

Minutes

Meeting name	Special Meeting of the Council
Date	Wednesday, 25 November 2020
Start time	6.30 pm
Venue	By remote video conference

Present:

Chair Councillor M. Graham MBE (Mayor)

Councillors

P. Faulkner (Dep Mayor)	R. Bindloss
R. Browne	S. Carter
P. Chandler	R. Child
P. Cumbers	R. de Burle
J. Douglas	C. Evans
C. Fisher	A. Freer-Jones
M. Glancy	L. Higgins
E. Holmes	J. Illingworth
S. Lumley	J. Orson
A. Pearson	P. Posnett MBE
D. Pritchett	R. Smedley
M. Steadman	P. Wood

Officers

Chief Executive
 Director for Housing and Communities
 Director for Corporate Services
 Director for Growth and Regeneration
 Director for Governance and Regulatory Services and Monitoring
 Officer
 Assistant Director for Planning and Delivery
 Democratic Services Manager
 Democratic Services Officer (SE)

The Reverend Kevin Ashby offered prayers.

Minute No.	Minute
	<p>MAYOR'S INTRODUCTION</p> <p>The Mayor announced that as the meeting was to be held as a remote conference on Zoom, any Member participating by remote link who declared an interest in any item of business in terms which required them to leave the room must ensure that they cannot be seen or heard during the agenda item.</p> <p>He explained the process for connection failure and that should the link not be re-established before the end of the meeting then the presumption would be that the meeting should continue to deal with the item providing the meeting remains quorate. Should the meeting no longer be quorate the meeting shall be adjourned and any remaining items of business would be deferred. Any Member who had been absent from the debate on a particular item due to connection failure must abstain from the vote on that item.</p> <p>The Mayor explained that Members would use the functionality of the software to speak and each Member would be asked in turn for their vote at the appropriate time.</p> <p>He advised that the meeting would be recorded and live-streamed on YouTube.</p>
CO46	<p>APOLOGIES FOR ABSENCE</p> <p>Apologies for absence were received from Councillors Bains and Wilkinson. Councillor Hewson had difficulties making a digital connection where he could be seen and heard by the Council and members of the public therefore he was participating as an observer only and was considered as absent for the vote.</p>
CO47	<p>DECLARATIONS OF INTEREST</p> <p>A personal interest in respect of County Councillors Orson, Pearson and Posnett was noted as being on record for any matters which related to the Leicestershire County Council.</p>
CO48	<p>IMPLICATIONS OF THE CORPORATE RESTRUCTURE</p> <p>The Leader of the Council presented a report which updated Members on the recent corporate restructure and sought approval for the consequential financial implications; specifically in relation to changes within the Housing and Communities Directorate in order to facilitate continuing delivery of the Housing Improvement Plan (HIP). The report also sought approval to designate the statutory role of the Monitoring Officer.</p> <p>The Leader moved the recommendations and stated:</p> <p><i>'Following the resignation of the Director for Governance and Regulatory Services it was necessary for the Council to both appoint a new Monitoring Officer and consider whether it wanted to go out for a like for like recruitment, or reallocate responsibilities through a new structure.'</i></p>

The current director role was created two and a half years ago, at a time when the Council was undertaking a Governance Review and was contemplating a fundamental shift in the way it operated. The Council was extracting itself from a shared legal service and needed to establish its own in-house legal team, as well as establish a new democratic services function. The challenge for the new directorate was significant and it was necessary to elevate the role to Director level status to ensure the required change could be delivered.

Since then, things have moved on significantly and we have established in-house legal and democratic services teams. We also have a more settled position in relation to our governance processes and our new Constitution is in place. These arrangements should always be kept under review, but given the more stable position, we felt a different level of structure and resourcing was required. We also wanted to create opportunities for internal progression, retain talent within the organisation and deliver a saving to the general fund. A number of other reviews were also underway and we have taken the opportunity to bring these together to address some more minor operational issues. Most notably, this report also addresses the proposed changes within the housing team, which respond to the review undertaken by the new Director since his arrival in March and which will assist him in ensuring continued delivery of the Housing Improvement Plan and Corporate Strategy.

Following a month long period of consultation, the elements of the structure associated with the General Fund have been implemented, and these will deliver an ongoing saving of £50,000 per annum, support talent retention and deliver a smooth transition from the existing structure, whilst also shifting resources from senior managers to operations.

I know we are all rightly concerned about the current financial uncertainty and there will no doubt have to be some difficult decisions as we set the budget for next year. By delivering a saving this structure will support this process and provides a prudent response and way forward. It will however be important for all members to be fully engaged in budget development and I would therefore like to add an additional recommendation which confirms that all members will again be invited to take part in the budget scrutiny process in January, as they were last year. The new recommendation to read as follows:

2.7 To support the budget setting for 2021/22 all Members will be invited to take part in the budget scrutiny process in January 2021.

As a consequence of the new structure, through HR processes, Kieran Stockley has secured the position of Assistant Director for Governance and Democracy and I would like to propose that she becomes our new Monitoring Officer. There is no statutory requirement for this position to be held by a solicitor, but it is typical and in my view, desirable, that the post should be held by the most senior solicitor within the Council. Kieran has been with us for two and a half years and has been a solicitor for 12 years. She has acted as a Deputy Monitoring Officer since 2012

and has regularly led on complex matters including major regeneration schemes, commercial ventures and planning matters. She has also frequently deputised for the current Monitoring Officer, attending and advising Council, Cabinet and Committee meetings and advising on strategic matters on her behalf. I believe she is the outstanding choice and an obvious successor to Adele and I wholeheartedly recommend her to Council to undertake this role.

The second area I would seek Council's support for is in relation to the financial implications associated with our continuing improvement in the Council's housing services. Before considering this it is helpful to review the progress we have made since the Housing Improvement Plan was approved 12 months ago.

Key progress to date includes:

- Confirmation in March that the regulator was satisfied with our progress and confident in the way we have responded to the issues identified;*
- Achieved continuing improvements to our health and safety compliance, with consistently high levels of gas servicing delivered, with 100% throughout September and October;*
- A continued increase in electrical safety certification from less than 60% in April 2020 to over 89% of the stock in October 2020, with no outstanding Category 1 failures;*
- Similarly, over the same period the number of responsive actions outstanding from Fire Risk Assessments reduced from 210 to 12 and the number of outstanding asbestos surveys has reduced from 411 to 46.*

Our efforts so far do not mean there can be any room for complacency and the focus on this area will remain and I will continue to maintain personal oversight through the Housing Improvement Board which has met regularly over the last year.

Alongside compliance, significant effort has gone into improving the housing service more generally. Following the work started by scrutiny, the grip on void management has increased significantly, with a draft Void Policy and re-let standard currently going through consultation. The new draft tenancy agreement has also been subject to consultation, and together with a new Tenant Handbook, will be brought forward for adoption from April 2021. A suite of policies, developed with TFEC and Scrutiny's input, are also being finalised and will be brought forward for adoption shortly. Over the last year the Council's landlord function has seen unprecedented activity and focus and significant progress has been achieved compared to where we were, even through the challenges posed by Covid-19.

There is though still much to be done and as you would expect the Director for Housing and Communities has, alongside the Portfolio Holder, undertaken a comprehensive review of the service since his arrival in March. They have identified the structure they need to meet the ongoing aspirations of the Housing Improvement Plan and our new Corporate Strategy, and the financial implications of this structure are before the Council today.

The proposals do add expenditure to the HRA but as demonstrated within section 10.5 of the report, they do not significantly change the use of reserve over that set out in the interim business plan, due to a number of updated assumptions. We remain committed to completing the longer term HRA Business plan in the timescale set out in February and work is underway to procure an external contractor to complete stock condition surveys, commencing April 2021 and finishing October 2021. This will support longer term projections from 2022/23 and beyond, but it is important we do not take our foot off the gas and continue to take action to improve in the meantime.

I therefore propose 2.1 to 2.6 plus the additional recommendation I have added, being 2.7, but before I finish, it would be remiss of me not to acknowledge Adele Wylie's contribution to the Council over the last two and a half years. Adele joined us at a time when we were fundamentally re-thinking how we would operate as a Council. We knew we needed a governance expert to lead us through the changes we wanted to make and in Adele we got someone who was able to deliver. She has been a vibrant and dedicated officer during her time with us and her support to the governance change process and establishment of the new constitution cannot be under estimated. She has helped build an excellent legal and governance team within the Council and has been a key member of SLT as they have co-ordinated the response to coronavirus. I know that, subject to Council's consideration tonight, Kieran will be an excellent successor but Adele has certainly left her mark and we thank her for her service and wish her well in her new role.'

Councillor Higgins seconded the motion and reserved his right to speak at the end of the debate.

It was confirmed that the Budget Scrutiny meeting would be held on 26 January 2021.

During debate the following points were noted:

- Councillor Holmes expressed her support for Kieran Stockley as Monitoring Officer and wished Adele Wylie well for the future.
- Councillor Evans (speaking as an independent councillor and not the Group Leader) stated that he was unable to support the motion regarding the appointment of the Monitoring Officer but wished to make it clear that this was not a reflection on the proposed appointee. Councillor Evans referred to ongoing relationship issues between officers and elected members, which were currently under review, and two recent incidents, one in relation to an elected member and one in relation to an officer, where he felt that the elected member had not been treated fairly. Councillor Evans referred to the choice of independent investigator used for the Member complaint and the fact that a Monitoring Officer Handbook had been edited by the same person which he felt did not provide sufficient focus with regard to making Members aware of the rules. Councillor Evans also referred to recent training where a discussion

regarding the relationship between Elected Members and Officers did not focus sufficiently on the support Councillors require to fulfil their obligations.

- Councillor Browne referred to the new structure which was delegated to the Chief Executive and the budgetary deficit for 2021/22 and said Members needed to contribute positively by coming forward with innovative ideas to help with shaping the budget for 2021 and beyond which would also ensure that the Corporate Plan and services could be delivered. He referred to constructively working together on new initiatives such as setting up a housing company. He considered the Council would be facing a deficit and referred to the challenges faced by the Housing Revenue Account and the Housing Service including the implications of the proposed Government's White Paper. He felt that the structure of the housing service may need to be revisited to meet these challenges including commissioning a robust stock condition survey and business plan. He understood that Councillor Pearson as the Cabinet Member for Housing and Communities was addressing and leading on these issues and that by working together the Council could meet these challenges to ensure the people of the Borough and businesses were well supported.
- Councillor Cumbers paid tribute to Adele Wylie and wished her well in her new role. With regard to Councillor Browne's points on the budget she advised that Scrutiny Members had a role to oversee and monitor the budget and encouraged Members to look at the current contracts and budget and consider what was needed in these difficult financial times by assessing what the Council had, what it would like and what it could do without in the coming years.
- Councillor Child welcomed the Leader's comments, additional recommendation and positive approach. He referred to the uncertainty of the long-term position of the HRA and the impact of the white paper. With regard to achieving a balanced budget he felt there were difficult decisions to be made along with assumptions and risks to be taken into account. He considered it prudent to hold onto some of the vacancies which would mean a reduction in service delivery but create savings and reduce the need for redundancies.
- As the lead Cabinet Member for the Constitution Review Working Group, Councillor Freer-Jones advised that the group was reviewing the constitution and surrounding policies and the workplan included the Member complaints process and the Member/Officer protocol. She added that Members could contribute to the work programme. She praised Adele Wylie's contribution and advised that Adele had provided the most support to her as a Councillor than she had received at any other time during her time in office. She added that Members should look forward, take part in reviewing the finances and work with the Leader and Chief Executive on the new arrangements.
- Councillor Pearson referred to the housing stock condition and that the Council had got above the curve in improving the stock following years of neglect. The covid-19 situation had impacted on homelessness and the cost to the budget in financing alternative accommodation. He added that voids were being managed

to complete repairs as quickly as possible and mentioned it was false economy to house people into voids until the properties met the required standard. He added the white paper would bring a new policy on tenants' contracts and agreements and again the Council had already prioritised the importance of working with TFEC and tenants. He mentioned that the new structure reflected development of social housing which would in turn provide more housing for people in Melton. He added that the Council needed to build new homes which would cost less to run and maintain in the long-term and the new structure would support this work. He felt it was an exciting time for the Council in listening to tenants and providing the best housing to meet their needs. He advised there were currently approximately 30 void properties and this situation was kept under review.

- Councillor Chandler added her support to Councillor Pearson in looking for suitable sites to develop. She referred to previously visiting Council garage sites around the Borough to assess potential for development into housing and as far as she could recall only one site had been developed. She felt 1 or 2 houses in villages would make a difference and more social housing was urgently needed.
- Councillor Pearson responded that the Council was looking at small parcels of land with support from Homes England. He added that sometimes garage sites could be as expensive to develop as building a new house. He added that social housing was required in order to support a variety of needs, some for those in work and some for the more vulnerable with adaptations. He referred to the recent sale of Melton House and the cost of refurbishment for each of the 10 units worked out to be approximately £100k per unit and this would not have been a cost effective proposal for the Council. The Council needed to focus on modern housing which was energy efficient and low maintenance.
- Councillor Carter added that he felt garages needed to be rented or removed and the sites developed for more housing.
- Councillor Higgins added his appreciation of all the foregoing comments and agreed that voids, garage sites and properties should not be under-utilised as they cost the Council money to maintain. He added that the fundamental thrust of the report was to invest in the housing service. He warmly welcomed Kieran Stockley to the post of Monitoring Officer and endorsed her in that role. He referred to the government direction for housing being very strong and the Council was trying to get ahead in its commitment and priorities in this regard, part of this being by investing in its own stock and setting up a housing company. He referred to local government funding and the grants to businesses being still available. He paid tribute to Adele Wylie for her humour and style and that she had been an asset to the Council and made an enormous contribution as the Council renewed and reinvented itself with the new constitution and governance arrangements. He thanked her for her advice on all matters and wished her well in her new position.

The Leader expressed his appreciation to all Councillors who had contributed at the

meeting and reiterated his motion including the new recommendation being 2.7 as set out above and as seconded by the Deputy Leader.

The Mayor indicated that the vote for recommendations 2.1 to 2.7 would be taken 'en bloc'.

RESOLVED

- (1) To NOTE the changes to the Corporate Structure implemented by the Head of Paid Service detailed within Appendix A;
- (2) To APPROVE the removal of the Monitoring Officer designation from the Director for Governance and Regulatory Services with effect from 26 November 2020;
- (3) To APPROVE the designation of the role of the Monitoring Officer to Kieran Stockley, Assistant Director for Governance and Democracy with effect from 26 November 2020;
- (4) To APPROVE the amendments to the Proper Officer appointments provided in para 5.8;
- (5) To NOTE the update on the Housing Improvement Plan provided in para 6.1-6.11;
- (6) To APPROVE the additional HRA budget requirement to deliver the structural changes and supporting continuing delivery of the Housing Improvement Plan as described in para 6.1-6.11;
- (7) To SUPPORT the budget setting for 2021/22 all Members will be invited to take part in the budget scrutiny process in January 2021.

(24 for, 1 abstention)

CO49

MAYOR'S COMMENTS

The Mayor reported that as there would be no Mayor's lunch for staff this year, he had procured a Christmas gift for each member of staff. Also he wished to recognise any persons who had helped or contributed to the Council's work this year and asked Members if they were aware of any such individuals to put them forward for a gift.

It was also noted that a corporate gift had been sourced from local suppliers for each member of staff.

The meeting closed at: 7.40 pm

Mayor