

# Minutes

<b>Meeting name</b>	<b>Council</b>
<b>Date</b>	<b>Thursday, 17 December 2020</b>
<b>Start time</b>	<b>6.30 pm</b>
<b>Venue</b>	<b>By remote video conference</b>

## Present:

**Chair** Councillor M. Graham MBE (Chair)

**Councillors**

P. Faulkner (Vice-Chair)	T. Bains
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
A. Hewson	L. Higgins
E. Holmes	J. Illingworth
S. Lumley	J. Orson
A. Pearson	P. Posnett MBE
D. Pritchett	R. Smith
M. Steadman	J. Wilkinson
P. Wood	

**Officers**

- Chief Executive
- Director for Corporate Services
- Director for Growth and Regeneration
- Assistant Director for Planning and Delivery
- Assistant Director for Governance & Democracy
- Democratic Services Manager
- Democratic Services Officer (SE)

The Reverend Kevin Ashby offered prayers.

<b>Minute No.</b>	<b>Minute</b>
CO50	<p><b>APOLOGIES FOR ABSENCE</b></p> <p>There were no apologies for absence and it was noted that Councillor Pritchett was currently absent.</p>
CO51	<p><b>MINUTES</b></p> <p>(a) The minutes of the meeting held on 23 September 2020 were confirmed and authorised to be signed by the Mayor.</p> <p>(b) The minutes of the Special Meeting held on 25 November 2020 were confirmed and authorised to be signed by the Mayor.</p> <p>(Councillor Pritchett entered the meeting during the confirmation of the minutes.)</p>
CO52	<p><b>DECLARATIONS OF INTEREST</b></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> <p><u>Minute CO57 – Motions on Notice</u></p> <p>Councillor Wilkinson declared a disclosable pecuniary interest in this item as his partner was a midwife at St Mary’s Birth Centre and should there be any discussion on this matter, he would leave the meeting and not take part in any vote.</p> <p><u>Minute CO62 - Cabinet Report to Council - Business Rates Pool Funding Update - Asset Development Programme Phase 1</u></p> <p>Councillor Posnett declared a personal and prejudicial interest in this item as Chair of the Board of the Melton Learning Hub due to the organisation being based at Phoenix House.</p> <p>Councillor Bindloss declared a disclosable pecuniary interest in this item as both he and his wife worked for the Melton Learning Hub and should there be any discussion on this matter, he would leave the meeting and not take part in any vote.</p> <p><u>Bypass in the north</u></p> <p>Councillor Holmes declared a disclosable pecuniary interest should there be any matter raised in connection with the bypass in the north and if so she would leave the meeting and not take part in any vote.</p>
CO53	<p><b>MAYOR'S ANNOUNCEMENTS</b></p> <p>The Mayor referred to this Christmas being very quiet and different in terms of mayoral activities to previous ones and that all events had been postponed. He advised that he would be doing a reading on 103 The Eye radio channel at Christmas and referred to giving each Councillor a small memento instead of</p>

	<p>Christmas cards. He wished Councillor Smith best wishes for the birth of her baby in the new year. He expressed his pride at how the Council had risen to the challenges of 2020 and looked forward to emerging into 2021 with hope for a safer world. He wished everyone a Merry Christmas.</p>
CO54	<p><b>LEADER'S ANNOUNCEMENTS</b></p> <p>The Leader said</p> <p><i>'What a year 2020 has been. This time last year we thought Brexit was the only show in town. Little did we know what was in store.... We have been responding to an international pandemic for the last 9 months and I remain incredibly proud of what this Council, both members and officers, working with our partners and communities has achieved. We have provided humanitarian support to some of the most vulnerable people in our communities; delivering over 3,000 food parcels. We have provided over £11m to keep businesses afloat. We have saved lives and protected livelihoods. It is hard to imagine a time when Councils have undertaken more important work and I want to once again place on record my thanks to all members and officers for the work they have done during this challenging time.</i></p> <p><i>I would also likely to specifically acknowledge the contribution made by our Environmental Health team over the last few months. Often going under the radar, they have played a lead role in supporting the town centre reopening, guiding and supporting our businesses, whilst also ensuring compliance with covid rules where necessary. Alongside this they continue to maintain their normal obligations and I was delighted to see the Food Standards Agency recently report that they achieved 99.3% of the interventions due in 2019/20 – placing them 16<sup>th</sup> highest out of 353 nationally. For a small team, like many this year, they have gone over and above and continue to do Melton proud.</i></p> <p><i>Despite all we have done, it clearly has not been an easy time, and I am sure we have all felt the burden this period has placed upon us, both personally and professionally. Despite the wonders of modern technology and the great convenience of Zoom meetings, we miss the opportunity to meet face to face and recognise that normally after our December meeting, members and officers would share some food, drink and social time together. Reinforcing the strength of our Council community and our shared partnership. This year we cannot do that, but we celebrate the emergence of the vaccine and look forward to the coming months when we know that this will be possible again. Our work with the LGA provides a very timely opportunity for us all to review and reflect on what is working well and what still needs to be done, and to consider how we ensure we make the most of the talent and insights of all members and officers across the Council. I look forward to working with all colleagues on that during the early part of next year.</i></p> <p><i>Alongside this we are working hard on delivering our commitment to service excellence within our new Corporate Strategy and improving how we respond. We welcome feedback when things go wrong as it helps us improve what we do. Members and officers have started discussing a new approach and I look forward to this also being agreed and finalised in the new year.</i></p>

*Whatever challenges we still face, we should be confident about the future given that we have faced and overcome many challenges before and that we can do so again. It is sometimes easy to forget the progress which has been made and it is worth reminding ourselves where we now are:*

*Through the focus and commitments we made last year, our housing services are improving significantly. There is much more work to be done but we know we are moving in the right direction. Our Local Plan is delivering and we have seen more homes built in Melton than at any time in the last 20 years. We have held constructive discussions with the CCG on our aspiration to secure a second GP surgery in Melton and working with our MP, recently were one of only 15 projects nationally to secure more funding to develop a business case in support of rail improvements between Melton Mowbray and Nottingham. We have appointed a new Tourism Officer and in the New Year we will establish a Food Enterprise Centre in Melton and through our asset development programme will work to develop proposals which release resources to help fund our priorities, improve community infrastructure and deliver new homes.*

*On the MMDR we have continued to invest significant resources into supporting the County Council's aspiration to accept the Housing Infrastructure Fund and forward fund the southern section of the road. Considerable progress has been made and last night the Cabinet approved the principles established in the new development layout and delivery strategy which will improve viability and provide greater confidence to the County Council that the costs they incur through forward funding can be recovered through s106 agreements. As local planning authority we will do all we can to secure the contributions the County Council needs. What we cannot do is provide an unrealistic guarantee that would transfer a multi-million pound financial risk to ourselves.*

*The County Council has made accepting the HIF award conditional on reaching a risk share agreement with ourselves. We are happy to go over and above our statutory responsibilities and enter such an agreement but any financial exposure has to be capped at £1m and this is something the Cabinet resolutely endorsed again yesterday. Any contribution we make has the potential to erode resources for our own statutory services and whilst we want to demonstrate our commitment to delivering the road, we cannot jeopardise other services our communities rely on, nor put ourselves in a financially unviable position. Given our annual revenue budget is 100 times smaller than the County Council's we simply cannot go further and hope that having reiterated a consistent position a number of times, and now formalised that through Cabinet resolution, the County Council will proceed on this basis and finalise a proportionate and affordable risk share agreement such that they can then submit the HIF grant agreement. We remain committed to continuing our work with them and the other key stakeholders to find a way for this crucial piece of infrastructure to be delivered but the County Council will have to accept the financial limitations on what we can provide.*

*Despite all that has been thrown at us this year, and incurring over £1.5m of*

*additional costs and lost income due to covid, we have managed our finances well and are still projecting an underspend against our annual revenue budget. We know next year's finances are going to be challenging and we may have to take some difficult decisions but I am confident that as a Council we are making good preparations and will manage the situation well. With the finance settlement announcement earlier today, I look forward to budget briefing with all members next Monday as we step up the budget preparations with greater certainty of the challenge we face.*

*In conclusion, can I once again thank all members and officers for the work they have done over recent months. It has not been easy but we have achieved a lot and I am confident that whatever challenges we still face next year, we can meet them by working together. All that remains for me to do is to wish all members and officers of the Council, and the communities we serve, a very happy and healthy Christmas and a prosperous new year.'*

CO55

**PUBLIC QUESTION TIME**

In accordance with the Constitution, Members of the Council may answer questions from the public of which notice has been given.

(a) The following question was received from Kelly Davies :

*'On page 10 of the Council's new Corporate Strategy, there is mention of increasing vitality, vibrancy, footfall and spend in the town centre. How does the Council plan to do this when our public transport has been acknowledged by the BBC as being sub-par and many of my followers have claimed the town's car parking charges to be a killer of footfall within the town centre?'*

The Portfolio Holder for Growth and Prosperity (and Deputy Leader) responded as follows:

*'Thank you for the question and also I would like to pay tribute to you for circulating covid updates particularly amongst young people and for joining some of our seminars. As you note, as part of its new Corporate Strategy, the Council has made a commitment to delivering sustainable and inclusive growth in Melton and surround. We understand that the vibrancy of town centre is reliant on a range of factors such as quality and diversity of offer, promotion of businesses, opening hours, occupancy levels, affordability and spend capacity of the community and accessibility of the place itself. It is important that people have access to employment and as well as access to affordable housing to improve the disposable income of our communities and this Council wants to reassure you and your followers that young people are very much at the heart of its agenda in terms of getting them new houses and finding new jobs for the next decade to come.*

*It has been an extraordinary year for town centre retail and leisure particularly with significant falls in footfall due to the covid pandemic. Throughout the year, the Council has been working with the Business Improvement District and*

*Melton Mowbray Town Estate to maintain the vitality, vibrancy, footfall and spend in the town centre. We have done this by ensuring public health messages and infrastructure were implemented ready for the retail reopening back in June, including extensive signage, hand sanitisers, and support provided by visible Covid Ambassadors. Our regulatory services team has worked with our partners to support businesses in ensuring their shops, cafes and restaurants could open in a COVID-safe way.*

*Other support measures we have undertaken during the pandemic have seen us :*

- Relax enforcement of Marquees and temporary structures to ensure those businesses who are able to can utilise outside space more effectively. This helped create more capacity to achieve social distancing guidelines whilst on the premises.*
- We supported town centre businesses in trialling a café culture in the market place by supporting pavement licences for outdoor seating*
- We also have developed a shared seating space in the market square for businesses to utilise during the day and in the evenings.*

*To support footfall in the run up to Christmas, the Council has offered free parking days in key town centre car parks on every Friday in December to attract shoppers. We have also enhanced our Christmas lighting scheme this year, and have installed a 25 feet high Christmas tree to create a festive environment for all visitors to enjoy.*

*Clearly, despite the efforts of all involved, not least the businesses themselves, this is going to be a challenging time for them but this Council had provided over £11m of direct support to over 1,000 businesses within Melton over the last 8 months. Our business grant support schemes are still open and he implored all those businesses who have not yet to come forward for assistance. There was also a new £1K wet-led pub grant available which was being promoted around the Borough.*

*Looking to the future, Melton Borough Council has an extensive plan for town centre growth, with a commitment to help build over 4,000 homes over the next 15 years that will ensure new families and residents move to Melton which will increase footfall and patronage of our town centre. Our Cabinet has also only this week confirmed the establishment of a new Food Enterprise Centre for Melton which we look forward to launching in 2021.*

*The Council is investing into strengthening the economy and supporting key economic sector such as food production, retaining jobs by using the grants money to retain spend capacity and increasing housing growth to support affordability to the community.*

*The Council owns 9 car parks in the town centre providing over 1,000 parking spaces which include 7 free spaces and 37 free disabled bays. There are approximately 13 other car parks in the town centre in private ownership,*

*providing access to over 1,100 parking spaces, over 70% them being free for a duration of time. In addition there are approximately 80 on-street car parking spaces available in the area.*

*In regard to car parks in the Council's ownership, the Council has had to tread a fine line between supporting the town centre and ensuring it is bringing in enough income to cover the cost of operating and maintaining our car parks. The new charging schedule has only been in place since April 2020 and before then the prices had been frozen for 4 years. During this April – July the Council removed enforcement of car parking activity in the town to support those essential businesses the Key Workers that were able to use them. The Council has also offered free parking days in certain car parks on every Friday in the run up to Christmas to support traders where possible.*

*We will also continue to work with our County Council partners regarding transport and highways infrastructure. But as demonstrated above, the Council is taking a range of actions and is committed to do everything in its power to increase footfall and vibrancy in the town centre and importantly to encourage people to spend in local shops.'*

*Ms Davies asked the following Supplementary Question :*

Ms Davies thanked Councillor Higgins for his response and asked for the duration and location of the free parking places in the town centre. She also asked for an outline of the dialogue taking place with the Leicestershire County Council Transportation section relating to the public transport offering.

Councillor Higgins responded that there were free car parking spaces on Burton Street, Thorpe End, Sherrard Street, Park Lane, Jubilee Street, King Street, St. Mary's Way and at the Council Offices, he believed there were between 80-100 spaces. He added that there was also commercially hosted free car parking in the town centre as places such as Pets at Home, Morrisons, Lidl etc. He referred to the ongoing representations of Melton's County Councillors with the County Council to retain Melton's bus services and it was understood that young people were most affected when services were reduced.

(b) The following question was received from Gareth Batchelor :

*Can you provide details regarding the background to the decision to re-locate the Christmas tree pit in the Town Centre, including the identification of issues with the previous site and the procurement process undertaken?*

The Portfolio Holder for Growth and Prosperity (and Deputy Leader) responded as follows :

*'Thank you for your question. The planned works for the Christmas tree pit pre-dated the coronavirus pandemic and had been planned since mid- 2019. The existing tree pit was no longer fit for purpose and structural tests had identified it*

*was no longer capable of safely securing the town centre Christmas tree. It was also identified that due to the ground works required for a new pit, the existing location was also not appropriate because it was next to a drainage system and therefore would have required diversion of the drain pipe. This would have incurred a significantly higher cost. The other solution explored was to continue to use a temporary solution and secure the tree above ground as we did in 2019. This solution consisted of securing the tree via a metal collar to four x 1 tonne concrete blocks. This too was an expensive solution due to the fact the cost would have to be incurred every year until a permanent solution was put in place.*

*Considering the above, and recognising the importance of maintaining a high quality, town centre Christmas tree, it was decided that the safest and most value for money option would be to relocate the tree pit. To achieve best value the contract was procured via a nationally recognised procurement framework and Jeakins Wear was the preferred bidder. The funding was allocated in the Council's capital programme in February 2020 and the final cost came in slightly under budget. The work required included; survey work undertaken on site to identify the best location for the pit so as to not disturb any underground infrastructure, design work to ensure the pit would be structurally sound, license fees to actually undertake the work, the hiring of heavy machinery for ground works and other site related costs, including compound facilities and secure fencing etc).'*

The following Supplementary Question was provided :

*How long the new site is expected to last and what, if any, guarantees are in place if any remedial work has to be carried out to prevent a large expenditure again?*

Councillor Higgins responded :

*This was anticipated to be a long term solution and the structure of the tree pit could last for a whole generation. The pit will now form part of our routine maintenance regime to ensure it lasts as long as possible and any issues are picked up quickly and dealt with at low cost moving forward. If we want to properly support our Christmas festivities in Melton, then we will have to invest in the infrastructure to support and there would be no compromise in public safety in doing so. Last year it cost the Council a significant sum in temporary supports and having to meet that cost each year does not represent good value for money.*

*The investment we have made this year will ensure Melton's high quality Christmas festivities can continue for many years to come and you only have to look at social media to see how much the Christmas lights and tree have been valued this year.'*



CO56	<p><b>QUESTIONS FROM MEMBERS</b></p> <p>There were no questions from Members.</p>
CO57	<p><b>MOTIONS ON NOTICE - PROPOSED CLOSURE OF ST MARY'S BIRTHING CENTRE</b></p> <p>(Councillor Wilkinson here left the meeting due to his disclosable pecuniary interest as set out at Minute CO52 above.)</p> <p>In accordance with the Constitution, motions on notice must be signed by at least two Members and be about matters for which the Council has a responsibility or which affect the Melton Borough.</p> <p>The following motion was proposed by Councillor Fisher :</p> <p><u>Proposed closure of St Mary's St Mary's Birth Centre, Melton Mowbray</u></p> <p>The Leicester, Leicestershire and Rutland Clinical Commissioning Group are proposing to close St Mary's Birth Centre and replace it with a Midwife led birth centre at the Leicester General Hospital for a trial period of 12 months.</p> <p>This current proposal needs to provide more details on how local community based births, postnatal, antenatal and other related services will be affected.</p> <p>Recent Studies support the use of smaller birthing centres where care is personalised to the patient as the way forward. Concerns have also been raised regarding the capacity at Leicester General Hospital and the ability to deal with the increased workload as a result of these proposals. Careful consideration needs to be given to access, travel time, public transport availability, parking and fuel expenses and the environmental impact before a final decision is made.</p> <p>In order to recognise the concerns of the residents of the Melton Borough in relation to the proposed closure of the St Mary's Birth Centre the Council:</p> <ol style="list-style-type: none"> <li>(1) Requests that the local National Health Service and LLR CCG provide more information in relation to the impact of the proposed closure on access, travel time, public transport, parking, fuel expense and environmental impact and the steps that will be taken to mitigate and monitor these impacts should the proposals go ahead.</li> <li>(2) Requests that the local National Health Service and LLR CCG provide information in relation to the feasibility of the proposal that evidences and provides assurance regarding the way in which the new facilities in Leicester would serve the residents of Melton Mowbray better than the current established local service provided at St Mary's.</li> </ol> <p>He added that he had heard nothing but praise for everyone that had used the St Marys Birth Centre and it would be a short-sighted decision to close it.</p>

Councillor Smedley seconded the motion and stated that St Marys Birth Centre provides a valuable service to residents across the Borough. During the consultation period she had met with and heard stories of so many people that have relied on the St Marys for support during pregnancy, childbirth and after care. The care offered is personalised with midwives knowing their patients well and this ensures a high level of confidence and satisfaction. She feared that proposed changes would have a negative impact on all new families and especially those who are more vulnerable who would have to suffer extra cost to travel for this essential service. She reported that she had actively taken part in the consultation and understood that those in the north and north east of Leicestershire would be most affected and it was not good enough for Melton's residents. Also the Council needed to know how these proposals would affect residents in terms of the climate change emergency and would they negate all that the Council was trying to achieve by imposing travel costs and a negative environmental impact for all who needed the service.

During debate the following points were noted :

- The public response to the consultation had been tremendous
- There was support for all those involved in the campaign to save the unit including Glynn Cartwright who had been promoting and fighting to save the service
- There was concern that if the unit was allowed to close, there would be no going back
- City hospitals such as at Leicester and Nottingham did not make good care, it was the people that worked there that gave good care such as the service provided at Melton
- The unit provided a much valued and personalised service to new mothers in the area
- Due to Melton's growth and new house building programme, by 2036 there would be a 20 percent increase in demand
- The MP was involved in saving the birthing centre
- Mistakes of the recent past such as the closure of the KE7 secondary school and subsequently a requirement for a new secondary school must be avoided
- Centralised birthing units in the cities were not the way forward
- The proposal was to transfer the service to the Leicester General Hospital initially for 12 months however it was felt there was a move to close St Mary's as soon as possible
- Centralisation of the service to Leicester was not efficient for patients and was too far away for Melton's residents in labour
- The figures presented in the consultation were out of date and should more recent figures have been presented, they would show a more truthful picture
- The much needed service at Melton should be retained and invested in rather than closed
- Members were supportive of the motion and thanked Councillors Fisher and Smedley for bringing the motion and raising the community's concerns

**RESOLVED**

**In order to recognise the concerns of the residents of the Melton Borough in relation to the proposed closure of the St Mary's Birth Centre the Council:**

**(1) requests that the local National Health Service and LLR CCG provide more information in relation to the impact of the proposed closure on access, travel time, public transport, parking, fuel expense and environmental impact and the steps that will be taken to mitigate and monitor these impacts should the proposals go ahead;**

**(2) requests that the local National Health Service and LLR CCG provide information in relation to the feasibility of the proposal that evidences and provides assurance regarding the way in which the new facilities in Leicester would serve the residents of Melton Mowbray better than the current established local service provided at St Mary's.**

(25 in favour, 2 abstentions)

(Councillor Wilkinson here re-entered the meeting.)

CO58

**INFRASTRUCTURE FUNDING STATEMENT 2020**

The Portfolio Holder for Growth and Prosperity (Deputy Leader), Councillor Higgins, moved the recommendation and introduced the report highlighting the following points :

- This report presented a new responsibility as a result of recent changes to legislation and was the first of its kind at Full Council and set out S106 receipts received from the previous year, April 2019 to March 2020
- Proceeds were contained within the statement itself and it had been a relatively quiet year in these terms
- Much more could be expected from hereon as larger schemes would start to impact in these reports
- Significant affordable housing had been secured which would be delivered as developments proceeded and this would enable the Council to make inroads into this priority
- Of great significance was the wider role of the Council's Committees and Officers in the negotiation of S106s with LCC as the main beneficiaries. Funding was secured by the Local Planning Authority and Planning Officers had so far secured 99% plus which demonstrated the Council's commitment and consistency towards essential infrastructure funding for the southern bypass and the northern and eastern bypass
- Large sums had already been secured for the MMDR and education and affordable housing remained key components of the s106 and the Council could report strong performance not only in meeting the local plan targets but exceeding them in a small number of cases
- Some Councillors particularly Councillor Browne had secured voluntary contributions to affordable housing in his ward. The benefits of local direct

	<p>negotiations between the Parish Council, Ward Councillor and developer that brought such benefits especially for young people were highlighted</p> <ul style="list-style-type: none"> <li>• It was noted that a wide range of affordable housing in both geographical terms as well as tenureship meant the Council was addressing the needs of all parts of the community who were in need of affordable housing. He referred to previously affordable housing had been affordable rent or shared ownership but now the Council was securing not only starter homes for young people and first time buyers up to the age of 40 but also discount housing and this housing would be discounted for people with a local connection in perpetuity</li> <li>• It was noted that the Council was securing funds for new medical facilities in Melton Mowbray in pursuant of the promise in the new Corporate Plan</li> <li>• The work of communities and Parish Councils in particular was acknowledged so that they could be the reciprocant of benefits of development at a local level eg. Funding for village halls funds and play equipment. He referred to good examples of voluntary contributions in rural wards especially Long Clawson and Stathern.</li> </ul> <p>Councillor Orson seconded the motion.</p> <p><b><u>RESOLVED</u></b></p> <p><b>That Council:</b></p> <p><b>Notes the Infrastructure Funding Statement 2020 (IFS) so that it can be published on the Council’s website.</b></p>
CO59	<p><b>EXECUTIVE SCRUTINY PROTOCOL</b></p> <p>The Chair of the Scrutiny Committee, Councillor Cumbers, moved the recommendation and provided a brief introduction as follows:</p> <ul style="list-style-type: none"> <li>• There had been much work in the drafting of the protocol which had included workshops, research from other authorities and considered feedback from Scrutiny and Cabinet Members</li> <li>• The purpose of the protocol was to clarify the role of the Scrutiny Committee to provide a framework to define relationships and set out expectations so that scrutiny could function in a positive way</li> <li>• The document stated that the key purpose of the protocol was to clarify the relationship between the Cabinet and the Scrutiny Committee to encourage effective communication between the two to enable and enhance the scrutiny function in delivering positive outcomes in line with its objectives. Amongst other things the protocol provided information on the way the Scrutiny Annual Workplan would be formed, the format of scrutiny reviews and how matters would be referred to Cabinet and attendance by Portfolio holders at the Scrutiny Committee</li> <li>• The document was not a statutory requirement but was identified in the government’s Statutory Guidance on Overview and Scrutiny as a matter of good practice</li> </ul>

- As Chair she had worked with the Scrutiny Committee Members, the Leader and Officers of the Council to develop a document which provided a framework for a collaborative, constructive and proactive approach to the scrutiny executive relationship
- She hoped Members would support the protocol for inclusion in the Constitution and see it as a positive step on the Council's scrutiny journey
- She considered the document would also help public understanding of the scrutiny role

Councillor Orson seconded the motion and reserved his right to speak.

Councillor Evans requested that the document be revisited following the LGA review if necessary to make any amendments that are suggested and asked the proposer to accept the following addition to the recommendation as follows:

*'Upon completion of the review of the LGA of Melton Borough Council the protocol be revisited to ensure that it meets any suggestions that are made or any recommendations that are made.'*

Councillor Cumbers did not accept the additional wording and felt there was no need to add to the motion.

Councillor Pritchett spoke in support of the additional wording and advised he would vote against if the additional wording was not accepted. His concerns related to the lack of reference to risk, business plans, corporate objectives and prioritising work at paragraph 3 which he considered left the protocol open to interpretation and could limit the role of scrutiny. He was also concerned that there was no reference to the personal qualities and responsibilities of the Chair and Members of the Scrutiny Committee as well as how the Chair was selected. He also considered that Internal Audit should audit the performance of scrutiny and therefore would have expected them to have audited the draft protocol against guidance and national best practice and report their findings. He was concerned at the timing of the protocol with the outcome of LGA governance review being imminent in the New Year.

Councillor Cumbers highlighted that there were constant conversations with the Cabinet and the Scrutiny Committee Members and she was open to suggestions to make things work better. Should the LGA Review propose changes she would consider these along with the Council but for now the recommendation stood.

Councillor Holmes also referred to the LGA Review and due to the robust conversations held with the LGA felt it may be helpful to wait a few weeks until the outcome of the review before approving this document.

Councillor Cumbers responded that Councillor Holmes had had the opportunity for input to the document as a Member of the Scrutiny Committee. She explained that a lot of time and thought had gone into the document by Members and Officers and again recommended the document for approval at this meeting.

The Mayor permitted Councillor Evans to speak again following the proposer not accepting his additional wording. Councillor Evans said he felt the amendment was not negative and still considered the protocol should await the LGA review's advice. He felt the scrutiny function had not always been effectively used to date although there had been some robust reviews. He felt the document would not improve the functionality of scrutiny and there needed to be a more open and transparent Council not one where information was difficult to obtain. He added that Members and Officers at all levels needed to work together to achieve the best Council and improve services easily and well.

Councillor Cumbers responded that she always looked for co-operation and agreement. She considered this document would help the Council to be a better Council and she considered that scrutiny worked well with the Cabinet. She reiterated that the document could be reviewed in light of any LGA feedback should that be required.

Councillor Orson spoke in support of the protocol and the work of scrutiny and expressed his admiration for the scrutiny role being democracy at its best. He explained that scrutiny was a critical friend and provided challenge when needed. It was led by independent people who were trying to improve the Council's services. He felt that the foregoing debate should have been held at the Scrutiny Committee. He offered his full support to the Chair and considered any changes that may be recommended by the review could be considered at a later date.

Councillor Pritchett advised that he was not on the Scrutiny Committee therefore this was the first time he had seen the document. Councillor Orson advised that Members of his group, Councillors Evans and Holmes, were on the Scrutiny Committee.

Councillor Evans raised a point of order that he was not present at the Scrutiny Committee when the protocol was considered. Councillor Cumbers responded that the document had been published and circulated to Members, as had the minutes of respective meetings.

### **RESOLVED**

**That Council:**

**Approves the Executive Scrutiny Protocol (Appendix A).**

(21 for, 5 against, 2 abstentions)

(Councillor Chandler lost connection and re-joined the meeting during the preceding item and therefore abstained at the vote.)

CO60	<p><b>RECOMMENDATIONS AND REPORTS FROM COMMITTEES</b></p> <p>There were no recommendations and reports from Committees.</p>
CO61	<p><b>CABINET RECOMMENDATION TO COUNCIL - MID-YEAR TREASURY MANAGEMENT REPORT 2020/21</b></p> <p>Councillor de Burle, Portfolio Holder for Finance and Resources, moved the recommendations and provided a brief introduction as follows:</p> <ul style="list-style-type: none"> <li>• The mid-year Treasury Management report was a requirement of the Council’s financial reporting procedures</li> <li>• It provided a summary to Council of Treasury Management activities to the end of September 2020</li> <li>• Treasury Management was the process of managing funds which were not currently needed which could be put to good use by being invested to generate income</li> <li>• Officers customary success had contributed significantly over recent years</li> <li>• Capital investment decisions were guided by two codes; the CIPFA Code of Practice on Treasury Management and the CIPFA Prudential Code for Capital Finance in Local Authorities. Through these regulations issued under the Local Government Act 2003, the Council was required to rigorously apply both in its treasury management activities and that additionally the Council was to receive a regular report on the outcomes of those activities</li> <li>• The report included 2 appended documents; being the Treasury Management Report which included an overview of the prevailing conditions, the recommendations and Appendix A being the Treasury Management Statement</li> <li>• In the Treasury Management Report, items 4.0 to 4.7, dealt with prevailing conditions for example a summary of the Covid 19 impact on the Council’s investments</li> <li>• Members may be interested to note at paragraph 4.8.1 there was a proposal was being developed for Members’ consideration for a £1m investment to reduce cost pressures on the homeless budget to provide a better service as outlined</li> <li>• With regard to Appendix A, the Treasury Management Statement, it stated that CIPFA issued revised management codes which came into effect in the 2021 fiscal year which strengthened the control of public finance to protect financial sustainability, provision of services and management of risk</li> <li>• The Council operated to achieve a balanced budget and part of the treasury management operation sought to ensure that cash flow was properly managed to secure that outcome</li> <li>• At 3.1, there was a wide ranging economic update which was still being largely influenced by the Covid situation and was uncertain. There was a lot about the quantity of easing and potential for unemployment. The most optimistic point was that the forecast showed by quarter 3 in 2022, the economy was expected to expand quickly and the CPI to be above 2%</li> <li>• At 3.2, there was reference to public works loan interest rates where there were marginal 2% loans in the longer term loans over the two years, March 2021 to March 2023 and lower investment returns in the UK and around the world’s</li> </ul>

markets

- 5.1 set out the position on prudential indicators the revised estimate on capital expenditure with HRA and non-HRA raising the bar by about £800k over the original estimates
- 5.2 explained how that change would be met from resources the Council had access to being capital receipts, capital grants, capital reserves and revenue
- 5.3 and 5.4 indicated that the Council's capital funding requirement should not change from the original estimate of £31.49m which was well within the Council's authorised borrowing limit of £45.92m
- With regard to investment returns, the Council held £20.5m in investments at 31 March, and a budgeted return expectation of £357k. Due to matters already reported, the performance of the markets was lower than planned and the Council was currently anticipating a shortfall of £104k against that expected return due to circumstances beyond the Council's control
- The Council was meeting the requirements of the CIPFA Code of Practice on Treasury Management and the CIPFA Prudential Code for Capital Finance in Local Authorities

Councillor Orson seconded the motion and reserved his right to speak.

During debate the following points were noted :

- Confirmation was provided that the deficit was due to the reduced interest rates throughout that period
- The risk of investments in town and city properties and in coal and other fossil fuels was highlighted and it was requested that these concerns be taken into consideration going forward
- Paragraph 4.8.1 of the Cabinet report was highlighted which set out how the Council was looking to support homelessness by drawing on reserves. This was a positive example of how the Council was working towards delivering on one of its key aims within the Corporate Strategy

Councillor Orson reiterated his seconding of the report and did not wish to speak further.

### **RESOLVED**

**That Council:**

- (1) Notes the mid-year position on treasury activity for 2020-2;**
- (2) Approves the mid-year position on the prudential indicators for 2020-21;**
- (3) Notes the potential for borrowing to be undertaken to be initially financed through internal borrowing.**

(26 for, 2 abstentions)



CO62

**CABINET RECOMMENDATION TO COUNCIL - BUSINESS RATE POOL FUNDING UPDATE - ASSET DEVELOPMENT PROGRAMME PHASE 1**

(Councillors Bindloss and Posnett here left the meeting due to their interests declared at Minute CO52.)

The Portfolio Holder for Growth and Prosperity (Deputy Leader), Councillor Higgins, moved the recommendations and provided a brief introduction as follows:

- A clerical correction was pointed out at recommendation 2.1, which should read Section 9 and not Section 10 as set out in the report
- A presentation had been made to the Scrutiny in June 2019. A report was approved by the Cabinet in April 2020 and had been mentioned explicitly in the Corporate Strategy and there had been updates throughout its journey
- This was the next stage of the review of Council owned sites to assess their development potential
- The report's intention was not to close down any service or any operation, nor force any organisation or asset to move out of any building or asset, it was not proposing to close Phoenix House
- The report proposed to draft a design for Parkside to best use the space available taking account of current occupiers' intentions to move out of the building, this would enable the Council to then rationalise its own position with all its assets
- There was a proposal to relocate Me and My Learning to The Cove which was currently vacant
- The report did not ask the Council to sell or sell or develop any property but to start considering plans for the future
- Following approval of this report, the proposals would return to Cabinet later in the year
- It was considered that scrutiny could add value to the process in assessing the business case as well as how any proposals would affect those who need and use those services
- He made it clear that notice had not been served on any tenants and no tenants had been asked to leave
- With regard to the Cattle Market north site, this had stood vacant for over 10 years but could provide capital receipts and there was a possibility to develop the site for providing housing for first time buyers
- The Council was looking to achieve a financially sustainable model with limited risk and secure external grant funding. The project may involve the redesign of Parkside and the Phoenix House site
- Leicestershire County Council (LCC) had given notice to leave Parkside in 2021 and office space was currently not in demand due to covid. The Council had to reassess its assets to retain income and reduce operational costs generally

Councillor Orson seconded the motion.

During debate the following points were noted:

- It was appropriate to be taking stock of the Council's assets as the Council was short of money
- All options should be considered before making a decision so that the Council was well informed and gave the best value for its residents
- It had been requested that the proposals would be reviewed by Scrutiny. If added to the workplan Scrutiny would then report to Cabinet and/or Council
- Due to LCC leaving Parkside at the end of 2021, it was important to take stock and rationalise the Council's assets to minimise the loss of revenue and there was a good opportunity to improve accessibility to public services at the same time
- The Cove was considered a good venue for public access and services
- It was felt that risk and opportunities needed to be taken into account
- The Council needed to ensure value for money and sell at the right time and have a strong vision of the end result
- It was important that the Council had a strategic plan of what any capital receipts would be invested in and the community benefits for any proposals
- The services offered at Phoenix House supported the more vulnerable and it was important these were retained. Those that supported early intervention were considered essential as they saved the Council money in the long term and reduced pressure on other service areas
- It was important to retain the 3 community centres due to their strategically placed locations which were based in the communities they served and to retain/improve the service they offered
- Concern for the timing of the report being in the middle of a pandemic. Phoenix House provided services to the more vulnerable who may be more affected by the pandemic
- The scrutiny process could take a lot of time and it was felt there was no business plan or clear vision in the policy
- Concern were raised that there had been a clause in the sale of the land to Sainsbury's that they would have first option on the Phoenix House site. However this was not confirmed and due diligence would be carried out before any sale which would identify any such clause and its scope
- Concerns were raised that the consultants' work started in January and there would be a lot of money spent before Members had another chance to debate the sale of Phoenix House
- It was felt a wider picture and vision was needed to understand how the projects fitted together
- It was mentioned that full market housing was also needed to bring people with disposable income to the town centre to spend money and boost the local economy
- The Cattle Market needed to retain enough space to function such as washing down and turning areas for cattle vehicles
- If a service was relocated, any lottery money received by that service may have to be repaid which would affect the viability of the organisation
- Snow Hill was mentioned as a large area of Council owned land that had potential
- It was suggested that empty shops be used as homes to create a viable

community in the town

- There was a suggestion for Parkside to be sold and the Council relocate to Phoenix House
- Some housing companies had become bankrupt and the Council should be careful of this and learn and pick up best practice from other Councils
- Relocating the Melton Learning Hub may affect its viability, success and accessibility of this valuable service
- It was mentioned that the opposition Members had no forum of bringing ideas forward and a flexible approach was needed for this project

Councillor Higgins raised a point of clarification during the debate that it was not for the executive to request scrutiny of the project, he had invited the Chair of Scrutiny to consider adding this project to the workplan.

Councillor Higgins thanked Members for their contributions and reassured them that their concerns would be taken on board and form part of the way forward and all Members would continue to be involved in this important Council project.

Extension of the meeting

*At 9.22 pm, it was proposed, seconded and carried that the meeting be extended beyond the 3 hours duration as set out in the Constitution.*

As seconder to the motion, Councillor Orson thanked Members for their contribution to the debate and his understanding was that it was a good time to consider proposals to sell property. He referred to the previous years of investment in the Egerton Ward which had now resulted in Egerton being the powerhouse of Melton Mowbray.

**RESOLVED**

**That Council:**

**Approves the inclusion of £285k within the Capital Programme for the Asset Development Programme Phase 1 funded through £163,000 grant funding and £122,000 from the Council's capital receipts as set out in section 9 of Appendix A.**

(17 for, 5 against, 3 abstentions)

(Councillor Chandler had lost connection during the debate of the preceding item and therefore abstained at the vote.)

(Councillor Bains left the meeting during the debate on the preceding item and was not present for the vote.)

(Councillor Carter here left the meeting.)

(Councillors Bindloss and Posnett here re-joined the meeting.)

**CABINET RECOMMENDATIONS TO COUNCIL - MELTON SPORTS VILLAGE TENNIS FACILITIES IMPROVEMENT**

The Portfolio Holder for Housing and Communities, Councillor Pearson, moved the recommendations and provided a brief introduction as follows:

- A report was presented to the Cabinet in September 2019 which advised the need for investment in the site due to the deterioration of the playing surface
- Atkins were authorised by the Cabinet for clarifying the funding arrangements of the investment required and assurances of the financial sustainability of the tennis provision of this Council owned asset
- Working closely with Melton Mowbray Tennis Club, the Council's Sports Team has secured just under £39k grant funding and has clarified this investment that the Tennis Club will be able to make including significant fund-raising
- This has reduced the level of investment needed by the Council into the facility from estimated £40k to £9.4k
- As part of the overall investment of £113k (including project and management costs) working in partnership with Council Officers, the Lawn Tennis Association and the Tennis Club has provided a maintenance plan covering the use of the sinking funds both for the court replacement and in future and other ongoing yearly maintenance
- The contractual arrangements of the Council owned site will be rationalised and the Council will enter a 24 year lease with the Melton Mowbray Tennis Club to include the usual rent reviews and break clauses to protect both parties
- By adding the project to this year's Capital Programme would allow for the works to finish on time for the start of the new tennis season in 2021
- The approval of the £113k to the Capital Programme for 2021 and most of this was from the Lawn Tennis Association, the Council's contribution being £9.4k from capital receipts to support the remaining cost of delivering the project

Councillor Orson seconded the motion.

During debate the following points were noted :

- The 24 year lease was considered to be comfortable for the club to manage against the investment
- The town already had a long-standing tennis club in the town being Hamilton Tennis Club but the Melton Sports Village Tennis Club was already a very successful club and worked mainly with young people and much of the improvements had already been done. The club had hundreds of young people involved which kept them active and healthy and off the streets
- The Council's input was very small. If the Council did not support the scheme then the facility would deteriorate and be closed
- There was tribute to the Sports Working Group at King Edward and how this project had developed from an obsolete and dangerous facility to a thriving tennis club
- There were break clauses in the lease to ease any risk on both sides
- It was confirmed monitoring would be in place however the Council was not

liable for any default on payments as the funding arrangement was with the club's trustees direct

- It was noted that the membership was very cheap for children
- The asset would continue to belong to the Council
- Tribute was made to previous Deputy Chief Executive, Keith Aubrey, who had enthusiastically pioneered and steered the project until his retirement in 2020

Councillor Orson thanked both Councillors Higgins and Pearson for their contributions to this project and also reiterated the commitment and groundwork that former Deputy Chief Executive, Keith Aubrey, had made on the project to ensure its fruition.

**RESOLVED**

**That Council:**

**(1) Approves the addition of £113,300 to the 2020/21 Capital Programme in relation to improvements at the tennis courts.**

**(2) Approves that £9,400 be provided from capital receipts to support the remaining costs of delivering the project.**

(25 for)

(Councillor Evans left the meeting during the introduction of the preceding item.)

The meeting closed at: 9.50 pm

Mayor