consultation with the Corporate Director, to utilise the Corporate Priorities Reserve for any non-recurring exit costs should they arise;
- (7) the Chief Executive be granted delegated authority to amend roles, designations within associated structures to ensure flexibility and effective operational delivery within existing budgets;
- (8) to acknowledge the arrangements established to ensure appropriate senior management cover to meet the Council's out of hours Emergency Planning obligations inline with a previous resolution by the Policy, Finance and Administration Committee;
- (9) an amendment to the Constitution in relation to Members appointments of deputy chief officers posts and related employment matters as per para 4.2 of the report be referred to the next meeting of Full Council to reflect the flatter management hierarchy approved in (1) above.

CO76

QUESTIONS FROM MEMBERS

- (a) Members had before them the reports of the following Committees upon which the Chairmen of those Committees may be asked to answer any questions upon items when those items are being received or under consideration by the Council in accordance with Council Procedure Rule 10.1 of the Constitution :-

Planning Committee	28 September 2017
Ad Hoc Planning Committee	17 October 2017
Planning Committee	19 October 2017
Town Area Committee	23 October 2017
Melton, Economic & Environmental Committee	1 November 2017
Licensing & Regulatory Committee	9 November 2017
Community & Social Affairs Committee	15 November 2017
Town Area Committee	20 November 2017
Governance Committee	21 November 2017
Policy, Finance & Administration Committee	29 November 2017

(b) a Member referred to the Ad Hoc Planning Committee set of minutes for the meeting held on 17 October 2017 at which 'Waltham on the Wolds Common Issues' had been considered. The Member stated that the discussion had referred to water and sewerage in the village area; subsequently there had been a loss of water supply to the village the previous day. The Member asked if representations could be made to the Government that adequate infrastructure was needed before further houses could be built. The Leader acknowledged the Member's concerns and said he would follow this up in discussions with the Chief Executive.

(c) there being no other comments or questions in relation to the sets of minutes presented, the reports of the committees were noted.

CO77

MOTIONS ON NOTICE

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

CO78

MID YEAR REPORT ON THE TREASURY MANAGEMENT ACTIVITIES AND PRUDENTIAL INDICATORS 2017-18

Members had before them a report prepared by the Corporate Director (previously circulated) which met the requirement under the treasury management regulatory framework for the Council to receive a mid year treasury review in addition to the annual report and strategy on treasury management as reported to the Council on 8 February 2017. This report also incorporated the needs of the Prudential Code to ensure adequate monitoring of capital expenditure and the Council's prudential indicators (PI's) and outlined any revisions required to future years strategy where required. The report was structured so as to highlight the key changes to the Council's capital activity (the prudential indicators), the economic outlook and the actual and proposed treasury management activity (borrowing and investment).

Councillor de Burle moved the recommendations as set out in the Order Paper before Members. In so doing he drew Members' attention to the Council's budgeted gross investment return for 2017/18 as being £67k, but the current year end was forecast to be in excess with a prediction that £139k would be achieved. Councillor de Burle accordingly commended the Council's strategy of investment. The motion was seconded by Councillor Orson who commented that the East Midlands now had the highest housing price inflation rate in the country at 7%.

The motion was put to the vote and was carried unanimously.

RESOLVED:

- (1) to note the mid-year position on treasury activity for 2017-18;
- (2) to note and approve the mid-year position on prudential indicators;
- (3) to note the changes to investment criteria under the MiFID II regulation changes and the recent consultation on changes to the Treasury Management CIPFA Codes.

CO79

REVIEW OF STATEMENT OF LICENSING POLICY ADOPTION

In a report previously circulated, the Head of Strategic Planning & Regulatory Services advised Members on amendments to the Council's Statement of Licensing Policy. The report summarised the process by which the draft Statement had been subsequently amended and the 12 week consultation period which had ensued from 31 August to 23 November this year. The publicity and consultation exercise had resulted in two representations, one of which had been rejected as being frivolous. Details of the remaining representation were appended to the report. Members were advised that the Policy would determine the principles that the Council intends to apply in exercising its functions as the Licensing Authority under the Licensing Act 2003.

The recommendations as contained in the Order Paper before Members were moved by Councillor Wyatt and seconded by Councillor Douglas. As Chairman of the Purple Flag Committee, Councillor Graham thanked Members and Officers for the preparation of this report. Upon being put to the vote, the motion was carried unanimously.

RESOLVED: that the amended Statement of Licensing Policy be considered after the consultation period and adopted on 1 January 2018.

CO80

LEICESTER AND LEICESTERSHIRE STRATEGIC GROWTH PLAN

In a report previously circulated, the Head of Strategic Planning & Regulatory Services set out the work undertaken to date in the preparation of a Strategic Growth Plan for Leicester & Leicestershire. The Consultation Draft Strategic Growth Plan was at the stage of having been endorsed by the Members' Advisory Group (MAG) and now a period of public consultation needed to take place. The detail and the extent of consultation that was to take place would vary between the partner organisations, to provide flexibility for each to reflect their own practices. In practice, however, there needed to be an 'agreed minimum' which each local authority will adopt. It is recognised that the LLEP had a different role in this process.

The report referred to the proposed start date for the consultation period and its

duration. All consultation responses will be reviewed and reported, in the first instance, to MAG. At the same time, consideration would be given to whether amendments to the Draft Plan would need to be made. It was anticipated that the final version of the Strategic Growth Plan would be presented to MAG for consideration in summer/early autumn 2018. If agreed, it will proceed through the governance arrangements of each partner organisation.

In moving the recommendations contained within the report and as set out in the Order Paper, the Leader said the importance of this document could not be underestimated; throughout the discussions on the Strategic Growth Plan, the focus had been on defining the long term future for Leicester and Leicestershire until 2050. The Leader drew Members' attention to paras 3.9 and 3.10 in the report which listed the series of events which had been held to keep Members advised of progress during the development of the Consultation Draft Plan. He thanked the Members of the Council's Local Plan Working Group who had contributed to this process. If the Council agreed to the recommendations before it at this meeting, and the partners also agreed, the draft document then this would trigger the consultation period.

The Deputy Leader, who had attended the MAG meetings as the Council's representative, spoke in support of the recommendations and acknowledged the contribution of Councillors Chandler and Illingworth in respect of the Local Plan. Support for the Consultation Draft Plan demonstrated the Council's commitment to driving economic growth for the area.

A Member advised that the County Council had given its approval to the document last week and also referred to the period of consultation in the report which had been cited as 8 weeks correcting this to 12 weeks. A short debate ensued during which other Members spoke in support of the document and how vital this was to the area's future economic growth and viability. Neighbouring districts and the County were backing the need for the MMDR.

The Leader amended his motion to reflect that the period of consultation was 12 weeks not 8 and this was seconded by Councillor Higgins. A vote was then taken following which the motion was carried unanimously.

RESOLVED:

- (1) to note and endorse the process which has been undertaken in the preparation of a Draft Strategic Growth Plan for Leicester & Leicestershire;
- (2) to note that the Consultation Draft Plan has been endorsed by the Members' Advisory Group (MAG) which oversees the preparation of the Plan (Appendix 1 to the report);
- (3) to approve the consultation process and the timetable (as amended);
- (4) a further report be brought back to Council to consider the consultation responses and to approve the final version of the Plan.

The meeting closed at: 7.34 pm

Mayor