

HARBOROUGH DISTRICT COUNCIL
MINUTES OF THE CABINET MEETING

held at
Council Chamber
The Symington Building
Adam and Eve Street
Market Harborough
LE16 7AG

6th September 2021

commencing at 5.30pm

Present:

Cllr King (Chair)

Councillors: Bateman, Dann, Hallam and Whelband

Officers: D. Atkinson, L. Elliott, S. Green, S. Hamilton, C. Mason, N. Proudfoot, J. Smith
and V. Wenham

INFORMATION EXCHANGE FROM PORTFOLIO HOLDERS

Strategy

Councillor King reported that the Council is launching an HGV Driver training scheme- Commercial Driving Recovery scheme, with Job Centre Plus using recovery funding. This is particularly aimed at people who have been furloughed or who are on Universal Credit, or low income. Information will be sent out to Members and the media imminently.

He also reported that the 7th September 2021 marks the 800th Anniversary of the Tuesday market in Market Harborough. In 1221, Henry III granted a Market Charter to the residents of Market Harborough. Later in the week, a People's Gallery will be launched of current and historical imaging of the market. A market trail walk will take place on 10th and 11th September.

TOPICAL ISSUES

There were none.

APOLOGIES FOR ABSENCE

There were none.

MINUTES

RESOLVED that the minutes of the meeting of the Cabinet held on 5th July 2021 be approved as a correct record.

DECLARATION OF MEMBERS' INTERESTS

Councillor Whelband stated that he is a member of the Harborough Leisure Centre, however the Monitoring Officer advised that this is not an interest that needs to be declared and that Councillor Whelband can take part in the discussion.

QUARTERLY FINANCIAL PERFORMANCE: 2021-22 QUARTER ONE

The Cabinet considered the report on the Financial Performance 2021-22 Quarter 1. Based on the financial position as at 30th June 2021, the forecast outturn as at the 31st March 2022, based on known income and expenditure commitments and working assumptions, the forecast: revenue service outturn is forecasting an overspend of £182k; a variance of 1.4% to the approved budget; capital outturn is forecasting an underspend of £176k; a variance of 3% to the approved budget.

The Cabinet noted that since the start of the pandemic, the Council has been acting as an agent for the Government and awarding a varied range of grants to both its business and residential community, totalling £5,154,549 since 1st April 2021.

The Cabinet acknowledged the considerable savings that had been found by Officers through reviewing its budget via the Budget Challenge 2025 programme.

RESOLVED that the financial performance report and comments on the Forecast Outturn (31st March 2022) as detailed within the report and associated appendices be noted.

Summary of Reasons

Good financial governance requires the Cabinet to consider and comment on the forecast financial outturn for 2021/22. Such commentary demonstrates to customers, partners, and stakeholders that the Council is actively considering the financial environment within which the Council is operating.

PERFORMANCE: END OF QUARTER ONE 2021/22

The Cabinet was presented with details of the performance of the Council against the Corporate Delivery Plan at the end of Quarter 1 of the 2021/22 year.

With regards to the status of the 34 Key Activities at the end of Quarter 1, 2 (5.9%) were completed, 29 (61.8%) had a status of Green, 2 (5.9%) had Amber status, and 1 (2.9%) were classed as Red Status.

KA.06.05 (Housing of the homeless applicants who the Council has a duty to) was added to the Corporate Delivery Plan during Quarter 1 of the 2021/22 year.

KA.08.03 (Develop a commercial Property Investment Strategy) was removed from the Corporate Delivery Plan during Quarter 1 of the 2021/22 year. The reason for this is that as a consequence of new borrowing regulations from the Public Works Loans Board, and expected changes from the soon to be updated "CIPFA Prudential Code", Local Authorities are now prohibited from borrowing for yield (commercial income). Therefore, this objective is no longer achievable.

The following key performance indicators on the Strategic Performance dashboard were Red Status at the end of Quarter 4 of the 2020/21 year : Number of affordable home completions during the year; and Number of interventions carried out to encourage owners of empty properties to bring them back into use.

RESOLVED that performance of the Council at the end of Quarter 1 of the 2021/22 year be considered.

Summary of Reasons

Performance is monitored and reported to Members on a quarterly basis as part of the Council's Performance Management Framework.

RISK AND OPPORTUNITY MANAGEMENT, 2021/22 END OF QUARTER ONE

The Cabinet considered the report on Corporate Risk and Opportunity Management for Quarter 1, 2021/22 and noted their approval of the new visual presentation system.

The Corporate Risk and Opportunity Register sets out the Council's Corporate Risks and Opportunities. Corporate Risks and Opportunities are defined as issues that may have a significant impact on the delivery of the Council's vision and priorities. They are identified, monitored and managed via the Council's Risk and Opportunity Strategy Board which meets on a quarterly basis. The Board last met on the 30th June 2021.

At the end of Quarter 1 of the 2021/22 year there were 23 Risks and 7 Opportunities on the Corporate Risk and Opportunity Register. Of the 30 Risks and Opportunities on the Corporate Risk and Opportunity Register, 6 were assessed as Red status, these being : CR 25 The Council does not have sufficient funding to deliver its current services in the medium term; CR 33 Costs of planning appeals, and legal challenges, exceed budget; CR 37 Increase in homeless presentations results in an increased demand in Council support for relief; CV 02 Unforeseen, unfunded financial burdens as a result of responding to the ongoing situation weaken the Council's financial stability; CV 03 Loss of income, as economic activity reduces, weakens the Council's cashflow and financial sustainability and CV 04 The focus on high-priority, short-term needs prevents the medium-term financial planning and decision-making needed to balance the Council's finances in the medium term.

RESOLVED that the items contained within the Council's Corporate Risk and Opportunity Register as attached at Appendix A to the report be noted.

Summary of Reasons

Monitoring of the Council's Corporate Risks and Opportunities is prescribed by the Council's Risk and Opportunity Management Framework.

LUTTERWORTH TOWN CENTRE MASTERPLAN

The Cabinet considered the report on the Lutterworth Town Centre Masterplan. The Masterplan process has been undertaken through gathering policy, access, place and market intelligence whilst gaining a range of stakeholder views to inform the preparation of the document. The production of the plan will form the evidence base to inform the implementation of the relevant policies of the Harborough Local Plan 2011 – 2031 (adopted in April 2019).

The Masterplan aims to provide a 5 to 10 year public realm framework strategy, which has been developed for the town centre through consultative process. This aims to enable greater access to the town centre and redress the balance between people and cars. The Masterplan aims to provide an overall framework to make the town centre more attractive, by strengthening its market town character.

The Masterplan is designed to ensure that Lutterworth Town Centre is an active destination. The Plan considers the means of getting to the town centre, living in the town centre and ensuring accessibility for all ages and abilities.

RECOMMENDED TO COUNCIL

- (i) That the Lutterworth Town Centre Masterplan be adopted as Council policy, with Option 1 for the Market Place being the preferred option.**

Summary of Reasons

To enable the Masterplan to progress through to Council for formal approval and eventual implementation and delivery.

PROPOSED PUBLIC SPACE PROTECTION ORDER (PSPO) TO RESTRICT THE USE OF PSYCHOACTIVE SUBSTANCES IN THE DISTRICT.

The Cabinet considered the proposed Public Space Protection Order (PSPO) to restrict the use of Psychoactive Substances In the District.

The Psychoactive Substances Act 2016 introduced legislation to deal with substances often referred to as 'legal highs.' This legislation though only made it a criminal offence to supply or be in possession with intent to supply psychoactive substances such as nitrous oxide and made no provision to deal with possession and recreational use.

The Anti-Social Behaviour Crime and Policing Act 2014 introduced a range of tools and powers. One of those powers relates to PSPOs. A PSPO is an order that identifies a public place and prohibits specified things being done in the restricted area and/or requires specified things to be done by persons carrying out specified activities in that area.

One psychoactive substance which causes our greatest concern is Nitrous Oxide, also known as "Laughing Gas. It is a substance with several legitimate uses in medicine and catering. It is the second most popular recreational drug amongst young people with 7.6% of 16–24-year-olds in the British Crime Survey 2013/14.

Nitrous oxide is however also being used recreationally in several settings such as pubs, clubs, parks, and other public spaces. It is commonly sold in small silver cannisters that many people are now familiar with and used by transferring the gas to a balloon for inhalation using a dispenser or a "cracker". These are freely available online and can be purchased in bulk for use as a whipped cream propellant.

Using nitrous oxide in this way can be dangerous, and can lead to loss of blood pressure, fainting and even heart attacks. Prolonged exposure to nitrous oxide may result in bone marrow suppression and poisoning of the central nervous system. When mixed with other drugs and alcohol the risk factor of these outcomes increases.

Residents in the Harborough district are concerned with the use of nitrous oxide specifically. Reports have been received both by the council and police about discarded silver cannisters in public spaces.

A search of the councils flytipping reporting system identified 26 reports relating to drug paraphernalia over a 6-month period.

A public consultation was conducted between 7th May and 18th June 2021. This was promoted on the council's social media channels, neighbourhood link and council website.

123 responses were received from the consultation. 81% of respondents believe there is a problem with psychoactive substances in the district with 82% being in favour of the introduction of a PSPO to tackle psychoactive substances. Only 17% of those responding to the consultation had never seen evidence of psychoactive substance misuse in the district.

Harborough District Council has been working with the local policing unit which also covers the administrative area of Oadby and Wigston. Meetings between the police and the neighbouring council have taken place to provide a one single approach to this issue across the Local Police area (LPA). Both authorities worked collaboratively on the public consultation.

The PSPO will create a unified approach for our police colleagues across the LPA. It will be an order that will require individuals to handover psychoactive substances when requested to do so, by an authorised Officer, Police or PCSO.

In response to a question the Cabinet noted that the responsibility for enforcement lies with the police in the first instance, however there will be occasions when Council Officers take action.

A question was asked as to whether the cannisters are recyclable and the Director of Communities and Wellbeing agreed to investigate and provide the information to the Cabinet.

RECOMMENDED TO COUNCIL

- (i) That the Public Space Protection Order (PSPO) as outlined in appendix 5 to the report be adopted.**

RESOLVED that the Chief Executive be given delegated authority to authorise Officers to take action and serve notices as set out in the Anti-social Behaviour, Crime and Policing Act 2014.

Summary of Reasons

A PSPO has to be approved by the Council in order to become lawful.

TEMPORARY ACCOMMODATION PROJECT: ROMAN WAY

The Cabinet considered the report, which provided an update on the purchase and redevelopment of 4 Roman Way into temporary accommodation units for homeless singles and couples. This project will provide a high quality, local solution to meeting the Council's duties whilst also making a revenue saving by offering an alternative to bed and breakfast.

The property 4 Roman Way, Market Harborough was recently acquired by the Council and is currently a dilapidated residential house with planning permission to convert to offices. It is ideally located next to the Council Offices to enable close management and support and is large enough to fit a viable housing scheme, subject to planning.

The proposal is to create a Temporary Accommodation property consisting of 8 en-suite rooms, a shared kitchen laundry room and ancillary office and storage space. There will be flexibility built into the scheme to also cater for couples or those with mobility needs.

The project has been developed because of a significant increase in homeless applications in the last 3 years, a situation mirrored nationwide. This has been due to social and economic pressures along with changes brought about by the Homelessness Reduction Act 2017. Covid-19 has exacerbated this further.

A query was raised over the purchase and indicative redevelopment costs detailed in the report and it was confirmed that the figure is merely indicative. It was also confirmed that the payback time would be approximately 10 years.

RESOLVED that:

- (i) progress in the purchase and redevelopment of 4 Roman Way and use of Scape Framework to take the project to planning stage (RIBA 4) be noted.
- (ii) authority be delegated to the Corporate Property Officer to procure and award the construction contract in consultation with the Cabinet Member for Finance.

Summary of Reasons

To agree a development plan and necessary delegations for the redevelopment of 4 Roman Way.

AFGHAN LOCAL EMPLOYED STAFF (LES) RELOCATION SCHEME

The Cabinet considered the report on the Afghan Local Employed Staff (LES) Relocation Scheme and noted that the Government has requested that HDC consider supporting the relocation of Afghan locally employed staff as part of its ongoing commitment.

Following the decision to begin the withdrawal of military forces from Afghanistan, the Prime Minister agreed to rapidly accelerate applications through the policy. The strategy is for approximately 5000 individuals to relocate over the summer months with the aim of all families relocating by 31st August.

The local authority is responsible for providing a twelve month integration package which includes: reception arrangements upon arrival at the airport including handover from flight escorts and welcome briefing; accommodation; a package of advice and assistance covering employment, welfare benefits, housing, health, education and utility supply; registration with GPs and local Job Centre Plus including receipt of a National Insurance Number; assistance in securing school places for school aged children; and cash support.

The Cabinet noted that HDC hoped to welcome families in October.

RESOLVED that:

- (i) the relocation of a minimum of 2 families from the Afghan Locally Employed Staff scheme be supported.
- (ii) delegated authority be given to the Chief Executive to decide all future pledges in support of Government resettlement schemes following consultation with the relevant Cabinet Member.

Summary of Reasons

The Government has requested that Harborough District Council consider supporting the scheme.

REVIEW OF LEISURE PROVISION

The Cabinet considered the report on the Review of Leisure Provision. The Council has been actively investigating how to enhance its leisure provision in the district since autumn 2017. To-date the preferred option throughout this process has been to redevelop or replace the current leisure centre at Market Harborough and to refurbish the Lutterworth leisure centre.

The Covid 19 pandemic has had serious impacts on the progression of this project resulting in the Leisure Project Board pausing the project from September 2020 – August 21. The leisure market and the Council's position is different from the time the original decision was made, there are considerable uncertainties over the medium term for the state of the economy, public finances in general, the market for leisure, the costs of construction, and the state of the Council's finances. It is therefore necessary for good decision-making and governance that the Council revisits the decisions made so far regarding this project to determine the best way forward given the changed environment that now exists, and which was obviously not foreseen when this project commenced.

Due to covid and subsequent decisions, the project is a year behind schedule at this stage and the demand and need for improved leisure is significant. Sport England have indicated they would still be willing to invest in either a redevelopment or new build facility in Harborough subject to the meeting of certain conditions. In addition, the Council is in the process of reviewing our Health and Wellbeing Strategy which will involve a wide consultation, as such there is an opportunity at this point in time to ask some key questions of our communities and members to shape how the scheme develops. The Council also has partnership interest in co-location at the existing or new build site, which meets with the aims of creating a health and wellbeing hub within the new or redeveloped centre.

The Cabinet reiterated that the cost to the Council needs to be as low as possible.

RESOLVED that:

- (i) Option B be agreed as the preferred way forward.
- (ii) Agree to work to timescale option 2.
- (iii) Community engagement be undertaken on the preferred option to help shape the procurement.
- (iv) £50,000 from the existing capital budget be approved to take the project forward.
- (v) A further £3.55m investment be approved in Market Harborough and £350k in Lutterworth for the procurement process by HDC and update the capital programme as part of the forthcoming budget planning process.
- (vi) The existing Leisure Project Board be utilised to monitor the procurement as outlined within the report and agree the final specification for procurement.
- (vii) The existing Leisure Project board be utilised to support the procurement process and make a recommendation to Cabinet and Council as to the successful provider for consideration.

Summary of Reasons

To obtain Cabinet approval to progress with the redevelopment option, and to encompass the project within the next procurement of the leisure contract.

LOCAL DEVELOPMENT SCHEME (LDS) FOR THE NEW LOCAL PLAN

The Cabinet considered the Local Development Scheme (LDS) for the New Local Plan. The Council has a duty to prepare, publish and maintain a Local Development Scheme (LDS) for the District.

In July 2021, the Council's Cabinet took the decision to begin the preparation of a new Local Plan. The Local Development Scheme (LDS) sets out the timetable for the preparation of the new Local Plan, giving key production and public consultation stages as well as outlining the subject matter and geographical extent. It also enables the local community to find out about planning policies for their area by setting out the documents which currently form the development plan for Harborough District. The LDS is also an opportunity to provide information on any Supplementary Planning Documents to be prepared.

The new LDS, as detailed in Appendix A to the report will replace the December 2017 version which set out the timetable for the adopted Harborough Local Plan 2011-2031 (adopted in April 2019).

The Harborough Local Plan 2011-2031 is a fundamental part of the 'plan-led' system. It was adopted in April 2019 and recently underwent an internal officer review. This review demonstrates that the Local Plan remains up to date and continues to deliver sustainable development across the District. However, the review identified that a recent significant increase in Leicester's housing need, combined with the requirement to meet resultant unmet need within Leicester and Leicestershire through the Duty to Cooperate, is likely to result in the need to update the Harborough Local Plan.

The Cabinet noted the timetable relating to the Key Stages as detailed in Section 4.3 of Appendix A to the report.

RESOLVED that:

- (i) the Local Development Scheme (LDS) for the next Local Plan be approved, set out at Appendix A to the report;
- (ii) the Local Development Scheme be published on the Council's website;
- (iii) the Local Development Scheme be kept under review and further reports be received if the LDS requires updating and/or review; and
- (iv) a Local Plan Advisory Panel be established to operate under the Terms of Reference set out at Appendix B to the report.

Summary of Reasons

To ensure the Local Development Scheme remains up to date and to enable the Cabinet to consider the timetable for the preparation of the next Local Plan.

LEICESTER CITY COUNCIL DRAFT LOCAL TRANSPORT PLAN 4 AND PROPOSED WORK PLACE PARKING LEVY CONSULTATION

The Cabinet considered the Leicester City Council Draft Local Transport Plan 4 and proposed Work Place Parking Levy consultation report. Leicester City Council are preparing a new Local Transport Plan 4. A Local Transport Plan (LTP) is a statutory requirement of a transport authority, and it will support the wider Leicester City Local Plan that is currently being drafted. The previous LTP dates from 2011. Ten years on from then, the context has changed with a focus on the climate emergency, and a commitment to improve air quality and improve the health of the community following the impact of the Covid-19 pandemic.

The suggested consultation response as detailed in Appendix A to the report is supportive of the Local Transport Plan, and it's aims to tackle the climate emergency, improve air quality and health. However, it seeks to ensure the benefits are not restricted to within the City boundary and where improvements

can be made to extend transport links to areas adjoining the City boundary, this is encouraged, and could support the viability of such projects.

RESOLVED that the submission of the consultation response (Appendix A to the report) to the Leicester City Council Local Transport Plan 4 and proposed City Work Place Parking Levy Consultation be approved.

Summary of Reasons

To provide a consultation response to the Leicester City Council Local Transport Plan 4 and proposed City Work Place Parking Levy consultation.

TO CONSIDER MATTERS OF SPECIAL URGENCY

There were none.

The meeting ended at 6.57 p.m.