

Minutes

Meeting name	Cabinet
Date	Wednesday, 5 June 2019
Start time	4.00 pm
Venue	Parkside, Station Approach, Burton Street, Melton Mowbray, Leicestershire. LE13 1GH

Present:

Chair Councillor J. Orson (Chair)

Councillors L. Higgins (Vice-Chair) R. de Burle
A. Freer-Jones J. Illingworth
A. Pearson

Observers J. Douglas M. Glancy

Officers Chief Executive
Deputy Chief Executive
Director for Corporate Services
Director for Law and Governance
Assistant Director for Strategic Planning and Regulatory Services
Environmental Services Manager
Senior Democracy Officer
Democratic Services Officer (HA)
Democratic Services Officer (CR)

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1	<p>Apologies for Absence There were no apologies for absence.</p>
2	<p>Declarations of Interest Councillors Orson and Pearson each declared a personal interest in any items relating to Leicestershire County Council, due to their roles as County Councillors.</p>
3	<p>Matters referred from Scrutiny Committee in accordance with Scrutiny Procedure Rules There were no items for consideration.</p>
4	<p>Corporate Delivery Plan Update and Performance Reporting for Quarter 4 (2018/19) The Leader of the Council</p> <p>(a) submitted a report, advising Members</p> <ul style="list-style-type: none"> • of the current state of performance against the defined performance reporting measures for the priority themes, within the Council’s Corporate Priorities for the fourth quarter of the financial year 2018/19; • of the position at the end of the Council year, regarding Members’ priorities, as set out in the Council’s Corporate Delivery Plan and the steps being taken to develop the Corporate Delivery Plan for the period 2019 to 2023; • of the Council’s current Corporate Risk Register. It was important that Cabinet were aware of the significant risks facing the Council and that they had ownership of the risk management arrangements in place and the activities which were being undertaken to mitigate those risks; <p>(b) commented that the new governance arrangements had presented a ‘big learning curve’ for this Council. The Chief Executive, Director for Law and Governance and the Leader had experience of a Cabinet/Executive Model of governance. A Cabinet Model was more Member orientated, enabling Members to take ownership of reports. Lead Members would present reports at Cabinet meetings and officers would provide any necessary clarification if required to do so;</p> <p>(c) advised of the purpose of the report, in relation to updating Members on progress against the Corporate Delivery Plan 2018-20, on steps being taken to develop a new Corporate Strategy 2020-24, detailing the outturns for quarter 4 2018/19 Corporate Performance Measures and the Council’s Risk Register, which included ten risks and the mitigating actions being taken against these risks;</p> <p>(d) commented that performance and risk were the ‘barometer of the Council’. It</p>

was impossible to have all green status items (items which were on track and progressing well). The performance information for quarter 4 2018/19, as detailed at Appendix 1 of the report (Corporate Performance Measures Dashboard) and the current position of delivery against the Council's Corporate Priorities was used to inform the Cabinet and assist the formation of policy and oversight of the Council priorities;

(e) provided a summary of the report, highlighting

1. Corporate Performance Measures – Quarter 4 2018/19. Becoming more transparent and accountable were some of the key reasons for changing the Council's governance processes and the report detailed both positive progress and areas of challenge for the Council, creating a baseline position for the Council's new Corporate Strategy, which would shape how the Council would respond to local needs over the next four years. Appendix 1 set out the Council's performance against measures mapped to the Council's Corporate Priorities. Appendix 1 includes two years of data (eight quarters). Key points to note were:
 - Place Priorities. The Council had aspirations to create a vibrant town centre and it was thriving. There were few shop vacancies and this was largely due to the Council and other organisations working in partnership. The Council also aimed to increase the availability of good quality homes and inspire a clean, attractive environment. The Council showed high/improving performance in a number of areas;
 - People Priorities. It was important that people in the Borough were encouraged and enabled to achieve their potential. The Council was committed to tackling inequality and providing support to the more vulnerable in the community. The Council showed high/improving performance in a number of areas. However, there were also some areas which were not at the required level and needed improvement, such as Homelessness – number of households in temporary accommodation (applications where homelessness has been prevented (43). The Council was working on the availability of properties and was engaged in searching for suitable accommodation solutions;
 - Organisational Priorities. The Council was committed to being a customer focussed organisation and to develop commercially to secure its financial future. This was very important and a lot of work was being undertaken on this. The Council showed high/improving performance in a number of areas. However, there were also some areas which were not at the required level and needed improvement, such as the Number of Ombudsman complaints upheld (1). The Council has acted upon this by implementing a Corporate Enforcement Policy, detailing the actions which the Council can take when dealing with complaints where enforcement action was an option;
2. Progress against the Corporate Delivery Plan. Appendix 2 of the report (Projects Year End Position 2018/19) detailed the progress achieved for projects and activities at the end of 2018/19. Overall, of the forty-two

corporate priorities, nine (21.5%) were blue status (completed); twenty-one (50%) were green status (on track and progressing well); nine (21.5%) were amber status (progressing but are a little behind schedule) and only three (7%) were red status (behind schedule). No council wanted red status items but this was very difficult to avoid completely;

3. Corporate Risk Register. This had recently been reviewed and updated by the Council's Senior Leadership Team, to capture significant risks and outline mitigating actions. Appendix 3 of the report (Strategic Risk Register) detailed all risks identified by the Council and a summary of the top five key risks facing the Council were detailed at paragraph 6.5 of the report.

A Member commented that improvements to Attendance at Physical Activity outreach programmes within the community (4,212 attendees) had been achieved despite less funding, which proved that a taking a different approach to these issues was more important than having more money to use on them. Also, concerning the Corporate Delivery Plan, it was important to look at the direction of arrows, as well as the status colours, as depending on which direction the arrows pointed, improvements even within red status items could be identified.

Another Member commented on the outstanding performance shown in housing delivery. Two hundred and twenty-two new dwellings had been delivered in the last quarter and more improvement would derive through delivery of affordable housing. Concerning Homelessness, there was a huge opportunity for the Council to work with landlords and letting agents to provide help (like in the Syrian refugee crisis). Homelessness driven by s21 notices could be mitigated if the Council could gain the confidence of private sector landlords. Help and support from the Council would result in them being more willing to work with us to help those at risk of homelessness.

There being no further comments or questions from Members, Councillor Orson moved the recommendations and Councillor de Burle seconded. Members voted unanimously in favour.

DECISIONS (NON-KEY)

- (1) Progress against the Corporate Delivery Plan and quarter 4 performance be noted;
- (2) The steps being taken to develop the Council's new Corporate Strategy 2020 to 2024 be noted;
- (3) The contents of the Corporate Risk Register be noted.

Reasons:-

The performance information for the final quarter of 2018-19 in the Performance Dashboard and the current position with regard to delivery against the Council's priorities

is used to help inform the Cabinet, and assist with regard to the formation of policy and oversight of the Council priorities.

One of the key areas for Cabinet, as part of its terms of reference, is to have awareness of the strategic risks that could impact on the Council and to review the risk management arrangements in place and the activities that are being undertaken to mitigate those risks.

5

Citizens' Advice Bureau Grant

The Portfolio Holder for Housing and Communities

(a) submitted a report, which stated that

- as part of its budget setting process, the Council had approved a reduction in grant to the Citizens' Advice Bureau (CAB), now known as Citizens' Advice Leicestershire (CAL) of £17k per annum, the total reducing from £44k to £27k;
- CAL had identified two different options as to how they would operate within the grant allocated, which were still in the early stages of development;
- this report asked Cabinet to note that the Portfolio Holder for Corporate Governance, Access and Engagement use her delegated authority to determine whether the options proposed represent a satisfactory use of the grant funding, in terms of value for money and if so, which (if any) is an acceptable option to the Council.

(b) emphasised that as part of its budget setting, the Council had approved a reduction (of £17k) in community grant to CAL;

(c) highlighted the recommendation at 3.1 of the report, giving her, as Portfolio Holder for Housing and Communities, delegated authority to determine the options when working with CAL and with officers, to ensure the Council retained an effective CAL service to the community and considered (and delivered) the change which was needed.

(d) confirmed there was a risk that the savings identified through the proposed grant reduction would be offset by the loss of rental income from CAL. This risk needed to be mitigated.

(e)highlighted:-

- Appendix 1 of the report (Original Equalities Impact Assessment), noting Action Plan items 1 and 2. Discussions in relation to these actions were ongoing;
- Appendix 1A (Further Information from Citizens' Advice Bureau (CAB)). Value for money was important to consider. This Council paid quid highly for the CAL service. The grant reduction would place Melton on a par with other district contributions on a per head of population basis.

There being no comments or questions from Members, Councillor Freer-Jones moved the recommendation and Councillor Illingworth seconded. Members voted unanimously in favour.

DECISION (NON-KEY)

It be noted that the Portfolio Holder for Corporate Governance, Access and Engagement would exercise her delegated authority to determine whether either of the options proposed by Citizens Advice Leicestershire or any alternative emerging from the ongoing discussions, represent a satisfactory use of the grant funding in terms of value for money to enable implementation by 1 July 2019.

Reason:-

As part of the grant reduction, members wanted to understand how CAL would operate their service and whether how they delivered their service was satisfactory and value for money. Although the Portfolio Holder can exercise her delegation it is important that Cabinet note that it will be necessary for the portfolio holder to consider the options in time to implement the preferred option by 1st July 2019.

6

Public Spaces Protection Orders : Consultation

The Portfolio Holder for Environment and Regulatory Services

- (a) submitted a report, which sought approval to go to formal consultation on the making of a Public Spaces Protection Order (PSPO), relating to dogs and aspects of anti-social behaviour (following initial consultation with the Police) in accordance with the Anti-social Behaviour, Crime and Policing Act 2014 (the Act);
- (b) advised that the report linked with the Council's Corporate Priorities, namely 'achieving a clean and attractive local environment'. It was proposed that a formal consultation on the draft PSPO be held. The draft PSPO covered dog fouling and antisocial behaviour, both of which continued within certain areas of the Borough. The existing Dog Control Order had limitations and was being repealed in September. Despite the Council having no formal statistics on dog fouling, this was an obvious problem for the Borough and action needed to be taken. The draft PSPO had greater scope and more control over enforcement and prosecution. It would assist the Council's Enforcement Officer in dealing effectively with issues such as dog fouling;
- (c) advised that pending Member approval, the Council was ready to go to consultation, as detailed at paragraph 7.1 of the report.
- (d) highlighted that the decision before Members at this meeting was not a key decision. However, following the consultation, any subsequent policy would be a key decision.
- (e) commented that fixed penalty notices for dog fouling had been a £75 statutory

fine for a number of years and suggested raising these to £100.

A Member noted the active social media campaign on dog fouling in 2017. The Council now had a dedicated Enforcement Officer in post and were proposing a consultation process to enable such issues to be dealt with more effectively.

A Member noted that the current Dog Control Order was Borough wide. Would the PSPO be Borough wide too?

The Director for Law and Governance advised that the Council had the power to define the area included in any PSPO. Possible areas for inclusion were defined on the plans before Members.

The Environmental Services Manager advised that there were exemptions which would not be covered in the PSPO, such as agricultural and private land.

The Member warned against raising the fixed penalty notice from £75, as those issued with fines did not pay and the Council already spent time and money trying to recover these fines. Why increase them when they do not get paid.

The Environmental Services Manager highlighted that at this stage, the Council sought Members' approval to go to consultation. Any decision on raising the sum of fixed penalty notices would be sought following consultation.

The Chief Executive advised that enforcement was only one option given to the Enforcement Officer, who would decide the most appropriate action to take.

The Environmental Services Manager confirmed that since the Enforcement Officer had been in post, every fixed penalty notice had been paid except one, which was going to court.

A Member commented that they completely supported the proposals and raising the fixed penalty notice. There was plenty of evidence if not statistics to support the need for a PSPO. They queried if the PSPO would be applied to the parishes or mainly the town.

The Environmental Services Manager confirmed that the intention was to use the PSPO wherever necessary, based on complaints. The consultation would help the Council to identify whether Parishes wanted the PSPO to extend to children's play areas for example.

A Member cautioned that dog walkers needed some freedom to walk their dogs. If the Council did not enable this freedom, dog walkers would congregate in certain areas. Consideration should be given to identify appropriate areas for dog walkers and ensure dog fouling bins were in place there.

Another Member highlighted that a PSPO covered dog walkers' lack of provision to deal with the disposal of dog fouling (no dog fouling bags) and the Environmental Services Manager added that the Council was not responsible for the provision of

the bags. Dog walkers had to source these themselves.

There being no further comments or questions from Members, Councillor Illingworth moved the recommendation and Councillor Orson seconded. Members voted unanimously in favour.

DECISION (NON-KEY)

Consultation on the draft Public Spaces Protection Order (PSPO) be undertaken between 1 July 2019 and 30 August 2019.

Reasons:-

The Council understand well how anti-social behaviour can blight the lives of people in its local communities. The Council recognises that it has a key role to play in helping make local areas safe places to live, visit and work and tackling anti-social behaviour continues to be a high priority for the Council and its partners. The Council has approved corporate priorities as part of its Corporate Delivery Plan 2018-2020. One of the corporate priorities is 'achieving a clean and attractive local environment'. It was identified within the Corporate Delivery Plan that one way of meeting this priority is to undertake additional environmental enforcement, so we can more proactively tackle issues like litter, dog fouling and fly-tipping as we work to improve the quality and attractiveness of the Borough of Melton.

Another corporate priority is to 'work with our partners to address vulnerability and tackle the root causes of social problems, building safe, happy and healthy communities.'

The Council receives complaints about dog fouling on a regular basis. The introduction of a PSPO would be a proactive way of ensuring that we try and stop dog fouling and have the ability to take enforcement action against those persons who do not pick up after their dog/s.

The PSPO process will assist in supporting both of these priorities. The overall aim of introducing a PSPO is to:

- create a clearer, simpler system thereby making it easier for the public to understand,
- provide a more comprehensive and consistent approach to the control of dogs in the district,
- increase the penalties for those committing offences,
- balance the needs of dog owners and other members of the community.

A period of public consultation ensures the views of those affected are taken into account.

7

Trans-Midlands Trade Corridor (A46)

The Portfolio Holder for Growth and Prosperity

(a) submitted a report, seeking Members' approval to enter into a Statement of

Commitment and Collaboration with other local authorities and the Local Enterprise Partnership (LEP) within the Trans-Midlands Trade Corridor. The Statement presented Government with a statement of commitment to collaborate across political boundaries to develop a strategic economic growth plan for the corridor. This new strategy and delivery plan would set out how each partner could contribute to a wider, national agenda and collectively support the functional economic geography of the corridor. The Trans- Midlands Corridor was largely defined by the A46, part of the Strategic Road Network (SRN), which ran for over 250 kilometres from the M5 at Tewkesbury to Grimsby and on to Hull via the A15; although there were also some important rail links connecting major towns and cities.

(b) thanked officers, particularly the Chief Executive and the Assistant Director for Strategic Planning and Regulatory Services for the Strategic Growth Plan and for helping to 'put Melton on the map'. The Trans Midland Trade Corridor proposal was good news for Melton and this Council was the first to consider it.

(c) proposed that the recommendation at 3.1 of the report be amended to reflect that he, as Portfolio Holder for Growth and Prosperity (in consultation with the Leader and the Assistant Director for Strategic Planning and Regulatory Services) be given delegated authority to amend any wording of the Statement of Commitment and Collaboration.

(d) highlighted that the Strategic Plan would include:-

- Vision and Objectives
- Sector focused analysis of opportunities impacts and outcomes
- Seeking land value capture opportunities
- Establishing and appraising a range of interventions
- Understanding the social value and environmental impacts and opportunities
- Future-ready opportunities
- Establishing public/private delivery pacts
- Developing the integrated investment and policy strategy

(e) Informed Members that the trade corridor would enable people to seek employment outside Melton, while encouraging tourism and custom to the Borough.

(f) advised that the Council always sought to work with partners and was 'outward looking'. Melton would be very much a part of seeking opportunities to support growth ambitions.

(g) Drew Members attention to Appendix 1 of the report (The Trans-Midlands Trade Corridor Proposal for an Economic Development Strategy)

Members confirmed their support. This was a very positive initiative for Melton.

There would be a balance for people to have access out of and away from Melton, whilst trying to fulfil economy by attracting better jobs, tourism and custom to Melton. If people could exit the Borough easier they could also access it more easily. Melton had lots to offer and this needed to be publicised.

There being no further comments or questions from Members, Councillor Higgins moved the recommendation and Councillor Orson seconded. Members voted unanimously in favour.

DECISION (NON-KEY)

The Trans Midlands Trade Corridor Proposal be noted and the signing of the Statement of Commitment and Collaboration be confirmed. Any amendment to the wording of the Statement be delegated to the Portfolio Holder for Growth and Prosperity, in consultation with the Leader of the Council and the Assistant Director for Strategic Planning and Regulatory Services.

Reason:-

The opportunity for the Council to commit to working with partners, national agencies and Government to produce a prospectus that will be attractive to Government whilst meeting our own requirements within our Strategic Growth Plan.

8

Urgent Business

A Member raised lone working, in respect of Councillors visiting people at their homes. They highlighted that this presented a risk to personal safety and asked that work be done to ensure councillors safety, as the Council owed a duty of care to its members.

The meeting closed at: 4.47 pm

Chair