

HARBOROUGH DISTRICT COUNCIL
MINUTES OF THE CABINET MEETING

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

7th March 2022

commencing at 5.30pm

Present:

Cllr King (Chair)

Councillors: Bateman, Dann, Hallam and Whelband

Officers: L. Elliott, J. Evans, S. Green, S. Hamilton, C. Mason and T. Nelson

Remote: B. Morris

INFORMATION EXCHANGE FROM PORTFOLIO HOLDERS

Planning, Environment & Waste

Councillor Bateman reported that he had sent a letter today to Tritax Symmetry, the applicants for the proposed Hinckley Rail Freight Interchange, to express concerns with their consultation process regarding highways issues, and the significant impacts that is felt that facility would have on the Harborough District.

On the 25th February Councillor Champion, Officers and himself visited the new prison at HMP Five Wells in Wellingborough, hosted by the Ministry of Justice to view the facilities in relation to the new Gartree Prison application. Councillor Bateman was particularly impressed by the environmental aspects of this new prison, including the reduction in energy usage through the use of solar power.

Councillor Bateman reminded Members that a presentation in relation to the Gartree Prison is taking place on Friday 11th March by the Ministry of Justice in the Council Chamber from 1.00pm to 2.30pm, followed by a public presentation from 3.00pm onwards.

Finance & Assets

Councillor Hallam reported that the budget was approved in its entirety on the reserve date of the 24th February and wanted to thank the Director of Finance, ICT and Assets and his team involved in producing such a well prepared budget report in a very timely way, and in such an easy readable format.

Wellbeing, Communities & Housing

Councillor Whelband reported that he had attended the official opening of an affordable housing development by the Platform Housing group in Sturgis Road, Market Harborough.

Strategy

Councillor King reported that since the last Cabinet meeting on the 7th February 2022 he had attended the following events and meetings :-

- 8th February: ground cutting ceremony at Tymecross Gardens, Market Harborough, which is small affordable housing development with Nottinghamshire Community Housing Association.
- 8th February: The Countryside Charity CPRE for Leicestershire regarding their concerns in relation to the Leicestershire Strategic Growth Plan.
- 9th February: Market Harborough Fire Station visit and met with the Fire Service Area Commander and shift crew.
- 14th February: Sage Housing Association regarding their ambition to become an affordable housing provider within the Harborough District.
- 21st February: Attended the District Council's Network Assembly.
- 21st February: Together with Councillor Whelband, attended a meeting with Platform Housing.
- 24th February: Together with Councillor Bateman, attended a meeting with representatives from Aldi to discuss their potential planning application for Rockingham Road, Market Harborough.
- 1st March: A meeting with Andrew Jinks, Midlands Director for National Highways to discuss issues in relation to the A5.
- 7th March: Attended East Midlands Council Pay Briefing.
- A number of meetings with colleagues have taken place in relation to the Government's Levelling Up agenda and White Paper

TOPICAL ISSUES

Councillor King reported that at the Council meeting on the 24th February, the Council had agreed to send a letter of solidarity from the Leader to the Ukraine Ambassador in London, which has now been sent, and all Members have received a copy.

In addition, the lighting on the Symington Building and on The Square has been altered at night to the colours of the Ukrainian national flag. The Interim Chief Executive and Officers have also been checking HDC contracts and services to ensure that these are compliant with government sanctions relating to the conflict in Ukraine by Russia. To-date nothing has been found which is a matter of concern. Later in the week, there will be a webpage on the Council's website with more information regarding how citizens can support the humanitarian requirements arising from the conflict.

The Council is currently awaiting further guidance from the government in relation to the anticipated influx of refugees from Ukraine.

APOLOGIES FOR ABSENCE

There were none.

MINUTES

RESOLVED that the minutes of the meeting of the Cabinet held on the 7th February 2022 be approved as a correct record.

DECLARATION OF MEMBERS' INTERESTS

There were none.

PERFORMANCE, QUARTER 3 2021/22 YEAR

The Portfolio Holder introduced the report and highlighted that of the 34 Key Activities at the end of Quarter 3; one was completed, 30 had Green status, two had Amber status and one was classed as Red status. Of the Key Performance Indicators; 21 are in the strategic performance dashboard, fifteen are green, three are amber and three are red, these being: Number of affordable home completions during the year; Number of interventions carried out to encourage owners of empty properties to bring them back into use; and Number of attendance at sport and physical activities.

It was noted that a correction was needed within Appendix A, 'Activity KA. 03.01 Achieve delivery of an appropriate risk and type of affordable housing that meets local need throughout the District across all tenures' to state that the annual target is 179 affordable units.

RESOLVED that performance of the Council at the end of Quarter 3 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.

CORPORATE RISK AND OPPORTUNITY MANAGEMENT: QUARTER 3, 2021/22

The Portfolio Holder introduced the report and highlighted that there were 23 risks and seven opportunities, 6 were Red, eight Amber and 9 Green. He noted that these had been reviewed and the position remains unchanged since last reported and they would be reviewed again in January for Quarter 3.

At the end of Quarter 3 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, two were assessed as Red status, these being: CR 33 Costs of planning appeals, and legal challenges, exceed budget; and CR 37 Increase in homeless presentations results in an increased demand in Council support for reactive temporary accommodation.

Thirteen were assessed as Amber status; these being: COR OP 05 To work with the other Leicestershire Authorities to explore different structures for delivering Council services for the benefit of residents; COR OP 07 To ensure that HDC benefits from the ERDF Welcome Back funding to support the reopening of local town centres and tourism following the Covid-19 pandemic; COR OP 08 To maximise the likelihood that HDC can benefit from Government Levelling Up Funding to support town centre regeneration, investment in local cultural facilities or upgrading local transport infrastructure; CR15 Reduction in public sector funding by all partners leads to service gaps and reduced public sector offer to residents; CR 20 Business Continuity: loss of building(s) / service(s) through unforeseen events; CR 25 The Council does not have sufficient funding to deliver its current services in the medium term; CR 29 Loss of ability to provide a comprehensive service due to cyber security attacks; CR 39 Risk of leisure contractor defaulting leads to an inability to deliver leisure services; CR 40 Service transformation propositions are not delivered resulting in underachievement of identified savings; 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; CV 04 The focus on high-priority, short-term needs prevent the medium-term financial planning and decision-making needed to balance

the Council's finances in the medium term; CV 12 Illness, self-isolation, and other factors lead to reduced capacity to operate the Council's Lifeline Service which endangers customers.

Given that the next Risk Management Group is not scheduled to meet until the beginning of April, the interim Chief Executive advised that with the emerging Ukrainian crisis, she has asked that a Ukrainian risk be drafted for the Corporate Management team to consider and this will be added ad-hoc given the immediacy of this situation and the need to manage this risk as soon as possible.

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.

REVENUES AND BENEFITS BAD DEBT REPORT

The Cabinet received a report detailing the amounts that have been written off for the period 1st April 2021 through to 10th February 2022 in respect of National Non-Domestic Rates (Business Rates). A query was raised by the Cabinet as to why the company details had been anonymised, and the Director of Finance, ICT & Assets agreed to investigate this.

RESOLVED that the total amounts for National Non-Domestic Rates (Business Rates) £34,816.12 as listed in Appendix A to the report be written off.

Summary of Reasons

To comply with proper accounting practices.

FINANCIAL PERFORMANCE 2021-22 QUARTER 3

The Portfolio Holder introduced the report and highlighted the salient points which set out the financial forecast for Quarter 3, based on information at the end of December, for revenue and capital. It was noted that a typographical error needed to be corrected in Section 4 Financial Performance to read 'The forecast outturn is £5.2m, which represents an **underspend** of the budget by £63k.

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

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.

THE PLANNING OBLIGATIONS SUPPLEMENTARY PLANNING DOCUMENT

The Cabinet considered the Planning Obligations Supplementary Planning Document (SPD). The Planning Obligations SPD (consultation draft) went through a period of public and stakeholder consultation between 11th December 2020 to 5th February 2021. In light of some of the changes proposed Cabinet agreed that a further period of consultation should be undertaken. The second period of consultation ran from 5th November and 17th December 2021, for six weeks. The consultation included seeking views on the Monitoring Fee Background Evidence Paper and Schedule of Charges 2021/22.

A total of 18 agencies/councils/developers/individuals/organisations submitted representations to the Council in respect of the Planning Obligations SPD re-consultation. As a result of the representations received and changes to Government Policy some further changes have been made to the Planning Obligations SPD.

RECOMMENDED TO COUNCIL:

- (i) that the Planning Obligations Supplementary Planning Document (SPD) be adopted and that it should be implemented as soon as possible,**
- (ii) that the Monitoring Fee Background Evidence Paper and Schedule of Charges 2021/22 be published on the Council's website, implemented, and reviewed as appropriate,**
- (iii) that authority be delegated to the Director of Planning and Regeneration to correct any minor or typographical errors,**
- (iv) that authority be delegated to the Director of Planning and Regeneration to comply with the requirements for adopting the SPD (including publishing the consultation statement, preparing any supporting documentation and communications etc.).**

Summary of Reasons

To enable the revised and updated Planning Obligations Supplementary Planning Document (SPD) to be considered following the public re-consultation.

LEIRE NEIGHBOURHOOD PLAN

The Cabinet considered the report on the Leire Neighbourhood Plan. The Leire Neighbourhood Plan has been led by the Leire Parish Council, as the Qualifying Body, in conjunction with the local community.

The Plan for Leire seeks to achieve the following: ensure that development takes place in the most sustainable locations; encourage the right types of development that meet local needs; protect important buildings and structures of historic and architectural interest; protect important community facilities; promote high quality design in new development; protect the countryside and special landscape; protect open spaces that are important to the community and/or wildlife; and seek ways of addressing the problems of traffic congestion.

The Cabinet noted that a number of respondents made complaints that the consultation of the Qualifying Body was insufficient, and their decision making was not transparent. All the allegations made were forwarded to the Examiner who asked for clarification from the Qualifying Body, District Council and

asked the respondents for further information as part of an additional consultation. The Examiner considered all the evidence as part of his examination and concluded that the consultation was sufficient, and the Plan met the Basic Conditions.

The Examination took place from 28 July 2021 to 26 January 2022, and the Examiner concluded that the Plan meets the Basic Conditions and other legal requirements and that the modified NDP should proceed to referendum.

Leire Parish Council have given the Examiner's Report due consideration and resolved that it is in agreement with the recommended modifications of the Examiner to the Neighbourhood Plan. The date for the referendum is provisionally set for 12 May 2022.

RESOLVED that:

- (i) the Independent Examiner's recommended changes to the Leire Neighbourhood Plan in full as set out in the schedule at Appendix A to the report be accepted and the recommendation that the amended Leire Neighbourhood Plan should proceed to a referendum of voters within the Parish of Leire to establish whether the Plan should form part of the Development Plan for the Harborough District be noted.
- (ii) the holding of a referendum relating to the Leire Neighbourhood Plan on 12 May 2022 be approved that will include all of the registered electors in Leire Parish.

Summary of Reasons

The final Examiner's report into the Leire Neighbourhood Plan was received on 26 January 2022. The Examiner considered the Plan along with the representations received when the Plan was published by the Council.

TO CONSIDER MATTERS OF SPECIAL URGENCY

There were none.

The meeting ended at 6.16 p.m.