

Minutes of the Cabinet Meeting

Location: Council Chamber, The Symington Building, Adam and Eve Street, Market Harborough, LE16 7AG



Date: 27 November 2023 commencing at 6.30pm

Present:

Councillors:

P. Knowles (Leader)	Cabinet member for Strategy, Culture, Leisure & Tourism
S. Galton	Cabinet member for Planning
P. Beadle	Cabinet member for Corporate
M. Graves	Cabinet member for Finance
J. Knight	Cabinet member for Wellbeing
D. Woodiwiss	Cabinet member for the Environment & Climate Change

Officers:

L. Elliot – Interim Chief Executive
C. Mason – Interim Deputy Chief Executive, Section 151 Officer
J. Young – Head of Legal, Interim Monitoring Officer
V. Jessop – Interim Director of Communities & Wellbeing
D. Atkinson – Director of Planning
T. Nelson – Head of Strategic Planning
C. Elsasser – Interim Democratic Officer

Information Exchange

Councillor Graves spoke about the amount of work going on regarding the budget and he thanked Officers.

Councillor Woodiwiss reported that the waste contract was going through the procurement process currently and that it was complicated due to the implications of the Environment Act guidance, costs, depot requirements and Leicester County Council reliance on an incinerator in Coventry which added further costs. He explained

that Officers had managed to negotiate a temporary solution until December which had avoided immediate costs.

Councillor Galton updated Members in relation to resources in development management. He explained that his priority was to put back some additional human resources into the team and recruit three new posts into that service including a fulltime Conservation Officer and posts would be funded by the increase in planning fees which would ensure that compliance for new legislation would be met.

Councillor Beadle reported on a Revenue and Benefits meeting he attended and explained that there would be a tax credit managed migration for a significant amount of residents through the Department of Work and Pensions (DWP) for the rest of the year. Currently the DWP had the view that Councils should not assist claimants with Universal Credit and that Housing benefit claimants should be referred to a helpline to help them directly.

Councillor Knight announced that he and Councillor Woodiwis had visited the Ploughman's Yard facility where the Council holds three properties that require extensive work to alleviate damp and that those works would go out to tender.

Councillor Knowles reported on his recent Chairing of the Parish Liaison Meeting and was happy with the collaborative nature of the Committee. He suggested that at some stage, in regards, to the aforementioned properties, Cabinet would need a more detailed report. He also referred to the Gartree prison decision being overturned by the Secretary of State and explained that he had a meeting with the MP who confirmed that there would be a meeting with Michael Gove at some point that would include the Gartree Action Group who have also written a letter to him. He also wanted to thank Officers for all of their hard work and support.

1. Apologies for Absence

There were no apologies for absence.

2. Declaration of Members' Interests

There were no declarations of interest.

3. Minutes

Cabinet agreed the minutes of the meeting on 23 October 2023 as a true and accurate record.

4. New Local Plan – Issues and Options Consultation

Councillor Galton, Cabinet member for Planning, introduced the report. The report sought a recommendation from Cabinet to Council for approval for the Issues and Options document (Appendix A) to be published for public consultation.

Approval was also sought for delegation to be given to the Director of Planning in consultation with the Portfolio Holder for Planning for factual updates, minor changes and the insertion of additional diagrams and other visual aids to enable the finalisation of the document and its publications for consultation purposes.

It was explained that the planning system was plan-led. This meant that planning applications must be considered and determined in accordance with the development plan unless material considerations indicated otherwise and that the development plan must be kept up to date.

The current Harborough Local Plan was adopted in 2019, and although it remains up to date, a new local plan is being prepared to ensure the development plan remains up to date, in line with Government guidance.

Issues and Options are the first public consultation in the preparation of the new local plan. Its purpose is to start a public conversation about the future of the district and about what the new Local Plan should contain.

The consultation document focuses on various key planning issues, including homes, jobs, heritage, town centres, climate change, biodiversity and protection of important open spaces. Each issue is introduced, explained, and feedback sought via a number of consultation questions. It is intended for the consultation to run during January 2024 – February 2024. A dedicated webpage will be set up to host the consultation document and enable comment through a consultation portal. Responses received would be used to inform the next stage of preparing the new local plan.

Councillor Galton added that work was being done to prepare for the new Local Plan and that the document was available to read ahead of the consultation. Subject to a decision at full Council, it was important to understand that there was matter of risk if the Council not go ahead with the plan. He explained that Councillor Burrell was currently examining appeals made during the 2012/13 period when a Local Plan had not been in place as a reminder to the Council of what the outcome of those appeals were.

Cabinet **RESOLVED** to:

1. Recommend to Council for determination the New Local Plan Issues and Options Consultation document (Appendix A) for public consultation.
2. Delegate authority to make any factual corrections and minor changes to finalise the consultation document and facilitate the requirements of setting up consultation material as well as to make any changes agreed at Cabinet and Council to the Director of Planning, in consultation with the Portfolio Holder with responsibility for Planning.

Alternatives Considered

For Cabinet not to agree to recommend to Council publication of the Issues and options document for consultation is not recommended since it will delay the start of the Issues and Options consultation and will significantly increase the risk of the Council being unable to achieve submission of the new local plan by the Government-

imposed deadline of 30 June 2025. The consequence of missing this deadline is needing to await the establishment of the new planning system and the likely delays that will incur. Due to the proposed way in which the new planning system is being introduced, local plan preparation is likely to be significantly delayed, with the start of plan preparation expected in 2027, meaning adoption not until, at least, 2030.

5. Local Development Scheme (LDS) Update

Councillor Galton, Cabinet Member for Planning introduced the report.

The report confirmed that the Council was required to keep under review the key milestones in the Local Plan timetable and any changes in planning context, especially at a sub-regional and national level. Preparation of a new Local Plan currently faced two key challenges.

The Council has a duty to prepare, publish and maintain an LDS for the district. The last LDS, published in July 2022, indicated that Regulation 18 (Issues & Options consultation) would be conducted in September/October 2023 and therefore it is now out-of-date. The purpose of the LDS update was to ensure that the timetable for Local Plan preparation remains up to date.

Councillor Galton explained that as the Regulation 18 was overdue and out of date it needed to be updated in order to ensure the Council's LDS obligation was fulfilled.

Cabinet **RESOLVED** to:

1. Recommend to Council for determination the revised Local Development Scheme, set out at Appendix A.
2. Delegate to the Director of Planning, in consultation with the Head of Legal Services and the Portfolio Holder for Planning, authority to:
 - (a) Commission, negotiate, award, enter into and vary such arrangements and legal agreements as may be necessary or appropriate to deliver the Local Development Scheme.
3. Delegate to the Director of Planning, in consultation with the Portfolio Holder for Planning, authority to:
 - (a) Keep the Local Development Scheme under review as necessary and appropriate.

Alternatives Considered

For Cabinet not to agree the LDS. This is not the recommended option because it will produce uncertainty and significant risk for the Authority in preparation and Submission of a new Local Plan, by the government deadline of 30 June 2025.

6. New Local Plan Resources

Councillor Galton, Cabinet Member for Planning introduced the report.

The report set out to seek approval for additional financial resources to be used to fund the preparation of the Local Plan and aimed to meet a submission by June 2025.

Councillor Galton explained that the Council would need to make resources available for this and that the last Local Plan was short of £2m. He conceded that staff were crucial in this process and that if the Council didn't resource this properly the Inspector could halt or reject the Local Plan which could mean legal challenges on planning from developers.

Cabinet **RESOLVED** to:

Recommend to Council for determination the additional resources needed for Local Plan preparation set out in Table 1 in paragraph 4.4 of this report in order to aim to submit the new local plan for examination by June 2025.

Alternatives Considered

If no recommendation to Council to approve the additional resourcing. This is not recommended since it will slow down local plan preparation and result in the Council being unable to achieve submission of the new local plan by the government deadline of June 2025. The consequence of missing this deadline is needing to await the establishment of the new planning system and the likely uncertainties and associated delays to the preparation of the new local plan that will incur in those circumstances. Due to the proposed way in which the new planning system is being introduced, local plan preparation is likely to be significantly delayed under the new system, with the start of plan preparation not expected until at least 2027, meaning adoption not until, at least, 2030.

7. Mid-Year Treasury Management Report 2023/24 and Prudential Indicators

Councillor Graves, Cabinet Member for Finance introduced the report.

The report explained that Treasury Management was an integral part of the Council's finances relating to cash flow management and financing of capital schemes and therefore underpinned all of the Council's aims. The mid-year treasury report was a requirement of the Council's reporting procedures and covered the treasury management activity for the first six months of 2023/24. The report also covered the actual Prudential Indicators for the period in accordance with the requirements of the Prudential Code.

In accordance with the requirements of the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management (revised 2021), the Council was required to receive, as a minimum, three main treasury reports each year – the annual Treasury Management Strategy Statement, a Mid-year Review Report (this report) and an Annual Report. Therefore, this report ensured that the Council was implementing best practice in accordance with the Code.

Cabinet **RESOLVED** to:

1. Note the Mid-Year Treasury Management Report for 2023/24 and treasury activity;
2. Note the Prudential Indicators.

Alternatives Considered

The Council is required to report the matters contained within this report and retains independent financial experts to provide that advice therefore there were no alternative options.

8. 2023/24 Performance Report – Financial (Outturn) and Corporate Quarter 2 (Year ending 31 March 2024)

Councillor Graves, Cabinet Member for Finance and Councillor Beadle, Cabinet Member for Corporate introduced the report.

The report provided an update to Cabinet in respect of the Quarter 2 forecast outturn for 2023/24 for revenue, capital, and reserves, and provide information on the Council's performance. The report combined two reports previously received separately, Financial Performance (Outturn), and Performance and set out the forecast financial position (outturn) for the year ending 31 March 2024, based on information at the end of September 2023 for revenue and capital, and covers performance monitoring of the refreshed corporate plan for Quarter 2, July to September 2023.

Based on the financial position at 30 September 2023, known income and expenditure commitments and working assumptions, the forecast is as follows:

Revenue is forecasting an underspend of £410k, a variance of 3.3% to the approved budget.

Capital is forecasting an overspend of £200k, a variance of 1% to the approved budget.

A refresh of the Corporate Plan Key Activities was undertaken prior to 01 April 2023, resulting in 31 Key activities for the 2023/24 period. Appendix 6 contained a report of progress against all 31 Key activities in the Corporate Plan. At the end of Quarter 2 there was one at red status. Appendix 7 contained a report of twenty key performance indicators (KPI's). At the end of Quarter 2, one KPI had a red status.

Cabinet **RESOLVED** to consider and comment on the contents of this report and associated appendices.

Alternatives Considered

Not applicable.

9. 2024/25 Budget & MTFS - Budget Principles & Reserves Strategy

Councillor Graves, Cabinet Member for Finance presented the report.

The report highlighted to Members the budget setting process and get agreement on key principles to support the development of the 2024/25 Budget and Medium-Term financial Strategy (2025/26 to 2028/29), and confirm the principles of the Reserves Strategy.

The report explained that in February each year, the Council was required to approve the Council Tax for the forthcoming year. To achieve this, the Council has to:

prepare an annual budget that has to comply with statutory regulations as well its own Constitution and local corporate priorities.

a medium-term financial strategy (MTFS) that aids future decision making.

All budgets are organic in nature, in that they are a best estimate of resource allocation to meet the Councils corporate priorities; consequently, they can change over time and as the coronavirus pandemic and the cost-of-living/inflationary economic climate is currently showing.

Councillor Graves explained that the report indicated the outline principles and reserve strategy set out by the 151 Officer.

Cabinet **RESOLVED** to:

1. Approve the budget principles, delegations and definitions that are summarised in Appendix 3.
2. Approve the Reserves Strategy in Appendix 4.

Alternatives Considered

Not applicable.

10. Creation of a Members Development Cabinet Advisory Panel

Councillor Knowles, Leader of the Council and Cabinet Member for Strategy, Culture, Leisure & Tourism introduced the report.

The purpose of the report was to appoint Members to a Cabinet Advisory Panel for Member development, including the adoption of appropriate terms of reference.

It was explained that the Committee would consist of 5 members with the following Members appointed:

Councillor Beadle - Chair

Members - Councillors Burrell, Dann, Elliot and Graves (with substitutes allowed)

Cabinet **RESOLVED** to:

1. Appoint members to the Members Development Cabinet Advisory Panel.
2. Approve the Terms of Reference as set out at Appendix B of this report.

Alternatives Considered

In the event that Cabinet does not wish to appoint an Advisory Panel, it will need to decide and review the progression of member development plans itself.

11. Urgent items

There were no urgent items to consider.

The meeting ended at 19:21

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