

HARBOROUGH DISTRICT COUNCIL
MINUTES OF THE ANNUAL MEETING OF COUNCIL (Part II)

held in the Council Chamber,

Council Offices, Adam and Eve Street, Market Harborough

19th May 2011

commencing at 6.30p.m.

Present:

Councillor Beaty (Chairman)

Councillors: Mrs. Ackerley, Bannister, Beaty, Beesley-Reynolds, Birch, Dr. Bremner, Brodrick, Mrs. Burrell, Charlish, Dann, Evans, Everett, Galton, Golding, Graves, Hall, Hallam, Dr. S. Hill, Holyoak, Johnson, King, Knowles, Liquorish, McHugo, Mrs. Page, Pain, Mrs. Robinson, Rook, Smith, Spendlove-Mason, Tomlin, Mrs. Tooley and Mrs. Wood.

Apologies for absence were received from Councillors Callis, Dewes, Dunton, Mrs. Simpson and P. Maxwell, Chairman of the Standards Committee.

12 DECLARATIONS OF MEMBERS' INTERESTS

None were received.

13 MINUTES

i) Minutes of the Meeting of Council held on 4th April 2011

It was moved by Councillor Rook, seconded by Councillor Spendlove-Mason and

RESOLVED: that the Minutes of the Meeting of Council held on 4th April 2011 be taken as read and signed by the Chairman as a true record.

ii) Minutes of the Meeting of Council held on 27th April 2011

It was moved by Councillor Rook, seconded by Councillor Spendlove-Mason and

RESOLVED: that the Minutes of the Meeting of Council held on 27th April 2011 be taken as read and signed by the Chairman as a true record.

14 ALLOCATION OF SEATS TO POLITICAL GROUPS FOR THE COUNCIL YEAR 2011/12

Members received and noted Committee allocations made in-line with the overall political balance of Harborough District Council following the District Elections on 5th May 2011.

Members noted that the Council was now composed of 27 Conservative Councillors and 10 Liberal Democrat Councillors and that Councillor Birch, although elected as an Independent Member, had joined the Liberal Democrat Group.

The Political Balance document which was tabled at this meeting is attached at Appendix A to these Minutes.

15 APPOINTMENT OF MEMBERS TO THE SCRUTINY COMMISSION

It was moved by Councillor Rook, seconded by Councillor Spendlove-Mason and

RESOLVED: that the Scrutiny Commission be appointed and include the following Members:

Councillors Bannister, Birch, Beesley-Reynolds, Dr. Bremner, Brodrick, Mrs. Burrell, Dewes, Everett, Evans, Graves, Hall, Hallam, Holyoak, Johnson, King, Knowles, McHugo, Mrs. Page, Mrs. Robinson, Mrs. Simpson, Smith, Mrs. Tooley and Mrs. Wood.

16 APPOINTMENT OF CHAIRMAN OF THE SCRUTINY COMMISSION

It was moved by Councillor Rook, seconded by Councillor Spendlove-Mason and

RESOLVED: that Councillor Dr. Bremner be appointed Chairman of the Scrutiny Commission.

17 APPOINTMENT OF THE STANDARDS COMMITTEE AND OTHER COMMITTEES/PANELS

Members received a document setting out appointments to Council Committees for the year 2011/12. The Committee Allocations document which was tabled at this Meeting is attached at Appendix B to these Minutes.

Councillor Rook stated that the Waste Task Panel would no longer be in operation.

It was moved by Councillor Galton, seconded by Councillor Mrs. Ackerley and

RESOLVED: that the appointments to the Council Committees be adopted and implemented as set out at Appendix B to these Minutes.

18 REPORT OF THE LEADER OF THE EXECUTIVE

Councillor Rook, Leader of the Executive, presented his report as set out below:

So, we can now turn our attention, after the elections, to the formation of a new Administration Team, and to the tasks we face in balancing the books for 2012/13 in the light reduced funding and tax raising ability.

We welcome warmly and sincerely, Anna Graves as our Interim Chief Executive, who has been tasked with not only maintaining the services that Harborough Council supplies to the District, but also with assessing the various strategic possibilities for shared service and shared Executive Management that this Council might consider embarking upon in a few brief months time.

A major part of what and where we are going, will be led by the Localism Bill to be enacted in the late autumn. There are 209 clauses in the Bill currently, so massive potential for change, but in the meantime, in law, it is "business as usual" and we must be careful not to pre-empt future legislation, especially on planning and neighbourhoods.

The General Power of Competence conferred by the Act will impact upon the Council on a number of fronts. Stating as it does "The Council will have the same capacity to act that an individually generally has, unless that capacity is specifically prohibited" So it allows us to act in our own financial interest, engage in activities out side the well-being powers (LAML case), to trade and create profits. Clause s93 covers the Power to Charge, whilst motivation will be judged as a key determinant in what the Council can do.

Mutuals and cooperatives may be set up to provide Council services under certain strict controls, and the voluntary sector is given the right to challenge, bid to buy, right to provide, and to shape local services. And all this before we even start on planning under the LDF system, 106s agreement changes, Community Infrastructure Levy (CIL), and New Homes Bonus arrangements.

The key driver for this will be our Business Plan and how it affects the business case for decisions under all this new legislation. Without Elected Member buy-in, however, to the policies we develop, there *can* be no Community satisfaction.

At the same time our continued striving for savings and efficiencies through income generation, sharing and innovations must go ahead, with an Options Appraisal in 6 months leading to a robust decision on our future as a District Council.

Mike.Rook 18.05.11

Councillor Rook stated that the Executive would be composed of seven Members with the following Portfolio responsibilities:

Portfolio	Portfolio Holder	Reports to Scrutiny Panel for
Asset Management and Finance	Cllr. Spendlove-Mason	Resource Development
Corporate and Customer Services	Cllr. Dann	People
Community Engagement, Cohesion and Well-being	Cllr. Pain	People
Community Safety and Enforcement	Cllr. Golding	People
Waste and Recycling	Cllr. Charlish	Places
Housing Infrastructure and Planning	Cllr. Mrs. Ackerley	Places
<i>Change Management</i> , Local Business, Enterprise and Legal	Cllr. Rook	Places

19 THE EXECUTIVE – MINUTES OF MEETINGS

It was moved by Councillor Rook, seconded by Councillor Spendlove-Mason and

RESOLVED: that the Minutes of the Meeting of the Executive held on 14th March 2011 be received and adopted.

20 MINUTES OF THE SCRUTINY PANELS

i) Minutes of the Meeting of the Scrutiny Panel for Resource Development held on 7th April 2011

It was moved by Councillor Pain, seconded by Councillor Smith and

RESOLVED: that the Minutes of the Meeting of the Scrutiny Panel for Resource Development held on 7th April 2011 be received and adopted.

ii) Minutes of the Meeting of the Scrutiny Panel for Places held on 17th March 2011

It was moved by Councillor King, seconded by Councillor Mrs. Tooley and

RESOLVED: that the Minutes of the Meeting of the Scrutiny Panel for Places held on 17th March 2011 be received and adopted.

iii) Minutes of the Meeting of the Scrutiny Panel for People held on 31st March 2011

It was moved by Councillor Graves, seconded by Councillor Holyoak and

RESOLVED: that the Minutes of the Meeting of the Scrutiny Panel for People held on 31st March 2011 be received and adopted.

iv) Minutes of the Meeting of the Scrutiny Panel for Places held on 14th April 2011

It was moved by Councillor King, seconded by Councillor Mrs. Tooley and

RESOLVED: that the Minutes of the Meeting of the Scrutiny Panel for Places held on 14th April 2011 be received and adopted.

21 MINUTES OF THE PLANNING COMMITTEE

i) Minutes of the Meeting of the Planning Committee held on 15th March 2011

It was moved by Councillor Liquorish, seconded by Councillor Smith and

RESOLVED: that the Minutes of the Meeting of the Planning Committee held on 15th March 2011 be received and adopted.

ii) Minutes of the Meeting of the Planning Committee held on 19th April 2011

It was moved by Councillor Smith, seconded by Councillor Johnson and

RESOLVED: that the Minutes of the Meeting of the Planning Committee held on 19th April 2011 be received and adopted.

22 MINUTES OF THE STANDARDS COMMITTEE

It was moved by Councillor Everett, seconded by Councillor Liquorish and

RESOLVED: that the Minutes of the Meeting of the Standards Committee held on 22nd March 2011 be received and adopted.

23 APPOINTMENT OF REPRESENTATIVES ON OUTSIDE BODIES

It was moved by Councillor Galton, seconded by Councillor Rook and

RESOLVED that:

- i) those representing the Council on outside bodies over the past year be thanked for their work on behalf of the Council;
- ii) nominations to the vacancies on Outside Bodies be considered and appointments made; and
- iii) in the absence of nominations, the Interim Chief Executive be given delegated authority to fill the vacancies in consultation with the Group Whips.

24 CHAIRMAN'S ANNOUNCEMENTS

None were received.

25 WRITTEN QUESTIONS OR PETITIONS SUBMITTED BY THE PUBLIC

None were received.

26 NOTICES OF MOTION

None were received.

27 ESTABLISHMENT OF AN AUDIT COMMITTEE

Members were asked for their approval to not progress with the recruitment and appointment of the independent members for the Governance and Audit Committee as required under Council minute 696 and the Constitution (Part 3, B.6.2) until the external audit arrangements for local public bodies are finalised by the government following the abolition of the Audit Commission.

It was moved by Councillor Pain, seconded by Councillor Spendlove-Mason and

RESOLVED that:

- (i) the recruitment and appointment of the independent members of the Governance and Audit Committee not be undertaken and therefore the requirement under the constitution (Part 3 B.6.2) and in pursuance of minute 696 of Council meeting of 19 April 2010 to be set aside.
- (ii) the recruitment and appointment of independent members of the Governance and Audit Committee be reconsidered once the government has finalised and published the arrangements for audit of local public bodies following the abolition of the Audit Commission.
- (iii) Part 3 Section B.6.2, of the Council's Constitution be amended to read as follows:

B.6.2 Membership and Procedure

a. Appointment

The Governance and Audit Committee will consist of 7 elected members of the Council who are not also members of the Executive Committee appointed on accordance with the proportionality rules of the Local Government and Housing Act 1989.

b. Chairman

The Chairman of the Committee will be chosen from the 7 elected members of the committee.

c. Quorum

Except where authorised by stature or ordered by the Council business shall not be transacted as a meeting of the Committee unless at least 4 members of the Committee are present.

28 DELEGATION OF POWERS (DANGEROUS STRUCTURES)

Members considered a report asking them for approval to delegate the Council's powers under Sections 77 and 78 (Dangerous Structures) of the Building Act 1984 to Leicester City Council. This was required to enable Leicester City Council's Building Control section to provide the Council assistance with out-of-hours cover for Dangerous Structures.

It was moved by Councillor Rook, seconded by Councillor Holyoak and

RESOLVED: that the Council's powers under Sections 77 and 78 (Dangerous Structures) of the Building Act 1984 be delegated to Leicester City Council in order that they may provide assistance with responses in respect of Dangerous Structures.

The Meeting ended at 7.05p.m.