

HARBOROUGH DISTRICT COUNCIL
MINUTES OF THE MEETING OF COUNCIL

Held in the Council Chamber, The Symington Building, Adam and Eve Street, Market Harborough

22 June 2015

commencing at 6.30p.m.

Present:

Councillor Rook (Chairman)

Councillors: Mrs Ackerley, Bannister, Beesley-Reynolds Bilbie, Bowles, Brodrick, Mrs Burrell, Callis, Champion Chapman, Dann, Dunton, Evans, Everett, Galton, Graves Hadkiss, Hallam, Hammond, Holyoak, King, Knowles, Liquorish, Modha, Nunn, Mrs Page, Pain, Rickman, Mrs Robinson Mrs Simpson, Spendlove-Mason, Tomlin & Mrs Wood.

Officers: D. Atkinson B. Jolly, N. Proudfoot, V. Wenham, S. Riley, B. Murgatroyd

Apologies for absence were received from Councillors Elliott, Hall Dr Hill

58 DECLARATIONS OF MEMBERS INTERESTS

Cllr Brodrick declared a personal interest in the recommendation from the Executive on Relocation of Lifeline and associated services . The nature of her interest was she was a Board director of Acclaim

Cllr Page declared a personal interest in the report on Strategic land acquisition . The nature of her interest was she was a member of Leicestershire County Council

Cllr Pain declared a personal interest in the report on Strategic land acquisition . The nature of his interest was he was a member of Leicestershire County Council and its lead member for property acquisition. He announced his intention to leave the room for consideration of the item

59 DECLARATION OF OFFICERS INTERESTS

The Council's Monitoring officer announced that she had advised Directors and statutory officers to leave the room for consideration of item 14 on the change to Employment procedure rules relating to disciplinary and dismissal procedures as they would be affected by the proposed changes

60 MINUTES

RESOLVED that the minutes of the Council meeting held on 30 March 2015 and the minutes of the Annual meeting of Council held on 19 May 2015 be received and adopted subject to the inclusion of Cllr Beesley-Reynolds's name in the list of apologies at Annual Council

61 APOLOGY

Cllr Callis issued an apology for his behaviour at the Council meeting on 23 February 2015. The Chairman thanked him for his apology.

62 SEALING OF DOCUMENTS

Members noted the sealing of the following documents:

- Agreement relating to arrangements for the recycling of green waste and recycling credits Leicestershire County Council and the Council
- Licence to occupy office space at the Symington Building . the Council and Leicestershire County Council
- Second variation agreement The Council and FCC Environment Services (UK) limited
- Third variation agreement The Council and FCC Environment Services (UK)Limited
- Infrastructure Conditions of contract –Minor works in respect of Orchard Road car park Broughton Astley The Council and Brookside Construction
- Partnering Agreement in relation to the Leicester , Leicestershire Joint Strategic Planning Manager between BDC, CBC, HDC, HBBC, Leicester City Council, MBC, NWLDC. OWBC, LCC on behalf of Leicester and Leicestershire Enterprise Partnership
- Section 106 agreement relating to land at Coventry Road, Broughton Astley Leicestershire between William Davis Limited, Hilda Nicholls. The Council and Leicestershire County Council
- Transfer of part Land at Farndon Road Market Harborough J Pilkington , J Temple, L Pilkington and The Council
- Deed of variation The District Council of Harborough and Harborough Youth and Community Trust relating to the lease of the former Symington Recreation Bowling Club off St Mary's Road, Market Harborough Leicestershire
- Licence to underlet the District Council of Harborough , Harborough Youth and Community Trust RFM Studios relating to premises forming the former Symington Recreation Bowling club off St Mary's Road. Market Harborough
- Licence to carry out works the District Council of Harborough , Harborough Youth and Community Trust RFM studios CIC relating to premises forming the former Symington Recreation Bowling club off St Mary's Road. Market Harborough
- Section 106 agreement Charity Farm Bushby R. Renner , S. Orton, Bloor Homes the Council, Leicestershire County Council
- Delegation agreement for provision of payroll services The Council and Leicester City Council
- Deed of Easement between the Council and Blessington Properties Limited and Lacuna Property Limited relating to lands on the South side of Coventry Road and land lying to the South west of The Square Market Harborough.

63 REPORT OF THE LEADER

New councillors

As Leader of the Council I'd like to welcome all our new members to the first proper meeting of the full Council body along with returning members. I would also like to thank all members and officers for their commitment to the induction process which we are now required to undertake. It is of course very pleasing to see residents prepared to step up and represent their community as a councillor. It is

healthy for democracy and no doubt our new members will bring fresh ideas, perspective and opinions to these meetings and enhance our debates.

I would again like to express gratitude to all the voters who came out to the polling stations on May 7th. As Leader, I will personally work hard to repay the trust of voters when representing this council and the community, and encourage others to do the same.

As with any year in local government there will be tough challenges and difficult decisions ahead. But we look forward to working hard on behalf of each resident, our respective wards, and the district as a whole.

Combined authorities

Last week I attended and hosted a workshop, held here at The Symington Building with the other Leicestershire District leaders. We had useful discussions around issues such as the financial landscape, health, vulnerable people, waste and the national perspective for councils which may impact on us locally. I am pleased to inform you that the district leaders chose me as one of the two representatives to represent district councils on the LLEP. The county council attended the second part of the meeting to discuss their proposal that the districts, county and city should submit a bid to government with a view to develop a combined authority to cover strategic planning, strategic transport and investment and the strategic role around the commissioning of local skills programmes. The district leaders and I agreed that as Leaders we would all support the principle of combined authorities and want to work with the county and the city to develop the vision and establish how we take this forward. I will therefore be attending a meeting later this week with the District leaders, Leicester City Mayor and the County Council Leader where we will hopefully agree to take this forward with a preliminary initial bid to DCLG. There is clearly a long way to go with this and any decisions will obviously come back to Council to deliberate at the appropriate time.

Traffic survey

On Monday, the Executive agreed to move forward with a major survey which will look to address traffic issues in and around Market Harborough in the years to come.

The traffic strategy will be jointly commissioned and undertaken between this council and Leicestershire County Council. As many of you will have noticed some of the physical counting work has already started.

I am sure members and residents will welcome this decision. One objective is that a potential 'traffic masterplan' for Market Harborough can be created which will identify issues post 2026, along with viable and deliverable solutions, so that funding can be attracted at the earliest opportunity for potential mitigation measures.

There will be opportunities, as this work progresses, for elected members, business, and other publics to engage with this work.

Magna Carta anniversary

You will have seen on the news that it has been 800 years since the sealing of the Magna Carta which founded the basic rules about how the country would be run.

This was of course a hugely important document which set out the freedoms and liberties to which we have become accustomed and perhaps many now take for granted.

We shouldn't take these freedoms for granted of course, as it is claimed by some that this document was the birth of people's political rights which ultimately led to more equality throughout society.

Everyone should take a moment to reflect on this anniversary and how lucky we are to live in a relatively free and democratic society.

One of the laws laid down in the Magna Carta was that "*people shouldn't be taxed too much*". A principle this council continues to endorse today!

SPARK update

I am pleased to announce the finalists have been selected for this year's Spark competition to find new business ideas and entrepreneurs.

Over 30 entries were received from across the district with a very high standard of applicant throughout.

The entries have been whittled down to 10 finalists – spread over two categories – who will now go on to receive intensive support and advice from Oxford Innovation, which runs the Innovation Centre.

Finalists will have their ideas developed before they present to a panel of local business experts to decide overall winners and runners up.

Once again, it is great to see the local business community coming together to support fledgling businesses. There are over £40,000 worth of support packages pledged to the eventual winners from local businesses committed to helping develop the ideas further.

Cllr Blake Pain
22 June 2015

64 RECOMMENDATIONS FROM THE EXECUTIVE

Recommendations from Executive meeting of 15 June 2015

i) PLANNING OBLIGATIONS –DRAFT SUPPLEMENTARY PLANNING DOCUMENT

It was moved by Cllr Pain seconded by Cllr King and

RESOLVED that the Draft Supplementary Planning document be approved for release for public and stakeholder consultation.

ii) MARKET HARBOROUGH TRANSPORT STRATEGY

It was moved by Cllr Pain seconded by Cllr King and

RESOLVED that

- i) the proposal for a Transport Strategy for Market Harborough be undertaken jointly with the County Council;
- ii) funding of £100,000 be allocated to this project, to be funded from the Council's earmarked General Reserve Fund.

iii) RELOCATION OF LIFELINE AND ASSOCIATED SERVICES

It was moved by Cllr Pain seconded by Cllr King and

RESOLVED to make an addition to the 2015/16 Capital Programme of £46K to fund the relocation of the Contract Centre (outlined in 6.2 of the report))

- i) to approve a drawdown of £63.1K from the Earmarked General Reserve Fund to fund the relocation of the Contact Centre (outlined in 6.2 and 6.3 of the report)
- ii) to approve the Heads of Terms for the proposed lease to enable re-location of the services as outlined in 6.4 of the report and Appendix C of the report and that authority is delegated to the Corporate Director – Resources in consultation with the Head of Legal and Democratic Services and the Portfolio Holder Financial and Commercialisation to finalise the Lease.

65 MINUTES OF EXECUTIVE

It was moved by Cllr Pain, seconded by Cllr King and

RESOLVED that the Minutes of the Executive held on 16 March 2015 and the extraordinary meeting of Executive held on 13 April be received and adopted.

66 REPORT OF CHAIRMAN OF SCRUTINY COMMISSION

Since my election as Chairman of the Scrutiny Commission at Annual Council in May, the Scrutiny Commission has met once and the Community Leadership Panel has held its annual Community Safety Partnership Meeting:

Scrutiny Commission

The Commission met on 11th June 2015 and agreed its workplan for the forthcoming year, a copy of which is included in the papers for tonight's meeting. I look forward to working with other Scrutiny Members over the coming months to review the functions of Scrutiny to ensure that they continue to be fit for purpose.

At the meeting Members of the Commission once again welcomed the opportunity to question Portfolio Members on their End-of-Year performance reports. I would like to express my gratitude to the Executive Portfolio Holders for their continued cooperation and attendance at Scrutiny Meetings. We look forward to receiving the half-year Portfolio Reports at the November Meeting of the Scrutiny Commission.

The meeting concluded with a report on Cemetery Provision and endorsed outline proposals for the scoping and development of a Cemetery and Burial Ground Strategy for the District.

Community Leadership Scrutiny Panel

The Panel met on 11th June 2015. Cllr Lesley Bowles was elected as Chairman of the Panel for 2015/16, with Cllr Jo Brodrick as Vice-Chairman.

The Panel received an oral update on the Harborough Hospital project and has requested that a representative from the Clinical Commissioning Group (CCG) attend its next meeting in September. The Panel has also asked the NHS to provide it with four-weekly updates on the project, via the Corporate Director – Community Services.

The Panel was joined by representatives from Leicestershire Police and Leicestershire Fire & Rescue, as well as by the past and current Portfolio Holders. Panel Members took the opportunity to ask questions relating to the performance of the partnership in reducing crime and disorder in 2014/15 and were grateful for the information and insight provided by their guests.

Future Scrutiny Events

- 16th July 2015: Resource & Performance Scrutiny Panel
- 3rd September 2015: Scrutiny Commission
- 10th September 2015: Community Leadership Scrutiny Panel

Cllr P. Dann

Chairman of the Scrutiny Commission

67 MINUTES OF SCRUTINY COMMISSION

It was moved by Cllr Dann ,seconded by Cllr Nunn and

RESOLVED that the minutes of the Scrutiny Commission held on 1 June 2015 be received and adopted

68 MINUTES OF COMMUNITY LEADERSHIP SCRUTINY PANEL

It was moved by Cllr Brodrick seconded by Cllr Everett and

RESOLVED that: the minutes of the Community leadership Scrutiny Panel held on 19 March 2015 be received and adopted

69 MINUTES OF PLANNING COMMITTEE

It was moved by Cllr Page, seconded by Cllr Holyoak and

RESOLVED that: the minutes of the Planning Committee held on 7 April 2015, and 28 April 2015 be received and adopted.

70 MINUTES OF PLANNING COMMITTEE

It was moved by Cllr Holyoak, seconded by Cllr Mrs Robinson and

RESOLVED that: the minutes of the Planning Committee held on 2 June 2015 be received and adopted.

71 MINUTES OF THE REGULATORY COMMITTEE

It was moved by Cllr Mrs Robinson seconded by Cllr Dunton and

RESOLVED that: the minutes of the Regulatory Committee held on 24 March 2015 be received and adopted

72 MINUTES OF THE EXTRAORDINARY MEETING OF ETHICAL GOVERNANCE COMMITTEE

It was moved by Cllr Everett seconded by Cllr Dunton and

RESOLVED that: the minutes of the extraordinary meeting of the Ethical Governance Committee held on 16 April 2015 be received and adopted

73 MARKET HARBOROUGH FAIRTRADE TOWN RENEWAL

It was reported that Market Harborough as Fairtrade Town needed to confirm support from the District Council for Fairtrade activity, in order to renew its status as a Fairtrade Town. The Council has supported the Fairtrade town initiative formally in the past and has demonstrated support by incorporating Fairtrade requirements in procurement policies.

RESOLVED that:

- i) the Council's commitment to procure Fairtrade goods, wherever possible be confirmed
- ii) the renewal application for Market Harborough to retain status as a Fairtrade town be endorsed

Summary of Reasons

Market Harborough became a Fairtrade town in 2006; the first town to do so in Leicestershire. This status has to be renewed bi-annually. The last renewal was in 2013. The Market Harborough Fairtrade Town Group will be applying for renewal in the summer of 2015. Any Fairtrade Town group has to demonstrate local council support for their promotion of Fairtrade, in order to achieve renewal. As there is no Town Council, the Market Harborough Fairtrade Town Group have sought confirmation from the District Council.

Market Harborough Fair Trade Town Group promotes Fairtrade throughout the year. There is a particular focus on Fairtrade Fortnight from the end of February to the Middle of March. There are a number of activities, including a annual schools baking competition, which has entries from most schools in the Town. The Group also take part in other activities including holding a cake stall in Movember, participating in the Town Carnival and other local events. Fairtrade is well supported in the Town, with all of the local places of worship actively involved and a large number of cafes and retailers selling fair trade produce and advertising the fact with window stickers. Food, clothes, craft items and homewares are available in around 32 independent and national stores, with 13 cafes and restaurants offering fairtrade refreshments. There is also a local company, Lanka Kade, which imports traditional toys from Sri Lanka and 22 businesses and organisations committed to using fairtrade.

Harborough District Council has demonstrated its commitment to Fairtrade in the past, adopting policies to ensure that wherever possible Fairtrade goods are sourced through any relevant procurement process.

Fairly traded tea, coffee and sugar are provided at meetings in the Council's offices when required.

74 THE LOCAL AUTHORITIES (STANDING ORDERS)(ENGLAND)(AMENDMENT) REGULATIONS 2015

Beverley Jolly, Norman Proudfoot, Verina Wenham, Simon Riley and David Atkinson left the room for consideration of this item

It was reported that the above 2015 Regulations require that, no later than the first ordinary meeting of the authority falling after 11 May 2015, the authority must, in respect of the disciplinary action against the Head of Paid Service, the Monitoring Officer or its Chief Finance Officer incorporate into its standing order certain provisions as set out in the 2015 Regulations, and to modify any other of its standing orders to conform with those provisions.

The 2015 Regulations also make amendments to the arrangements for the appointment of the Head of Paid Service, and to the dismissal, for reasons other than disciplinary, for the Head of Paid Service, the Chief Finance Officer and the Monitoring Officer.

Prior to the implementation of the Regulations, the Head of Paid Service, Chief Finance Officer and Monitoring Officer certain procedures had to be complied with before any disciplinary action or dismissal of those officers could take place. The main provision was the appointment of a Designated Independent Person (DIP) had to be appointed to investigate and report upon the allegations to Full Council.

The 2015 Regulations introduce a new requirement dispensing with the requirement for a DIP instead making it a requirement that dismissal of the Statutory Officers can only take place after a decision of Full Council and that at least 20 working days prior to the matter being considered by Full Council it must be referred to a "panel" on which "Independent Persons" must be invited to sit. The recommendations and/or views of the panel must be taken into account by Full Council.

However at this stage there are still certain legal issues to resolve. The 2015 Regulations do not account for the right to a fair and impartial investigation or provide a right to appeal. The fact that the Full Council is the initial decision maker leaves no avenue for an appeal. Negotiations were taking place relating to JNC terms and conditions which nationally affected a number of Senior officers (though not at Harborough) It was suggested that detailed disciplinary and/or dismissal procedures for the Statutory Officers be considered by the Employment Committee following the conclusion of the national JNC negotiations and further advice from the Local Government Association.

RESOLVED that

- i) the amendments to the Officer Employment Procedure Rules set out in Part 4 Section 8 of the Constitution as set out in **Appendix A** be approved
- ii) authority be given to the Employment Committee to consider more detailed disciplinary and dismissal procedures for the Head of Paid Service, Chief Finance Officer and Monitoring Officer incorporating the requirements of the amended Officer Employment Procedure Rules and the 2015 Regulations

75 SECTION 100A LOCAL GOVERNMENT ACT 1972

RESOLVED that the public and press be excluded from the remainder of the meeting on the grounds that the matters yet to be discussed involve the likely disclosure of exempt information as defined in Paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972'

Cllr Pain left the room for consideration of this item

76 STRATEGIC LAND ACQUISITION

Member considered the potential for land acquisition to assist with delivery of Council priorities

RESOLVED that

- i. the opportunity for a strategic land acquisition in partnership with LCC be noted
- ii. the principle of the land acquisition and approach as outlined in 5.15 to 5.18 of the report be agreed and to develop a full business case for consideration by Council
- iii. authority be delegated to the Corporate Director- Resources in consultation with the Portfolio Holder, Financial and Commercialisation to submit bids for external funding as outlined in 5.19 and 5.20 of the report
- iv. Authority be delegated to the Corporate Director - Resources in consultation with the Portfolio Holder, Financial and Commercialisation to undertake any necessary actions to allow the development of a full business case for Council

Summary of Reasons

To progress the potential land acquisition, which will assist with the delivery of Council Priorities and the Capital Programme.

The meeting closed at 8pm