

Minutes

Meeting name	Full Council
Date	Thursday, 22 February 2018
Start time	6.30 pm
Venue	Parkside, Station Approach, Burton Street, Melton Mowbray LE13 1GH

Present:

Chair Councillor T. Bains (Chair)

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

Officers

- Chief Executive
- Deputy Chief Executive
- Director for Corporate Services
- Assistant Director for Strategic Planning and Regulatory Services
- Solicitor to the Council (VW)
- Democracy & Involvement Officer
- Interim Director for Growth & Regeneration
- Corporate Services Manager

The Reverend Kevin Ashby offered prayers.

Minute No.	Minute
CO96	<p>APOLOGIES FOR ABSENCE</p> <p>Apologies for absence were received from Councillors Graham MBE, Hutchison, Sheldon, and Wright.</p> <p>Councillor Orson reported that Councillor Sheldon was now out of hospital and recovering well at home.</p>
CO97	<p>MINUTES</p> <p>The minutes of the meeting held on 7 February 2018 were confirmed and authorised to be signed by the Mayor.</p>
CO98	<p>DECLARATIONS OF INTEREST</p> <p>Councillor Holmes: Declared a personal interest in application 14/00808/OUT Field No 3968 Melton Spinney Road, Thorpe Arnold as set out in minute number PL76.2 of the Planning minutes dated 1 February 2018.</p> <p>Councillor Posnett: Declared a personal and pecuniary interest in applications 14/00808/OUT Field No 3968 Melton Spinney Road, Thorpe Arnold and, 17/1019/FUL Gates Nurseries and Garden Centre, Somerby Road, Cold Overton as set out in minute numbers PL76.2 and PL76.9 of the Planning minutes dated 1 February 2018. Her interest in the Gates Nurseries application arose due to the fact she had relatives that worked for the company.</p> <p>Declared a personal interest in any matters relating to the Leicestershire County Council due to her role as a County Councillor.</p> <p>Councillor Glancy: Declared a personal interest in application 14/00808/OUT Field No 3968 Melton Spinney Road, Thorpe Arnold as set out in minute number PL76.2 of the Planning minutes dated 1 February 2018.</p> <p>Councillor Pearson: Declared a personal interest in any matters relating to the Leicestershire County Council due to his role as a County Councillor.</p> <p>Councillor Rhodes: Declared a personal interest in any matters relating to the Leicestershire County Council due to his role as a County Councillor.</p> <p>Declared a personal and pecuniary interest in item 12 on the agenda – Leicester and Leicestershire Strategic Growth Plan: Consultation Response. His interest arose from being a member of the Members’ Advisory Group which had drawn up</p>

the SGP.

Councillor Orson:

Declared a personal interest in any matters relating to the Leicestershire County Council due to his role as a County Councillor.

Declared a personal and pecuniary interest in item 11 on the agenda, Council Tax 2018/19 (page 227 of the document pack) as he was the chair of the Leicester, Leicestershire and Rutland Police & Crime Panel which had supported the setting of the PCC precept.

Councillor Baguley:

Declared a personal and pecuniary interest in application 17/00507/COU The John Dory, 2 Rutland Square, Barkestone-le-Vale as set out in minute number PL76.5 of the Planning minutes dated 1 February 2018. Her interest arose as she was a trustee of the village hall committee.

The Chief Executive declared an interest on behalf of all Chief Officers in relation to item 13 on the agenda, Annual Pay Policy 2018/19.

CO99

MAYOR'S ANNOUNCEMENTS

The Mayor

(a) reported on a number of recent civic engagements he had undertaken highlighting the Mayor's Carol Service back in December, the celebration of the Melton Community Lottery first birthday, and a 'row-athon' at the Waterfield Leisure Centre to raise funds for the local Parkinson's support group. He commented on how much he enjoyed attending the local events;

(b) thanked the Mayoress for her support and also the Deputy Mayor who had undertaken a number of engagements on his behalf recently whilst he had been away;

(c) welcomed Members' attendance at the forthcoming Civic Service on 4 March and thanked Councillors Freer-Jones, Greenow and Posnett for agreeing to participate in the prayers;

(d) reminded Members about the Fly the Flag for the Commonwealth Day at Parkside on Monday 12 March;

(e) encouraged members to support Councillor Greenow who was in training to run a marathon in aid of the Tommy's Charity for research into saving babies lives;

(f) referred to the visit that evening from the Melton 5th Scout Group which he had hosted before the meeting and welcomed the group who had stayed to learn about how a council meeting was run. He hoped that they would be encouraged to become young Mayors of the future;

(g) congratulated the Assistant Director of Strategic & Regulatory Services and his team for their work during the course of the recent Local Plan Examination;

(h) referred, in his absence, to Councillor Graham MBE who would shortly reach 30 years continual service on the Council and publicly commended this incredible achievement;

(i) invited Helen Chadwick to come forward to present to the Council on behalf of the Melton Fairtrade Steering Group a certificate marking the Council's support towards a Fairtrade Borough status. In presenting the certificate to the Mayor, Helen said that the recognition was for the whole of the Borough and invited Members to a special Fairtrade Breakfast that was taking place on 3 March at Sage Cross Methodist Church.

CO100

LEADER'S ANNOUNCEMENTS

The Leader reported on the following matters:

(a) Peer Challenge report: to be covered later on the agenda but he wished to inform Members that the new Local Government Minister, Rishi Sunak MP, had recently said that the Government was very keen that all local councils host a peer challenge. In that regard, Melton Borough was a step ahead. He expressed his gratitude for the insights the peer team had provided and for the acknowledgement of the things the Council was doing well, as well as those things it needed to change if it was to improve and modernise how it worked. For the Peer Challenge to have real value, however, the Council needed to respond. The report later in the agenda set out how it might do that;

(b) the Council was at a crucial time in relation to procuring a new waste collection contract. The details of the process were commercially sensitive and the matter would be considered as an exempt item later on the agenda. However, he wished to publicly commend officers and members of the working group for the work they had done in getting the Council to this point;

(c) Following a recent external assessment, the Council had for the second year secured Customer Service Excellence accreditation. This recognised the commitment the Council had to excellent customer services and its desire to continue improving. Key strengths identified were a strong customer focussed ethos and one that ensure specific support to vulnerable people. Colleagues worked hard to go the extra mile and want to support the residents with all their needs and not simply refer them on to someone else. However, the Leader stressed there was more work to be done and the Council was not complacent: the recent corporate restructure would help the Council re-shape its people based service and ensure it better managed transactional issues efficiently, as well as providing more joined up support for those with complex needs. Following the national increase in planning fees, the recent decision to boost resources in the planning team would improve the development control services. The Council was also continuing to look at how it could make the best use of technology to enable

people to access services when and how they want. He looked forward to sharing more about these developments with Members in due course.

CO101 **PUBLIC QUESTION TIME**

There were no questions to be put.

CO102 **PETITIONS**

There were no petitions to report.

CO103 **RECOMMENDATIONS FROM COMMITTEES: Governance Committee - 6 February 2018: G53 - Constitution Update 2017/18**

Councillor Cumbers referred Members to a copy of a report previously submitted to the Governance Committee which set out a number of new items and changes required to the Constitution. In moving the changes, she outlined the reasons for the changes and also proposed an amendment to the Substitutes policy which was attached as Appendix B i.e. paragraph 5 on page 26 of the agenda pack should be amended to read:

“ Due to Members of the Policy, Finance and Administration Committee also having the function to sit as the Investigating and Disciplinary Committee, these Members may not substitute on the Appeals Committee when it is considering an appeal against a decision in which the Member took part.”

For clarification, the amendment was set out on the order paper circulated at the meeting. In seconding the motion, Councillor Simpson thanked Councillor Cumbers for her work on this aspect. A vote was then taken on the changes en bloc which was carried unanimously.

RECOMMENDED: To approve the following changes to the Constitution for adoption:

(1) Contract Procedure Rules : EU Thresholds

To note that the Director for Corporate Services had exercised her delegation for a legislative amendment to the EU thresholds within the Contract Procedure Rules as set out at Appendix A and which came into effect from 1 January 2018 and will apply for two years.

(2) Substitute Policy amendment – recommendation from Policy, Finance and Administration Committee:

(i) amendment of this Council’s substitute policy to reflect the restriction on a Member of Policy, Finance and Administration Committee from being a substitute on the Appeals Committee and visa versa; and

(ii) a requirement for Members of the Policy, Finance and Administration Committee to undergo appropriate training prior to sitting as the Investigating and Disciplinary Committee.

The Substitute Policy be amended with the tracked changes as set out at Appendix B and as amended below in relation to para 5, page 26.

“ Due to Members of the Policy, Finance and Administration Committee also having the function to sit as the Investigating and Disciplinary Committee, these Members may not substitute on the Appeals Committee when it is considering an appeal against a decision in which the Member took part.”

(3) Part 3 – Scheme of Delegations to Officers – Head of Communities and Neighbourhoods

Following the departure of the Head of Communities and Neighbourhoods and the termination of the role in the Council’s management structure on 11 February 2018, the Scheme of Delegations to Officers be amended as set out in tracked changes at Appendix C.

**(4) Part 3 – Scheme of Delegations to Officers – Authorisation to act
The Officer Delegations be amended to state that the Director for Corporate Services is able to deputise and act for the Chief Executive and the Deputy Chief Executive.**

**(5) Part 3 – Scheme of Delegations to Officers – Debt Recovery
The Officer Delegations in respect of debt recovery be amended due to a change in policy for housing benefit overpayment. There is an addition to the existing delegation and a new delegation included as follows, changes shown in red :-**

‘To administer, formulate and amend the Council’s procedures to deal with debt recovery and Housing benefit overpayments and to take any action including the instigation of legal proceedings and the authorisation of officers to appear in court in connection therewith.

Any write off of Housing Benefit overpayments that are still within the Housing Benefit system will be dealt with in line with the Housing benefit overpayment policy’

(6) Management structure realignment – Consequential amendments to Parts 2, 3, 4, 5, 6, 7, 9 and 10

To note that the Monitoring Officer has exercised his delegation to make minor procedural and operational changes to Parts 2, 3, 4, 5, 6, 7, 9 and 10 of the Constitution with regard to Officer job title changes as a result of the Management structure realignment approved by the Full Council on 12 December 2017.

CO104

QUESTIONS FROM MEMBERS

(a) Members had before them the reports of the following committees upon which the Chairmen of Committees may be asked 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 :-

Planning Committee	30 November 2017
Ad Hoc Melton Economic & Environmental Affairs Committee	4 December 2017
Ad Hoc Planning Committee	4 December 2017
Ad Hoc Policy, Finance & Administration Committee	7 December 2017
Melton Economic & Environmental Affairs Committee	10 January 2018
Planning Committee	11 January 2018
Community & Social Affairs Committee	23 January 2018
Ad Hoc Melton Economic & Environmental Affairs Committee	24 January 2018
Policy, Finance & Administration Committee	24 January 2018
Planning Committee	1 February 2018
Governance Committee	6 February 2018

(b) Councillor referred to the minutes of the Community & Social Affairs Committee held on 23 January 2018, minute number C50: Asset of Community Value Review – The Red Lion Car Park, Stathern. Councillor Higgins addressed his question to the Chair of that committee, stating that there had been complaints made over the way the Council had dealt with requests for parish councils to take on responsibility for assets of community value. He asked what steps had been taken to improve this process.

Councillor Pearson acknowledged that there had been some genuine confusion and misunderstanding of the legislation and he had therefore asked officers to review the policy to be presented to a special meeting of the CSA Committee. This should ensure that future requests could be dealt with more effectively.

(c) there were no questions put in accordance with Procedure Rules 10.3 and 10.5.

CO105

MOTIONS ON NOTICE

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

CO106 COUNCIL TAX 2018/19

The Leader presented the report prepared by the Director for Corporate Services, as circulated with the agenda, concerning the calculation and setting of the Council Tax for 2018/19, as required under the Local Government Finance Act 1992. Members' attention was drawn to an amended Appendix C which had been circulated at the meeting due to some rounding issues in the original document.

In proposing the recommendation as set out in the order paper, the Leader reported that at its meeting held the previous evening, the Leicestershire County Council had set its precept which represented a 5.99% increase for an average Band D Council Tax. The Police & Crime Commissioner's figure was 6.41%, the Leicestershire Fire Authority 2.98% and the Parish Councils represented an average increase to 5.43%. Overall, this represented an average increase of 5.57% which equated to an additional 1.8p per day for a Band D property. The increase in the parish precept for Garthorpe of 412.98% was highlighted.

The motion was then seconded by Councillor Higgins.

In accordance with Procedure Rule 15.5(b), a recorded vote was then taken.

Councillor	For	Against	Abstain	Absent
Baguley	√			
Bains	√			
Beaken	√			
Blase		√		
Botterill	√			
Chandler	√			
Cumbers	√			
De Burle	√			
Douglas	√			
Faulkner	√			
Freer-Jones	√			
Glancy	√			
Graham				√
Greenow	√			
Higgins	√			
Holmes	√			
Hurrell	√			
Hutchison				√

Illingworth	√			
Lumley	√			
Orson	√			
Pearson	√			
Posnett	√			
Rhodes	√			
Sheldon				√
Simpson	√			
Wright				√
Wyatt	√			
Totals	23	1	0	4

RESOLVED: that this Council note the calculations and set the Council Tax for the year 2018/19, in accordance with regulations set out in the Local Government Finance Act 1992

[Councillor Rhodes left the meeting at this point at 7pm.]

CO107

LEICESTER AND LEICESTERSHIRE STRATEGIC GROWTH PLAN: CONSULTATION RESPONSE

Members had before them a report prepared by the Assistant Director of Strategic Planning & Regulatory Services which invited the Council to make comments on the Strategic Growth Plan (SGP) for Leicester & Leicestershire as part of its consultation exercise.

In presenting the report, the Leader

(a) reminded Members of the early draft SGP which was present to the Council at its December meeting for which approval had been sought to go out to consultation. This had been agreed by all parties and consultation had started in January. Comments were being submitted and an early sight of these included:

- Support for growth in Melton – and some opposition
- Potential to improve public transport links to major centres
- Need to relieve congestion
- Potential role as a centre for rural industries
- Relatively isolated location, lack of job opportunities
- Impact on historic centre and current traffic congestion

(b) reported that the Council's consultation arrangements had been completed as set out in the report and a drop in exhibition had been arranged for 14 March;

(c) explained that the SGP set out an approach to the delivery of growth and infrastructure in the Leicester and Leicestershire area to 2050. This followed objectives of developing Leicester as the 'core city' but with growth points elsewhere in the County of which Melton Mowbray was one. The SGP proposed a level of growth commensurate with the Council's Own Local Plan, but maintaining that going beyond the plan's horizons after 2036;

(d) emphasised that the main purpose of the report was to allow this Council to make its own contribution. The Council had commented at the draft stage and it was pleasing to note that these comments had been picked up in the Consultation Draft version. This included:

- The importance for Melton of connectivity to larger centres
- The proximity to the proposed A46 expressway
- The importance of broadband and other digital infrastructure
- Steering development pressures to major growth areas and away from villages

(e) stated that with this background he was happy to commend the SGP to the Council in its current form. The document would come back to the Council after the consultation process had finished and this was expected to be in late 2018;

(f) concluded by commenting on the relationship between the Local Plan and the SGP in the light of the recent Examination. There was clearly some uncertainty about the content of the Local Plan until the Examination result was known – one aspect of this being the level of growth in Melton Mowbray. There was a risk, believed to be quite small, that the proposed growth for Melton Mowbray may be reduced as a result of the Examination; several parties had argued to this effect. If this were to happen, the existing strong synergy between the Local Plan and the SGP would be weakened. Whilst this was hopefully an issue of timing, the Leader said it had been felt necessary to flag this up to the partners. With this caveat, he moved the endorsement of the recommendations as contained in the order paper. Councillor Higgins seconded the motion.

Before the vote was taken, a Member asked how many houses were being built at the present time. The Leader undertook to supply this information to the Member. The motion was then put to the vote and carried unanimously.

RESOLVED: that to support the content of the Draft Strategic Growth Plan for Leicester & Leicestershire and highlights the potential issues set out at para 3.11.1 – 3.11.3 of the Assistant Director's report.

[Councillor Rhodes here returned to the meeting at 7.10pm]

CO108

ANNUAL PAY POLICY 2018/19

The Director for Corporate Services had previously provided Members with a report which sought the Council's approval for the 2018/19 Annual Pay Policy Statement

so that it could be published in line with the requirements of the Localism Act 2011. The report was presented by the Leader who moved that the Statement be approved. This was seconded by Councillor Higgins. Upon being put to the vote, the motion was carried unanimously.

RESOLVED: That the 2018/19 Annual Pay Policy Statement be approved so that it can be published in line with the requirements of the Localism Act 2011.

CO109

PEER CHALLENGE REPORT

In a report previously circulated, the Chief Executive provided Members with the LGA Peer Challenge Report following the visit from the Peer Challenge team during 11 to 13 December 2017. The report summarised what the Peer team found including both areas of good practice and areas where the Council could improve. It also included a summary of what the Council had been doing up to this point and plans for the future.

The Leader, in presenting the report to Members and moving the recommendations it contained:

(a) reminded them of the background to the Council's decision to invite a Peer Challenge team to visit the Council in order to act as a critical friend and how this process operated;

(b) reported that the Peer team had found that staff, Members, and stakeholders were positive about the new direction of the Council and that there was a real opportunity for it to maximise the potential of the area. The new corporate management structure and new performance framework were seen as positive steps and would add capacity and accountability to the priority areas. They had identified that the Council had been well run financially but that it must ensure there was a wider recognition of the financial challenge and consider how it might utilise borrowing to fund future investment opportunities;

(c) explained that a shortage of capacity, turnover of key staff and vacancies were identified as key challenges currently. This was something that had been prioritised over the last few months and a recruitment drive was now underway to fill posts and a new Workforce Strategy under development which would be brought forward in the near future. Whilst this would undoubtedly help, the Leader stressed that the Council must recognise that some parts of the organisation remained extremely lean and it would have to explore whether further investment in some areas was required to support effective service delivery;

(d) stressed that, most crucially, the peer team confirmed the need for the Council to undergo a very focused prioritisation exercise. The Council's ambition and the commitment of its staff to deliver set it apart, but the Council must collectively ensure it was clear on its priorities and then resource them effectively. The Council also needed to ensure that its decision making and governance processes were clear and streamlined. To this end, the Council had already

commissioned the LGA to provide further support by working with officers and Members to review its governance processes and provide support during the prioritisation exercise;

(e) assured Members that they would be fully involved in these processes and the LGA would provide specific recommendations on what should be changed. This work would take place over the next couple of months and the aim was to have proposals for a refreshed set of corporate priorities, a new set of corporate values and an updated Constitution and Scheme of Delegation ready to present to the Annual Meeting in May;

(f) stressed that this remained an exciting time for Melton. The outcome of the Local Plan Examination and the submission to the Department for Transport for distributor road funding was awaited. The Council was exploring opportunities to build new homes in Melton and to create a wider place partnership which would enable it to maximise the potential of the 'Rural Capital of Food'. The Council could and should remain ambitious and the work it would do following the peer challenge would help ensure it was better equipped to deliver.

After the motion was seconded by Councillor Higgins, the Mayor moved to the vote which resulted in the motion being carried unanimously.

RESOLVED:

(1) to note the report and accept the recommendations as set out in the LGA Peer Challenge Report;

(2) to note what action has been taking place over recent months and the next steps as set out in the developing Action Plan (Appendix B of the report).

[Before moving to the exempt item, as the Scout Group would now need to leave the meeting, Councillor Greenow wished to publicly congratulate them for how well presented they had been and how pleasing it had been to hear their excited chatter before the start of the meeting.]

EXCLUSION OF THE PUBLIC

RESOLVED: that the Public be excluded during the consideration of the following item of business in accordance with Part 1 of Schedule 12 A of the Local Government Act 1972 (Access to Information: Exempt Information) under paragraph 3.

CO110

WASTE PROCUREMENT

Members had previously been circulated with a copy of a report presented to the Melton, Economic, and Environmental Affairs Committee on 13 February 2018 on the outcome of the procurement process for the waste collection and street cleaning contract and which included a number of recommendations with regard to the award of the contract to the preferred bidder.

Following the MEEA Committee's consideration of this report, the Committee had made a series of recommendations which were now before the Full Council for its approval. The Leader presented this item and moved the recommendations as set out in an updated version of the exempt record of the MEEA Committee's decisions which was tabled at the meeting. This included an additional recommendation 2.9.

In support of his motion, the Leader stated that this contract had been a priority of the Council for the last two years and had involved a lot of work by the Task Group. He wished to place on record his thanks and appreciation to the team of officers who had supported the Task Group and the Members of the Task Group themselves who had faced a difficult job. The motion was seconded by Councillor Higgins.

After the Chief Executive had responded to a question raised on the green waste service, Members voted on the series of recommendations en bloc. The motion was subsequently carried.

RESOLVED: That the recommendations of the MEEA Committee from its meeting held on 13 February 2018 with regard to the waste collection and street cleaning contract be approved.

The meeting closed at: 7.30 pm

Mayor