

Minutes

Meeting name	Community & Social Affairs Committee
Date	Tuesday, 23 January 2018
Start time	6.30 pm
Venue	Parkside, Station Approach, Burton Street, Melton Mowbray LE13 1GH

Present:

Chair Councillor A. Pearson (Chair)

Councillors T. Beaken P. Chandler
P. Posnett M. Sheldon
D. Wright

Observers

Officers Deputy Chief Executive
Head of Communities & Neighbourhoods

Minute No.	Minute
C40	<p>Apologies for Absence Apologies for absence were received from Councillors R. de Burle, M. Blasé, A. Freer-Jones and S. Lumley.</p>
C41	<p>Minutes The minutes of the meeting held 151117 were approved to be signed by the Chair.</p>
C42	<p>Declarations of Interest Councillor Chandler declared a personal interest for Agenda Item 13 UPDATE ON PUBLIC CONVENIENCE REDEVELOPMENT on the grounds that she is a member of the Planning Committee.</p>
C43	<p>Recommendations from other Committees There were no recommendations from other committees.</p>
C44	<p>Update on Decisions The Head of Place and Regeneration submitted a report for Members to note the update on decisions made in previous meetings of this Committee.</p> <p>The report noted that item C51. GRETTON COURT FEASIBILITY STUDY – EXEMPT is ongoing and working with LCC, a Business Case will be brought back to this committee in early 2018.</p> <p>Also, Members were updated that the HOMELESSNESS REVIEW 2017 & HOMELESSNESS STRATEGY CONSULATION (C48) are complete and on this agenda.</p> <p>The Head of Place and Regeneration confirmed that item C56 HOUSING REPAIRS CONTRACT is ongoing at ITT stage.</p> <p>Item C18 APPLICATION FOR ACCESS FROM NEW DEVELOPMENT INTO COUNTRY PARK (EAST BOUNDARY) is also progressing.</p> <p>Members were also updated of the completion of the amendments to the Voluntary Organisations and Community Facilities Grants Applications with regards to item C37. Organisations applying for grants are now signed up to the Melton Lottery as a good cause to promote the Lottery for their organisation.</p> <p><u>RESOLVED</u> that members noted the Update document.</p>
C45	<p>Revenue Budget Proposals 2018-19 - Housing Revenue Account (HRA) The Director for Corporate Services and the Head of Place and Regeneration submitted a report to set the rents of Council dwellings, approve the HRA estimates for 2018-19 and set the working balance for 2018-19.</p>

The Corporate Services Manager noted that this report is the annual paper for members to approve a rent decrease of 1% for all Council dwellings from 020418. 3.1 (a) of the report notes that the Council is under a legislative duty to publish an annual budget for the HRA which avoids deficit.

Due to the Chancellor's promise in the 2015 budget to reduce social rents by 1%, the rents in 2018-19 will be up to 5% less or £360k, as per 3.1 (b). This equates to around £74.99 per week less.

Members were directed to 3.2 (b) which showed the estimated year end position as an approximate £252,000 surplus. The working balance for 18-19 is estimated at £1.4 million. The Corporate Services Manager advised that the deficit estimated for 18-19 is a result of the Capital Programme and otherwise looks to be in a healthy position.

The Corporate Services Manager noted that as of 010418, Severn Trent Water have ended our agency agreement for which we collect water rates from tenants on their behalf, as per 3.2 (g). This has resulted in a loss of £76k per year. Currently, we are negotiating with Severn Trent to agree an amount to prevent the Council being left with write-offs.

Members were also advised that the estimates include a continuing contribution of £80k in 18-19 to support the Me and My Learning Scheme due to the impact of Universal Credit. (3.4).

A Member queried line 34 of Appendix A: Revenue Estimates 18-19. This shows a considerable expenditure increase. The Corporate Services Manager noted that this was due to higher reserves and a greater rate of return; average return on investment is 0.95.

A Member noted the appalling rent decreases when rural areas struggle to rent for less than £750 p/month. The Head of Place and Regeneration noted that this is part of a four year settlement and going forward is not sustainable at -1%. Four years at -1% is equivalent to £33m rent loss, hopefully we will see rents start to increase.

The Chair asked for clarification with regards to 3.4(g) Severn Trent Water. The Corporate Services Manager clarified negotiations with Severn Trent to avoid unfair debt collection.

The Chair noted the importance of engaging since Grenfell.

The Chair sought a proposer and seconder. All members were in favour.

RESOLVED that

(1) The Committee approved a rent decrease of 1% for all Council dwellings

for 2018-19 with effect from 2nd April 2018 and that when a property is re-let the rent continues to be brought into line with the Governments formula rent;

- (2) The estimates for 2018-19 were approved subject to the receipt of the limit rent Determination, with delegated authority given to the Director of Corporate Services in consultation with the Head of Place and Regeneration to amend the estimated working balance based on any changes to this determination;
- (3) A working balance of £966,869 is budgeted for at 31st March 2019 based on a 1% rent decrease.
- (4) In addition to these estimates a contribution of 25% per year to be made to support the work of the Priority Neighbourhood Management Team within the Melton Mowbray town area through the additional allocation of support costs as per paragraph 3.4 (c).

C46

Operations, Fees & Charges / Waterfield Leisure Centre/Melton Sports Village

The Head of Place and Regeneration submitted a report to advise members of the fees and charges proposed for 2018/19 for the Waterfield and King Edward VII Leisure Centres.

The Head of Place and Regeneration noted that it is within the contract for Waterfield Leisure Centre to set charges and inform the Council with a shared incentive to maximise participation. Members were directed to 3.3 of the report which shows a considerable increase in participation: 16,059 more participants at Waterfield Leisure Centre and 10,743 more participants at Melton Sports Village. The report will go to full council 070218 for a four year contract.

A Member noted that 1,000 visitors per day is a reward for the renovation at Waterfield Leisure Centre.

The Chair asked what additional financial benefit there is. The Head of Place and Regeneration noted that since the refurbishment there has been an average payment of £249,000 from SLM as well as significant participant increase.

The Chair sought a proposer and seconder. All members were in favour.

RESOLVED that members note the fees and charges relating to the Waterfield Leisure Centre and Melton Sports Village for 2018/19.

C47

The Housing Asset Management Plan (HAMP)

The Head of Place and Regeneration submitted a report for members to comment and approve the Housing Asset Management Plan.

The Head of Place and Regeneration noted that in 2013, members approved the first HAMP as the structure for projects and initiatives up to 2017. This has now been refreshed for the period 2018-22 for the long-term management of land and

property assets.

The Head of Place and Regeneration noted the achievements of the first HAMP (Appendix A) such as

- 1) Ten new affordable homes which all have sustainable tenants.
- 2) Restructuring the Asset Management Team to build capacity and specialism.
- 3) Meeting the decent homes standard.
- 4) Works to address negative net present value at Granby House and Beckmill Court.
- 5) A plan for all archetypes of non-traditional properties .
- 6) A move to a price per property model and re-procurement of maintenance contract .
- 7) Aids and adaptations.

The Granby House redevelopment that was prioritised by members is complete and Beckmill due to be complete later this year.

The Head of Place and Regeneration noted that as a result of the staff re-structure and Peer Challenge, this document is subject to a prioritisation process, as was recommended across the Council in order for officers to best utilise capacity and resources. Priorities could include (3.11):

- New housing growth
- Supporting vulnerable people
- Working in priority neighbourhoods
- Delivering a balanced housing market
- Greater ROI

The Head of Place and Regeneration outlined some of the projects within the HAMP 18-22

Beckmill Court – £2.3m internal and external works to re-generate whole estate and Fairmead – total of £4.8m needed for extra care. Some external fund is available: £25m over five years. Every £1m equates to 12 jobs so there is economic benefit to planned refurbishments.

It was noted that members will be asked to prioritise projects.

A member noted visiting sites and was pleased with works, however concerned over action residents behaviour in the future after all this investment.

The Head of Place and Regeneration noted that as HAMP is developed, work will be done with tenants and with re-structure of people services tenant behaviour can be monitored more closely.

A member asked about plans to improve Chapel St. flats. Most tenants are elderly and the flooring in unsuitable and flats need painting.

The Head of Place and Regeneration noted that roofing is being looked at and all communal areas will be looked at within the budget as part of a cyclical maintenance structure.

A member noted that re-running of the report from 2013 may mean that projects are stagnating such as garage sites. The staffing was highlighted as a priority to address. Also, Objective 6 in Appendix A to build 30 new homes in the next five years is an insufficient rate.

The Head of Place and Regeneration advised that since the ten new homes were built, this Committee prioritised Granby and Beckmill projects which are complete or on schedule, respectively. When prioritisation exercise is complete, if new builds are a priority then that will determine where resources go.

The Strategic Housing Officer noted that some builds were delayed due to lack of grant funding at Fairmead and so other factors need to be taken into consideration when looking at redevelopment time scale.

The Chair sought a proposer and seconder. All members were in favour.

RESOLVED that

- (1) Member made comment and approved the Housing Asset Management Plan 2018/2022.
- (2) Members approved the HRA capital programme up to 2022.

C48

Health & Safety Update - Property

The Head of Place and Regeneration submitted a report advising members of the processes and update on various health and safety aspects of Property Maintenance and Management.

The Head of Place and Regeneration noted that this report is on the agenda after members' request for updates of health and safety procedures since Grenfell.

It was noted that health and safety aspects are currently at 100% with the exception of gas servicing which is currently at 99.99%. This is a result of two properties prohibiting access meaning that access is being obtained legally (3.2).

Members were reassured that resources are in place for testing and inspections.

A member stated that properties that have not been accessed need to be addressed. The Head of Place and Regeneration confirmed that this is being addressed and the Council, as a landlord, can obtain access.

A member asked if fire extinguishers would be a good idea, however the Business Manager advised that the use of fire extinguishers would not comply

with fire safety advice guideline.

The Head of Place and Regeneration noted that due to annual test on properties, an annual update report will be brought to this Committee.

The Chair sought a proposer and seconder. All members were in favour.

RESOLVED that members noted the update provided in section 3.2 on various Health and Safety aspects of Property Maintenance and Management.

C49

The Homelessness Strategy 2018-2023

The Deputy Chief Executive (Director for People and Communities) submitted a report to present members with the proposed Homelessness Strategy 2018-2023 – attached as Appendix B - for their consideration and approval.

The Strategic Housing Officer noted that this reports brings the findings of the homelessness review and consultation period.

A member praised the report for consulting the right people.

The Chair noted approval for confirming links and relationships within the strategy.

The Chair sought a proposer and seconder. All members were in favour.

RESOLVED that members took note and approved the Homelessness Strategy 2018-23 and Homelessness Action Plan 2018.

C50

Asset of Community Value - Review- The Red Lion Car Park, Stathern

The Deputy Chief Executive presented a report for members to make a review decision on whether The Red Lion Car Park, Stathern should be classified as an Asset of Community Value (ACV) following the decision by Melton Borough Council to list as an Asset of Community Value.

The Community Policy Officer explained to members that the Community Right to Bid allows Parish Councils to bid for an Asset of Community Value, as noted in Appendix A. In light of this nomination, members were advised that a previous nomination had been made for The Red Lion public house and the car park to be listed as an ACV, however only the public house was approved as a partial listing as of 230117 (as per 3.5 of the report); the listing of the car park was not approved on the grounds that its use was ancillary to The Red Lion Inn. The Community Policy Officer noted that a new nomination for solely the car park of The Red Lion Inn, Stathern was received in October 2017.

Members were directed to Appendix A, showing the nomination of the car park. The Community Policy Officer advised members that the justification for approving the application for the car park to be listed as an ACV were detailed in the following sections of Appendix A:

(d) There is a time in the recent past when an actual use of the building or other land that was not an ancillary use furthered the social wellbeing or interests of the local

community.

And

(e) It is realistic to assume that in the next five years there could be non-ancillary use of the building or other land that would further (whether or not in the same way as before) the social wellbeing or social interests of the local community.

The Community Policy Officer noted that Appendix A detail Melton Borough Council's justification in approving the nomination, whereas Appendix B contains the land owner's grounds for appeal and reasons for the car park not qualifying as an ACV. It was noted that this argument used case law as evidence to refute the nomination.

Members were reminded that this report was not presented as a planning matter, members were being asked if they agree with the decision made by the Council.

The Head of Place and Regeneration noted that as this was a review of a decision made by officers, those officers that participated in the decision making process would have to leave this Committee after presenting the report.

A member asked, in reference to recommendation 2.1 of the report, if officers made an informed decision, why members would go against that decision.

The Community Policy Officer noted that the owners have a legal right to appeal and under the current appeal process attached in Appendix A, the matter is presented to this Committee.

A Member asked if there is evidence that the Parish Council – in this case the nominating party – can purchase the car park.

The Head of Place and Regeneration advised that it is not relevant at this time to look at whether that is an option. Members are being asked to review a decision made by officers in approving the car park as an ACV.

A Member asked how the car park could be marketed if it is part of the land of The Red Lion Inn.

The Deputy Chief Executive emphasised that an original application of both the pub and car park was made. The pub was approved as an ACV, but not the car park. Legislative interpretation would suggest that the car park should have been included as it is ancillary. The nominating group re-applied for the listing of the car park in its own right. On the basis of the nomination, it has been dealt with following the process, as attached. In accordance with the review process, it is being brought to this Committee. It seems that the whole site should have been determined to be an ACV however a partial listing does appear to be an advantage to the land owner.

The Deputy Chief Executive advised that there is no right to appeal for the nominating group. This review is an opportunity to look at both sides and review the decision made to list the car park as an ACV.

At this point (7:46PM), the Deputy Chief Executive and the Community Policy Officer left the room as they were part of the decision making process that approved the car park as an ACV.

A Member noted that it feels wrong to de-value the land and that listing the car park as an ACV is against her principles. A Member noted displeasure with the legislation behind

the ACV process.

A Member noted that this listing would make it more difficult for people and we cannot stop people use of the car park. People should have the opportunity to turn the site around and consider young people. Additionally, she could not support this decision as we owe it to the villagers to 'make a go of it'.

The Head of Place and Regeneration noted that listing the car park as an ACV does not stop use of the land.

The Housing, Welfare and Safer Communities Manager noted that this matter is about whether the car park adds value to the community. It is not an invitation for a group to buy.

The Head of Place and Regeneration is about recent, past and future use of the site and does not mean that the owner can prohibit use. Listing the land would not deter people from using the car park.

A Member stated that officers ruled the site to be an ACV and the owner is asking how often the facility can be used and that he was struggling with the officers' decision.

A Member noted personal attendance to events in Stathern and parking is not a huge problem but also struggling with the decision of the officers.

The Head of Place and Regeneration noted that the asset owners have not responded to every point of the approval that based the officers' decision. The appeal grounds consist of case law and do not counter the justifications behind the decision.

Also, Members should be aware that the owners have an opportunity to raise their appeal to go a first tier tribunal to escalate the review of the decision; however the nominating group do not have an opportunity to appeal.

The Chairman noted that this was an opportunity to amend a past decision that was made as a result of misinterpretation of 'ancillary' which was the grounds on which the car park was rejected as an ACV. The Parish have made a case in favour of the listing and the owners have appealed the listing using previous case law. The question is whether this Committee agrees with the knowledge and the staff or with the owner's justifications. The Chair noted the owners' absence at the Committee meeting.

The Head of Place and Regeneration reiterated that the owners can appeal, unlike the nominating group.

A Member noted that the report could be misleading – at no fault of the officers' involved – in that the Red Lion Inn allowed people to use the car park during non-peak hours, such as after lunch and early evening when the pub was less busy. Community use has therefore been during off-peak times which make the report slightly misleading as it does not reflect the nature of the village's use of the land.

The Chair reminded members that rejecting the officers' decisions closes the door on the nominating group with regards to appealing the decision.

A Member enquired as to the cost of a tribunal and noted that escalating the decision to a tribunal will not be free.

The Housing , Welfare and Safer Communities Manager noted that this is presented as a test of whether criteria has been properly applied by officers. The question is whether

the officers have adhered to the legislation properly.

The Chair sought a proposer to remove the recommendation 2.1. The recommendation was not seconded.

The Head of Place and Regeneration advised members that they would need to vote on an amended recommendation.

A Member recommended to reverse the officers' decision and reject the nomination of the car park as an ACV.

The Chair sought a proposer and seconder. Members voted four in favour and one against. One member abstained from voting.

RESOLVED that:

Following the confirmed listing as an Asset of Community Value Status on The Red Lion Car Park, Stathern and a review request from the Asset owner, Members reject the decision to list the car park as an ACV.

The Community Policy Officer and the Deputy Chief Executive re-entered the room.

The Chair noted that members needed to vote on recommendations 2.2 and 2.3.

A Member asked the Community Planning Officer how many nominations are in the pipeline.

A Member again repeated disagreement with legislation behind the ACV process.

The Community Planning Officer advised that there are three nominations ongoing.

The Chair sought a proposer and a seconder.

All members were in favour.

RESOLVED that:

2.2 Members approve amended decision making process;

2.3 Members note a policy paper relating to specifically to the decision making process for Public Houses will be undertaken and presented at a future committee meeting.

C51

DCLG - Additional DFG Funding

The Head of Strategic Planning and Regulatory Services submitted a report to inform members that DCLG has offered additional funding to this year to supplement the Disabled Facilities Grant (DFG) Budget for 2017-18.

The Business Manager noted that the £25k additional funding outlined in 3.1 of the report has now been increased to £29,457 to supplement the DFG for wider social care and to enhance the Lifeline service that we currently offer.

A member enquired that if the money has to go back if it is not spent. The Business Manager confirmed that we have the financial year to use the funding.

A member noted that some residents are unaware of the service and the facility needs to be made available. The Business Manager confirmed that the new service is an enhanced one and have gone to lengthy efforts in order to promote and spread the word so that people are aware of services.

The Chair sought a proposer and seconder. All members were in favour.

RESOLVED that

- (1) Members approved the business case to spend the additional £29,475 offered to MBC by DCLG for wider social care capital projects and that it be recommended to the Policy, Finance and Administration Committee that the capital programme be updated accordingly
- (2) Member approved waiving the means test for installation of this additional equipment and offer the services at an introductory rate.

C52

Update on Public Convenience Re-development

The Director of Corporate Services submitted a report to apprise members of the latest position in relation to the re-development of the public conveniences located on Wilton Road and St. Marys Way.

Councillor Chandler left the meeting at this time due to a conflict of interest with the Planning Committee.

The Head of Place and Regeneration determined that it was necessary to re-locate the new public convenience from the right hand side of the planter to the left hand side as an alternative to installing a new sewage pipe across Wilton Road.

The Chair sought a proposer and a seconder. All members were in favour.

RESOLVED that members approved the new location for the Wilton Road public conveniences and approved the submission of a revised planning application.

C53

URGENT BUSINESS

There was no urgent business.

The meeting closed at: 8.20 pm

Chair