Minutes

Melton Borough Council

Rural Capital of Food

Meeting name	Corporate Committee
Date	Wednesday, 30 January 2019
Start time	6.30 pm
Venue	Parkside, Station Approach, Burton Street, Melton Mowbray, LE13 1GH

Present:

Chair Councillor J. Orson (Chair)

Councillors

L. Higgins (Vice-Chair)
P. Cumbers
E. Holmes
P. Chandler (Substitute)
R. de Burle
M. Glancy
J. Wyatt

Observers

Officers

Chief Executive
Director for Corporate Services
Director for Growth and Regeneration
HR & Communications Manager

Minute No.	Minute
28	**Apologies for Absence** Apologies were received from Councillors Hutchison, Pearson and Rhodes. Councillor Chandler attended as substitute for Councillor Rhodes.
29	**Minutes** The minutes of the meeting held on 28 November 2018 were confirmed and authorised to be signed by the Chair.
30	**Declarations of interest** Councillor Orson declared a personal interest in any items relating to Leicestershire County Council, due to his role as a County Councillor. Councillor Cumbers declared a pecuniary interest in agenda item 4 (Revenue and Capital Budget Proposals 2019/20), as a Trustee for Shopmobility and advised that she would leave the meeting during consideration of this item. On behalf of all Council staff, the Chief Executive declared a pecuniary interest in agenda item 7 (Pay Policy and New Pay Spine).
31	**Pay Policy - New Pay Spine** The Director for Corporate Services submitted a report (copies of which had previously been circulated to Members) (a) seeking the Committee's approval for the 2019/20 Annual Pay Policy Statement to be published, in line with the requirements of the Localism Act 2011 (b) highlighting and seeking approval for the introduction of the new national pay spine, effective from 1 April 2019 (c) reviewing the Council discretions in relation to the Local Government Pensions Scheme (LGPS), to ensure they were fit for purpose. The Human Resources and Communications Manager (a) highlighted the following key issues i. <u>Pay Spine</u>: The National Joint Council (NJC) pay agreement for 2018 to 2020 included the introduction of a new pay spine from 1 April 2019, as detailed at Appendix A of the report. The new spine incorporated changes, as detailed at paragraph 3.1 of the report, which had been discussed with Unison and had been subject to an Equalities Impact Assessment (no impact had been identified). ii. <u>Pay Policy Statement</u>: The Localism Act 2011 required the Council to prepare a Pay Policy Statement, as detailed at Appendix B of the report each year. It states the Council's approach to matters relating to the pay of its workforce. There were no issues to highlight and

following consideration at this meeting, it would be submitted to Council on 13 February for approval.

iii. Pension Discretions: The pension regulations required the Council to formulate, publish and keep under review its policies concerning areas of the Pension Scheme, where it may exercise its discretion. The five discretions were detailed at paragraph 3.7 of the report and at Appendix C of the report. Following the introduction of the Local Government Pension Scheme (LGPS) (Amendment) Regulations 2018, two new discretions were proposed, as detailed at paragraph 3.9 of the report and at Appendix C of the report. In addition, minor amendments were proposed, concerning delegations of altered roles and structures and there were an additional five discretions, as detailed at Appendix C of the report and it was advisable to have a written policy on these, in order that members could be clear on the matters.

A Member raised the reference to 'members' at paragraph 3.9 of the report, stating that the Council did not and had never paid a pension to Councillors. The Human Resources and Communications Manager clarified that the term 'member' here referred to members of the pension scheme not Councillors.

There was a discussion on the new national pay spine, as detailed at Appendix A of the report. A Member observed that this Committee and Council had approved the implementation of the National Living Wage (at a meetings held on 13 April 2016 and 8 February 2017) and queried why the new pay spine was submitted for consideration.

The Director for Corporate Services and the Human Resources and Communications Manager explained that Members had previously approved the amendment of the Pay Policy from 2017/18, to pay the National Living Wage, as a replacement to the Living Wage Foundation rate. In 2018, the National Joint Council had confirmed a nationally agreed pay deal (this had been incorporated into the new pay spine, submitted at this meeting), which superseded the proposals agreed by Members previously.

A Member referred to paragraph 3.9(ii) of the report, asking what arrangements were in place to protect those suffering illness. The Human Resources and Communications Manager confirmed that a process was in place, enabling members of the pension scheme to apply for the release of pensions on the grounds of ill health. Members were referred to the Council's Occupational Health Service, who decided fitness and Leicestershire County Council were advised to release pensions if applicable. The current process would continue.

There being no further comments or questions from Members, Councillor Orson moved the recommendations and Councillor Glancy seconded.

RESOLVED that

	(1) the local arrangements for implementing new national pay spine be effective from 1 April 2019; (2) employees receive any increment due on 1 April 2019, in advance of the new pay spine being applied; (3) comments provided by Members on the Pay Policy Statement be submitted to Council; (4) comments provided by Members on the proposed revisions to the pensions discretions be submitted to Council;
32	**Annual Staff Health and Wellbeing Report** The Director for Corporate Services submitted a report (copies of which had previously been circulated to Members) updating the Committee on the progress made by the Council's Health and Safety Officer Committee, in meeting the aims and objectives set out in the Council's Health and Safety Policy for employees, in the evaluation of achieving those aims and the plans for continual improvement in a health and safety culture. The Human Resources and Communications Manager (a) provided an overview of the report, highlighting that the Council's health and safety objectives and plans for continual improvement in its health and safety culture were detailed at Appendix A of the report; (b) advised that attendance and structure of the Health and Safety Officer Committee had been reviewed and regular meetings were in place. All services were well represented and were participating in the meetings. The Health and Safety Officer periodically attended the meetings of teams involved with higher risk health and safety (Customer Services and Environmental Services) and also attended Joint Staff Working Group meetings to provide progress updates. The results of the 2018 Staff Engagement Survey indicated a positive response on how staff feel about health and safety at work; (c) confirmed that an Action Plan was in place and internal and external audits had been undertaken to ensure the Council achieved its aims and objectives, that systems were robust, maintained and areas for improvement were identified and actioned. The findings of external audit were very positive and included recommendations, as detailed at Appendix B of the report, which had been implemented; A Member commented that Control of Substances Hazardous to Health (COSHH) training had been suggested for grounds maintenance staff during their term as Chair of Governance Committee (21 May 2015 – 16 May 2017). The Human Resources and Communications Manager confirmed that the Council's Health and Safety Officer had identified this training need and had been working with relevant

	staff to implement the training. There being no further comments or questions from Members, Councillor Orson moved the recommendation and Councillor de Burle seconded. **RESOLVED** that the progress made in the Council meeting its legal duties and commitments to a progressive health and safety management system for employees be noted.
33	**Fire Safety and Mobility Scooter Policy** The Director for Growth and Regeneration (a) submitted a report (copies of which had previously been circulated to Members) providing the Committee with an update on actions taken to manage the fire risk in Council owned residential properties with communal areas and proposing the approval of two policies : the Fire Safety Policy, covering all Council owned properties and the Mobility Scooter Policy, for Council owned residential blocks with communal areas; (b) advised that high risk properties had been identified (sheltered housing schemes and residential housing blocks with communal areas). A thorough review of fire safety arrangements was in progress, including formal surveys and Fire Risk Assessments, which started in May 2018 and would be completed by June 2019. Leicestershire Fire and Rescue Service (LFRS) had undertaken spot check examinations and had issued the Council with informal enforcement notices for three properties. Action Plans had been agreed with LFRS and identified works were being actioned immediately. The Council's Senior Leadership Team had oversight of the progress, lead Members and TFEC were regularly briefed and tenants were kept informed. It was anticipated that this work would complete in early April 2019; (c) highlighted that the communal meeting room at Mapperley House had been closed until further notice, due to identified risks. A full refurbishment of the room would be undertaken and it was anticipated that this work would complete in early April 2019; (d) provided an overview of the report, highlighting the following key issues i. Fire Safety Management Policy: It was considered best practice for the Council to have this Policy, as detailed at Appendix A of the report and a refresh had been required, to reflect recent changes to fire safety guidance. The Policy provided clear guidance for managing fire safety within Council properties and detailed the Council's commitment to ensuring the health, safety and welfare of all users. The two new posts, which had been approved last year were in place and it was proposed that an additional Compliance Officer position be created. The Policy would be reviewed on an annual basis. ii. Mobility Scooter Policy: The recent fire risk assessments had highlighted the risk of storing mobility scooters within communal areas of residential

schemes. This Policy, as detailed at Appendix B of the report, mainly applied to the storage of scooters in supported schemes and general needs properties. It provided guidance on scooter use and storage, aiming to achieve a balance between the accessibility needs of tenants, the duty to manage fire risk and the practicality of providing appropriate storage facilities. The Council had identified a small number of scooters stored in communal areas and would liaise with owners to agree alternative arrangements to ensure fire safety standards were met. It was anticipated that this would complete by the end of February 2019.

iii. Fire Safety Management Working Group: The Tenants Forum Executive Committee (TFEC) would create an informal Fire Safety Working Group, consisting of three TFEC members and one Member of each of the three Policy Committees. The purpose of the Group was to jointly prepare a tenants engagement plan, ensuring awareness of fire risk etc and to support the Council in its implementation of the above-mentioned Policies and actions arising from Fire Risk Assessments;

The Chair highlighted that this was a positive report on an important issue and expressed thanks to officers who had supported tenants and had worked closely with TFEC to ensure that tenants' needs were identified and prioritised.

A Member emphasised the importance of the Council ensuring safety standards (eg electrical wiring) at its properties were met and the Chief Executive agreed the need to focus on fire safety, stating that there had been significant underinvestment in the Council's housing stock, resulting in some long-standing issues. This was unacceptable and needed to be addressed as a priority. Re-wiring work at Council owned residential properties would be completed in two years, rather than four years. This would be discussed further with Members at the Fire Safety Briefing on 13 February 2019.

Members referred to paragraph 6.5 of the report, emphasising the potential fire hazard (and pests) caused by improper storage of external waste.

A Member commented that the Council may find it difficult to comply with/enforce paragraph 4.5 of the report, as many mobility scooter users did not have insurance cover, to obtain the Council's permission to keep scooters.

The Director for Growth and Regeneration advised that the Council was eager to work with tenants to discuss and agree other options, which would be more suitable. Consultation would be used to 'tease out' alternative approaches.

The Chief Executive advised that it was important for the Council to increase its awareness of such issues. The aim was to implement a two-pronged approach, working with tenants to find suitable options and having the tools and ability to take enforcement action when necessary as well.

A Member queried what process the Council had adopted in relation to checking fire/smoke alarms and advised that they were aware of these being disconnected

	by a tenant. The Director for Growth and Regeneration confirmed that fire/smoke alarms would be checked monthly, as part of the fire safety assessment undertaken by the Compliance Officer. If alarms had been disconnected, enforcement action would be taken. Another Member referred to paragraph 6.4 of the Fire Safety Management Policy. They commented that the wording 'extinguishers are provided for use by trained competent persons' and 'all employees are required to familiarise themselves with the extinguishers provided' could cause confusion for staff. They also highlighted other areas of the Policy, could be re-worded to ensure a better understanding of Policy requirements was achieved. In addition, it was important to highlight that in the event of a fire, staff should evacuate the building, rather than tackle it. The Chair confirmed that he and the Director for Growth and Regeneration would consider some re-wording of the Policy. A Member asked if TFEC required training and the Chair confirmed that this may help with their work and would be discussed with them. There being no further comments or questions from Members, Councillor Orson moved the recommendation and Councillor Glancy seconded. **RESOLVED** that (1) the risks and actions being put in place, relating to fire safety in Council owned residential properties with communal areas be noted; (2) the Fire Safety Policy covering all Council owned properties be approved; (3) delegated authority be given to the Director for Growth and Regeneration, in consultation with the Leader to make amendments to the Fire Safety Policy following recommendations from the Leicestershire Fire and Rescue Services; (4) the Mobility Scooter Policy be approved in principle and subject to those potentially affected, delegated authority be given to the Director for Growth and Regeneration, in consultation with the Leader to approve the final version; (5) an increase to the permanent establishment for the creation of a full time compliance Officer to oversee the delivery of the Council's responsibilities, including in relation to fire safety, gas safety and electrical safety be approved. The funding to be met from within the HRA budget.
34	**Revenue and Capital Budget Proposals 2019-2020** The Director for Corporate Services (a) submitted a report (copies of which had been circulated to Members)

outlining the key budget issues that would be going forward to the Council's budget setting meeting on 13 February 2019 and providing the opportunity for Members to comment on these in advance of the meeting;

(b) highlighted that the report brought together a number of issues which had been discussed at the Member Development Day. Concerning the general expenses revenue budget, the proposal from the Development Day was for an overall council tax increase of 2.99%, to keep within the referendum limit, which for district councils was the higher of £5 or 3%;

(c) advised that the finance settlement had now been finalised and there were no changes over the provisional. Savings of £66,100 were proposed, as detailed at Appendix A of the report. Appendix B detailed the growth for general expenses of a net ongoing of £51,800 and non recurring, to be funded from reserves of £18k;

(d) confirmed that following the Development Day and the drafting of this report, the figures had been refined and result in a deficit of £50k for 2019/20, which would need to be met from reserves. No proposals were put forward with regard to special expenses;

(e) highlighted that with regard to capital, proposals for General Expenses and the source of funding were set out at Appendix C of the report. No proposals were put forward in respect of special expenses. This was a modest programme. The main funding sources were external or use of earmarked reserves and it was proposed that only £29k come from capital receipts;

(f) advised that there were two capital pipeline schemes, which would need to be submitted for Member consideration of funding when further work had been undertaken. These related to the replacement finance system and the customer centric systems. Once the work had been undertaken, it would become clear if these were revenue or capital projects;

(g) highlighted that the HRA programme, as presented to Place Committee and in line with the Housing Asset Management Plan (HAMP) was detailed at Appendix D of the report. The virement and budget reductions, which had been approved under delegation and were required to be reported to this Committee for noting were detailed at Appendices E and F of the report.

(h) confirmed that Member comments would be incorporated into the report to be submitted to Council.

A member queried the spending on repair work to the bridge on Asfordby Road and the Director for Corporate Services advised that this was not proposed for 2020 but would form part of future spending in the rolling programme of works for the Capital Programme. A surveyor would asses the bridge prior to commencement of works and it would be routinely checked for health and safety purposes.

Members expressed concern about the proposed reduction of officer support for the Council's Mayoral role, as detailed at Appendix A of the report. They highlighted the significance of Mayoral and Council involvement and participation in events such as Holocaust Memorial Day, St Mary's Christmas Tree Festival and visits to schools within the borough.

A Member advised that the Conservative Group had agreed responsibility for the provision of a Christmas tree for next years Christmas Tree Festival. If elected, the Member would make arrangements with other Members to facilitate this.

The Director for Legal and Democratic Services reassured Members that the Council's aim was not to end Mayoral involvement in any of these important events and visits. The aim was to generate the savings identified within the Democratic Services Directorate. Any future Mayor could continue their duties as they wished but without dedicated officer support.

The Chief Executive added that the Council was grappling with high risk funding issues. It recognised the value of the Mayoral role and did not want to detract from this but had to identify and implement savings where possible. He reiterated that it was proposed to remove dedicated support, reducing officer workload but support from the Democratic Services team would be available.

A Member highlighted the Melton Country Park Masterplan Scheme, as detailed at Appendix C of the report, asking for details of the £27k Section 106 funding. The Chair asked officers to look into this query and provide the Member with a response directly.

There being no further comments or questions from Members, Councillor Higgins moved the recommendations and Councillor Glancy seconded.

RESOLVED that

(1) the comments provided by Members on the revenue and capital budget proposals be submitted to the Council meeting on 13 February 2019;

(2) the virements approved under delegated powers be noted;

(3) the budget reductions approved under delegated powers be noted.

35 **Capital Strategy 2019-2020**

The Director for Corporate Services

(a) submitted a report (copies of which had previously been circulated to Members) advising that the updated Prudential Code for Capital Finance in Local Authorities was published in late December 2017 and now included a requirement to produce a Capital Strategy, which linked into the Treasury Management Strategy. This report provided the Capital Strategy for

2019/20, for consideration by Members prior to its submission to Full Council;

(b) highlighted that it was not new for the Council to have a Capital Strategy but the requirement for it to link with various other finance documents ie the budget and treasury management strategy meant that Councils had to sharpen focus in regard to that document;

(c) advised that if approved by Council, the refreshed Strategy would form part of the suite of other financial documents, which constitute the budget proposals. The strategy was an overarching document, which set the policy framework for development management and monitoring of capital investment. It needed to link to all other associated documents, which form the budget and would be kept under review;

(d) advised that there were some key pieces of work, which needed to be undertaken and fed into the development and refresh of the Strategy (eg the asset management plan). As this was developed and we current assets understood, it would inform the investment needed to flow into the Capital Strategy and then inform the Capital Programme and budget accordingly;

(e) highlighted that the Council's commercialism agenda and the need to potentially invest in order to save or generate income and this would inform and develop the Strategy;

(f) drew Members attention to the list of key actions, as detailed at section 5 of the Strategy, which needed to be undertaken as the Council progressed with the document.

The Chair asked if the requirement to produce a Capital Strategy, which linked into the Treasury Management Strategy was effectively a process under new legislation.

The Director for Corporate Services confirmed that it was new legislation, in terms of informing part of the budget and the need for it to be considered alongside. There had been a requirement to have a Capital Strategy for some years. It was meant to sharpen the focus of councils as to what it contained and ensure that informed the budget and Capital Investment Plan.

The Chair highlighted the extension of the role of the Section 151 Officer, at paragraph 3.1.3 of the report, asking what the extension involved. The Director for Corporate Services advised that previously this Committee (as having responsibility for assets) would have approved a Strategy. Now expectation was on the Section 151 Officer to ensure that the Capital Strategy would be considered alongside the budget and comment if there were any shortfalls or if it was not appropriately linked.

There being no further comments or questions from Members, Councillor de Burle

	moved the recommendation and Councillor Higgins seconded. **RESOLVED** that the Capital Strategy for 2019/20 be referred to Council for approval.
36	**Prudential Indicators - Treasury Management Strategy 2019 to 2020** The Director for Corporate Services (a) submitted a report (copies of which had previously been circulated to Members) outlining the Council's prudential indicators for 2019/20 to 2021/22 and setting out the expected treasury operations for this period for scrutiny and approval prior to the Council meeting on 13 February 2019; (b) emphasised that the Treasury Management Strategy would be submitted to Council with the budget on 13 February 2019. This Committee was responsible for undertaking the required scrutiny of the Strategy in advance; (c) advised that the document linked to the Capital Strategy and capital proposals set out elsewhere on the agenda. The indicators contained within the report were split between the General Fund and HRA. (d) highlighted that Members had previously indicated the desire to increase the Council's investment in property funds that had performed very well for the Council historically. This type of investment was a longer term investment. The Council had the flexibility to increase its holdings as cash-flow forecasts and forecast reserves and balances indicated that there was scope to do this. However, it was proposed that officers consider this further when there is more certainty on Brexit and the impact it may have on investment returns. In addition, there was a need to be mindful of the implications of the new accounting standards rules (as reported to the previous meeting of this Committee on 28 November 2018), relating to these type of investments. In future, any gains and losses on these funds would need to be recognised in the revenue account and as such, the risk associated with such fluctuations would need to be assessed to see what mitigation was appropriate to manage this potential financial impact. A Member highlighted the table detailing Capital Expenditure at paragraph 3.2.4 of the report, commenting that there was a substantial additional amount of expenditure in the Housing Revenue Account (HRA) for 2019/20 and asking for clarification on what this was in respect of. The Director for Corporate Services referred Members to the Capital Programme HRA, as detailed at Appendix D of the Revenue and Capital Budget Proposals report (agenda item 4). This set out proposed investments in the HRA and should balance back to the amount of expenditure in the HRA for 2019/20. It concerned the need and intention to invest in ensuring 'decent homes' and followed the housing and asset management plan.

The Member noted that ensuring decent homes represented an incredible expenditure for the Council.

The Chief Executive advised that there were two pieces of work, which needed to proceed as a matter of urgency. A full stock condition survey of all housing assets to fully understand the need and following this, a full HRA business plan refresh to ensure confidence in terms of aspiration and maintaining and properly funding existing stock. Historically, the Council had underspent on these areas but steps had now been taken to ensure there was sufficient funding to allow the Council to make these initial investments. A full and fundamental review was required and this would begin over the course of this year.

The Member highlighted the table detailing Net Borrowing at paragraph 3.2.4 of the report, noting that gross borrowing was forecast to move up by 6% and investments move down by approximately 20% in 2019/20. They asked what was causing this change.

The Director for Corporate Services advised that the £2m increase in gross borrowing from 2018/19 to 2019/20 involved a large portion of estimated expenditure and was also linked to the Gretton Court project, which would need to go through a full business case and be approved by Members etc. The initial outline business case indicated the need to supplement with some borrowing from the HRA of £2m. Concerning the reducing investments, this would follow an assessment indicating use of reserves. This too may be linked to the Gretton Court project, as the regeneration reserve on the HRA was used to invest in projects such as Gretton Court and reduced the amount of reserves and therefore reduced investment.

The Member thanked the Director of Corporate Services and the Chief Executive for the information.

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

RESOLVED that

(1) the prudential indicators and limits be referred to Council for approval and adoption;

(2) the Treasury Management Strategy and treasury management prudential indicators be referred to Council for approval and adoption;

(3) the Minimum Revenue Provision (MRP) Statement, which sets out the Council's policy on MRP be referred to Council for approval;

(4) the linkages to the Capital Strategy, due to the integral nature of how the Council manages its treasury finances to support capital development be noted.

37	**Corporate Enforcement Policy** The Director for Legal and Democratic Services (a) submitted a report (copies of which had previously been circulated to Members) seeking the Committee's approval of the Corporate Enforcement Policy, which sets overarching principles for enforcement activities undertaken by the Council; (b) highlighted that a key priority of the Council's Corporate Delivery Plan was achieving a clean and attractive local environment. Capacity within teams had been increased to undertake initial environmental enforcements and proactively tackle environmental crime. (c) advised that the Corporate Enforcement Policy had been drafted by the newly established Corporate Enforcement Group, who were a group of representatives from services with enforcement duties. The Group meet every 6 weeks to consider high profile enforcement issues for the borough and how to deal with the issues, using all powers and skills. (d) provided an overview of the Corporate Enforcement Policy, highlighting that it set out the overarching principles for all enforcement activities undertaken by the Council. Services had specific procedures in place and this Policy was a positive step forward in ensuring the Council had a consistent, fair and open approach to enforcement. The Policy ensured that the Council was compliant with all legislation and that when enforcement action was taken, there was a good case, which was within public interest. It referred to help and support, which may be offered to people who were causing issues, as well as setting the level of enforcement action. The Council's ability to address enforcement issues was strengthened by this Policy and increased support from enforcement officers and the in house Legal team. A Member commented that they were pleased with the Policy, as corporate enforcement was an issue previously raised by Members. A Member raised charities, which were licensed to operate within the borough by the Council, asking if the Corporate Enforcement Policy covered collection activities, including putting flyers and collection bags through letterboxes. The Director for Legal and Democratic Services advised that the Policy did not provide for this specifically. She would expect the Licensing Team to have their own procedures in place for such enforcement. However, the overarching Principles of Enforcement, as detailed at paragraph 2.1 of the Policy may be used by the Licensing Team as guiding principles around human rights, openness and transparency. Another Member highlighted Useful Contacts, as detailed at Appendix 2 of the Policy, commenting that they were please to see this and asking that telephone details be included. The Director for Legal and Democratic Services advised that it

	was difficult to maintain an up to date list of telephone numbers, as they changed regularly. She noted that it was important to make this information accessible and confirmed that she would look into this. There being no further comments or questions from Members, Councillor Orson moved the recommendation and Councillor Glancy seconded. **RESOLVED** that the Corporate Enforcement Policy be approved and adopted.
38	**Urgent Business** There was no urgent business.

The meeting closed at: 8.10 pm

Chair