

HARBOROUGH DISTRICT COUNCIL
MINUTES OF THE COUNCIL MEETING

held in the Council Chamber,

Council Offices, Adam and Eve Street, Market Harborough

16th January 2012

commencing at 6.30p.m.

Present:
Councillor Beaty (Chairman)

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

Officers: A. Graves, K. Mehta, B. Murgatroyd, E. O'Neill, P. Ridley and V. Wenham.

Apologies for absence were received from Councillors Dunton, Knowles, McHugo and Mrs. Page.

393 TOPICAL ISSUES

None were reported.

394 DECLARATIONS OF MEMBERS' INTERESTS

None were received.

395 CHAIRMAN'S ANNOUNCEMENTS

None were made.

396 MINUTES

i) Minutes of the Extraordinary Meeting of Council held on 31st October 2011

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

RESOLVED that: the Minutes of the Extraordinary Meeting of Council held on 31st October 2011 be approved and signed by the Chairman as a true record.

ii) Minutes of the Meeting of the Meeting of Council held on 14th November 2011

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

RESOLVED that: the Minutes of the Meeting of Council held on 14th November 2011 be approved and signed by the Chairman as a true record.

iii) Minutes of the Meeting of the Meeting of Council held on 14th December 2011

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

RESOLVED that: the Minutes of the Meeting of Council held on 14th December 2011 be approved and signed by the Chairman as a true record.

397 MINUTES OF THE TRANSFORMATION BOARD

i) Minutes of the Meeting of the Transformation Board held on 10th November 2011

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

RESOLVED that: the Minutes of the Meeting of the Transformation Board held on 10th November 2011 be received and adopted.

ii) Minutes of the Meeting of the Transformation Board held on 1st December (and reconvened on 5th December 2011)

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

RESOLVED that: the Minutes of the Meeting of the Transformation Board held on 1st December 2011 (and reconvened on 5th December 2011) be received and adopted.

iii) Minutes of the Meeting of the Transformation Board held on 4th January 2012

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

RESOLVED that: the Minutes of the Meeting of the Transformation Board held on 4th January 2012 be received and adopted.

398 SUSPENSION OF STANDING ORDERS

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

RESOLVED that: Council Standing Orders be suspended to allow two public speakers to address Members regarding Agenda Item 6 (permitted by Council Procedure Rule 23, Suspension and Amendment of Council Procedure Rules).

Following the above resolution two public speakers, Mrs. Cleaver and Mrs. Draper, spoke for ten minutes in support of not changing the means by which the Market Hall, Market Harborough operates.

399 COUNCIL PROPERTY REVIEW

P. Ridley, Interim Property Advisor, gave a presentation concerning the Council's ongoing Property Review. The presentation contained conceptual proposals provided by Willmott Dixon Construction Ltd.

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

RESOLVED that:

- (i) the options developed by Willmott Dixon and set out in their Discussion Document were noted. It was acknowledged that these options had only been developed to concept stage.
- (ii) the preferred option, recommended by Willmott Dixon for the Headquarters Building on Adam and Eve Street and the Market Hall site, be further developed up to an Outline Business Case stage. The outline Business Case should include options for the re-provision of the market and also longer-term proposals to regenerate Fox Yard. In recommending this action it is noted that the preferred option achieves the primary objectives of being fully funded, has the potential to generate future income and will not be a 'gold-plated' solution for office accommodation.

- (iii) the Business Case on the preferred option be developed for further consideration and review by the Transformation Board before referring to Full Council April/May 2012.
- (iv) action be taken to inform key stakeholders and the public of the preferred option. Actions should include face-to-face meetings, content being placed on the Council website and social media, information posted in or around the Market Hall itself and work with local media. This information should include notification of a public consultation exercise to follow.
- (v) action be taken to put on public display options from the Willmott Dixon review and the preferred option. The public and stakeholders to be invited to view and comment on the emerging proposals.
- (vi) action be taken to establish a small professional 'client' team at the appropriate time to manage the project and specifically to provide:
 - Project management support.
 - A cost control/quantity surveying service
 - CDM – Co-ordinator to advise the Council on health and safety issues arising from the construction project.
- (vii) in order to develop the outline Business Case of the preferred option, the Council authorise Willmott Dixon to enter into confidential negotiations with potential retailers with a view to securing, a significant capital receipt, or rent income for the disposal of an interest in the Market Hall and adjacent car park. Capital payments or rent income to be used to support the refurbishment of the Headquarters Building.
- (viii) action be taken to commence detailed negotiations with the County Council to relocate the Library – preferably to the first floor of the Headquarters Building but with a ground floor reception/access and information point. The first floor to be accessible by lift access off the reception area
- (ix) the County Council be invited to pay a rent reflecting present day commercial values or, the actual tendered works cost to secure the Library refurbishment/relocation in exchange for a peppercorn rent.
- (x) the Museum stakeholders to be given the option to operate from the first floor of the building subject to all running costs being found through arrangements to be established by the Market Harborough Historical Society.

At the request of a Member the voting on this matter was recorded (results set out below).

For: *Councillors Mrs. Ackerley, Bannister, Beesley-Reynolds, Dr. Bremner, Brodrick, Charlish, Dann, Dewes, Evans, Everett, Golding, Graves, Hall, Hallam, Holyoak, King, Liquorish, Pain, Mrs. Robinson, Rook, Smith, Spendlove-Mason, Tomlin and Mrs. Wood.*

Against: *Councillors Birch and Callis.*

Abstentions: *Councillors Beaty, Mrs. Burrell, Galton, Dr. S. Hill, Johnson, Mrs. Simpson and Mrs. Tooley.*

400 WRITTEN QUESTION OR PETITIONS SUBMITTED BY THE PUBLIC

No written questions or petitions were submitted by the public.

401 REPORT OF THE LEADER OF THE EXECUTIVE

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

“As a Golfer. No! let me rephrase that. As a person who tries to play golf I have to remain ever the optimist. Seen through the eyes of ‘the hacker’, the world is getting better, has the potential for always being better, and will undoubtedly improve.

Not to believe this is to self-fulfil every downbeat prophecy.

Before Christmas the Government announced the definitive figures relating to local Government Formula Grant - the money we received from Government to “run the business” of the authority.

At Harborough District Council we now know that we have a cut of 14.2% in our funding from this source, representing about £588,000 in actual terms.

Last year we met an even bigger reduction of 16.2% in Government grant by cutting services and reducing staff.

This, then, is the background to what we are calling a Transformational Review of the Council, and it includes looking at staff structures, service delivery, the buildings we live in, and our major contracts, as well as consulting stakeholders about their expectations of our Council’s ability to deliver services.

I have a vision for this Council which embraces efficient delivery of services focused on local requirements, and which protects front line services into the future, but costs less to run.

I know of only two councillors currently who would argue with that!

I believe passionately however, that this is the right way forward in order to “future-proof” as far as we possibly can , the delivery of services.

It will cost we calculate, up to £2million pounds from our reserves, which will be paid back over 5 years and then continue to add to the savings into the future. We simply cannot go on receiving year on year cut-backs in funding from Central Government and expect to survive to deliver the services demanded of us.

Transformation is not about spending our reserves to prop up inefficiencies, it is not the easy option in budgetary terms, and it will be tough to manage. However the risks can be defined, and the decisions can be challenged, and it involves a process in which all councillors do have a say.

We are in fact investing to save for a better future, and like the golfer in me, I ask that you too maintain that inherent optimism that however tough the course, we can and will improve our game.

Cllr Michael Rook (Leader HDC)”

402 RECOMMENDATIONS FROM THE EXECUTIVE

Members considered the following four recommendations from the Executive:

i). Local Air Quality Management

It was reported that under Part IV of the Environment Act 1995 there is a requirement for all Local Authorities to assess their local air quality and to predict future conditions against the national air quality objectives.

The review and assessment of local air quality takes place over a number of stages. The First Stage Review and Assessment carried out across the whole of the district concluded that further assessment would be required for carbon monoxide, lead, particulates and nitrogen dioxide. The Second and Third Stage review concluded that, with the exception of nitrogen dioxide, all of the national objectives would be met within the appropriate timeframe. With regards to annual average levels for nitrogen dioxide it was anticipated that the national objective would be exceeded in Lutterworth Town Centre and an Air Quality Management Area (AQMA) was declared in 2001.

Nitrogen dioxide which is associated with adverse effects on human health and at relatively high concentrations the pollutant can cause inflammation of the airways. Long term exposure to Nitrogen Dioxide may affect lung function and may also enhance the response to allergens in sensitive individuals. The main source of nitrogen dioxide in Lutterworth is traffic related.

Monitoring of the air quality both in Lutterworth and across the wider district has been carried out for several years however whilst the general air quality across the district is good, the levels in Lutterworth Town Centre have remained high and in 2008 it became apparent that the annual average levels of nitrogen dioxide outside of the existing AQMA may be breaching the national standard and further work was required to determine whether the boundary of the existing AQMA needed to be changed.

Consequently it was necessary to undertake a long term monitoring programme Based on the results of the monitoring in Lutterworth, there is now sufficient confidence to confirm that there is no requirement to extend the AQMA to the north along Leicester Road, however it is necessary to extend the area to the south of the existing AQMA. The proposed extent of the amended AQMA can be found in Appendix A attached.

Once the extent of an AQMA has been confirmed an Action Plan must be developed to identify any potential actions which could reduce the pollutant levels in the local area. As the source of the pollution is traffic related, the Action Plan will look at cost effective measures which can be implemented to reduce the impact of vehicles in the local area. Whilst the duty to assess local air quality lies with the district authorities, guidance stipulates that the upper tier authorities should work closely with the district authorities to incorporate air quality Action Plans into the Local Transport Plan.

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

RESOLVED that:

- (i) Members approve the proposed amendment to the existing Air Quality Management Area for Lutterworth Town Centre to be sent out to the statutory consultees.
- (ii) Authorisation is given to the Head of Health and Enforcement Services to sign the Air Quality Management Area Order following the consultation process.
- (iii) Any representations received during the consultation process be taken into consideration during the further review process following the amendment of the Air Quality Management Area.
- (iv) Subject to agreement that the existing Action Plan for the Air Quality Management Area be reviewed with Leicestershire County Council and be subject to public consultation.

Summary of Reasons for the Recommendations

Under Part IV of the Environment Act 1995 there is a requirement for all Local Authorities to assess their local air quality and to predict future conditions against the national air quality objectives.

Where a local authority believes that the national air quality standards are not going to be met they have a duty to declare an Air Quality Management Area (AQMA).

Generally the air quality in the district is good however the annual mean national air quality standard for nitrogen dioxide is not being met in an area of Lutterworth and an AQMA was declared for this area in 2001. The location of the existing AQMA can be found in appendix A

In 2009 an updated assessment identified the potential exceedence of the national objective levels for nitrogen dioxide outside of the existing Air Quality Management Area. Consequently it was necessary to undertake further long term monitoring to confirm the initial findings and to determine the extent to which the current Air Quality Management Area should be extended.

The results of the detailed assessment confirmed that the existing air quality management area needs to be extended. The proposed Order for the amended AQMA can be found in appendix B.to the report

In addition following the amendment of the AQMA it will be necessary to review the Air Quality Action Plan for the area in conjunction with the County Council's Local Transport Plan.

ii). SINGLE EQUALITY SCHEME 2011-2014

The Council has been working to a number of separate equality and diversity policies since 2005. These were developed and implemented as required in line with previous equality legislation and were the Corporate Equality Policy incorporating the Race Equality Scheme, Disability Equality Scheme and the Gender Equality Scheme.

With the introduction in October 2010 of the Equality Act 2010 and the public sector equality duty which came into force on the 5th April 2011, the previous equality and diversity schemes that the council had adopted needed to be reviewed and refreshed to bring them into line with the new legislative requirements.

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

RESOLVED that: the Partnership Single Equality Scheme as shown at Appendix A to the report be adopted.

Summary of Reasons

Prior to the Equality Act 2010 equalities there were different strands of equalities legislation and the Council maintained several different equality and diversity policies. The 2010 Act brings the different strands of equalities legislation together under one Act and introduces a public sector equality duty. It was necessary to review and refresh existing policies and bring them into line with the new legislative requirements.

The Council is part of the Leicestershire Districts Equality and Diversity Partnership and the Partnership Single Equality Scheme has been developed for adoption by all partner authorities.

iii) PROPOSED POLICY FOR USE OF NEW HOMES BONUS - COMMENTS FROM CONSULTATION

The Executive had considered the outcome of the consultation with Parishes, Harborough Improvement Team and the Civic Society on the proposed use of the New Homes Bonus for 2012/2013.

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

RESOLVED that:

(i) Policy option C* be adopted on the basis that the majority of the attendees at the consultation event agreed with the proposed option.

(ii) the Executive determines and recommends to Council the split of the New Homes Bonus between support for the Council tax ,the Locality Fund and the District-Wide Fund on an annual basis taking account of the Council's overall financial standing.

Summary of Reasons

At its meeting on the 7th November 2011, the Executive considered a report on the NHB which set policy options on its use for 2012/13. It resolved to consult on policy option C as set out in paragraph 5.2.2. of that report

A consultation event took place on 12th December 2011 with Parish Councils/Meetings, Harborough Improvement Team and the Civic Society in accordance with the resolution of the Executive.

The majority of the attendees agreed with policy option C*

* Policy Option C

Extract from Paragraph 5.2.2 of Executive Report 7th November 2011:

Policy Option C

Split any balance (after first ensuring support to the General Fund revenue budget to compensate for the loss of RSG as a result of the government top slicing the formula grant funding nationally to fund the NHB) of the NHB into two 'pots' on an agreed split:

- a. A locality investment fund to be used on a community budgets arrangement in those areas that have had the housing growth. The areas may be a whole community or part of a community or a community comprising a larger area (clusters). A process for identifying how the money would be used would need to be drawn up but it should be on the basis of clearly identified and articulated need and not on 'pet projects' of the few.
- b. A district wide investment fund. This fund again could be used flexibly to meet identified need for example:
 - i. Districtwide facilities including funding the increased costs of delivering services as a result of the housing growth e.g. waste management, grounds maintenance, street cleansing, street art and furniture, place making costs.
 - ii. Facilities in areas that cannot support additional housing growth and therefore may not be able to benefit directly from the NHB.
 - iii. Support to stimulate economic growth by working with local business organisations and partners
 - iv. Pooling a proportion of the fund or match funding with the County Council, LEP and/or the Welland Partnership towards economic or housing development proposals in the District.
 - v. Spend on an 'invest to save' basis on green environmental projects on the Council's own infrastructure. Possible examples could include rain water harvesting and use in the significant parks and open spaces, installation of solar panels on the Council Offices and Market Hall roofs, Leisure and Sports Centres, Settling Rooms to generate electricity to feed the surplus back into the national grid and generate income.

iv). REVENUE BUDGET AND CAPITAL PROGRAMME MONITORING TO 30th SEPTEMBER 2011

The revenue budget for 2011/12 was approved by Council in February 2011. Budget monitoring is undertaken during the year against the working budget which represents the original approved budget adjusted for budgets carried forward from the previous financial year, virements and supplementary approvals.

Monitoring of actual capital expenditure against the approved budget is undertaken on a monthly basis with Budget Managers and reported to the Management Board on a quarterly basis. Members also have access to quarterly capital monitoring reports via the TEN Performance Management System.

The original Capital Programme for 2011/12 totalled £450,500 and was approved by the Council on 24th February 2011. Members agreed carry forwards from 2010/11 of £926,700 and additional variations of £1,299,400 on 19 September 2011.

Expenditure to date on schemes either completed or currently underway is generally in line with expectations with no significant areas of concern.

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

RESOLVED that the Capital Programme be varied as set out below:

Summary of Reasons

The Revenue budget at 30th September 2011 against phased budget is showing an underspend of £177k. There are a number of variations and comments against cost centres are shown in Appendix A to the report. Further work on budget savings is being undertaken by budget managers and the position against each saving initiative is to be monitored at the Performance and Programme group meeting each month.

Variations to the Capital Programme must be approved by Council. The table below summarises those variations to the programme which have arisen during the second quarter of this financial year.

	Expenditure Budget Increase / (Decrease) £
S.106 Grants (i)	317,200
S.106 Grant (ii)	10,000
Website / Internet Upgrade	3,900
Upgrade CCTV Systems	(3,900)
Total Increase / (Decrease)	327,200

The reasons for the overall increase in capital expenditure budgets are summarised below:

- S106 grants (i) to Harborough District Council, Parish Councils & Community Organisations, recommended by the Grants Panel and approved by the Executive on 26 September 2011.
- S106 grant (ii) to Fleckney Parish Council to purchase land for recreational purposes. This is a follow-up grant to one approved in 2010/11 for the purchase of play equipment.
- Website / Internet Upgrade – due to unforeseen technical failures with the hosted Google Mini Disc a new Google appliance and associated configuration was required

at an additional cost of £3,900. The Deputy Chief Executive authorised the expenditure with the cost to be met from savings elsewhere within the capital programme.

- Upgrade CCTV Systems – Upgrades to the CCTV system have been completed with a budget under-spend of £5,365. It is proposed to vire £3,900 of this under-spend to the Website project to cover the purchase of a new Mini Disc.

403 MINUTES OF THE EXECUTIVE

i) Minutes of the Executive Meeting held on 7th November 2011

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

RESOLVED that: the Minutes of the Executive Meeting held on 7th November 2011 be received and adopted.

ii) Minutes of the Executive Meeting held on 19th December 2011

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

RESOLVED that: the Minutes of the Executive Meeting held on 19th December 2011 be received and adopted.

404 REPORT OF THE CHAIRMAN OF THE SCRUTINY COMMISSION

Councillor Dr. Bremner, Chairman of the Scrutiny Commission, presented his report as set out below:

“Happy New year for 2012! As such, the Scrutiny Commission of 17th November seems a long time ago now but was a lively affair with Members speaking on nearly 60 separate occasions.

The Scrutiny Commission was presented with a paper that sought to gather views on Scrutiny’s current structure and, in a new term, to scrutinise itself. The debate that followed showed an impassioned support for maintaining the current three panels, under their current names.

We all do not yet know the future shape of this Council under the Future Options proposals and it may be that in due time we need to assess again the progressive evolution of scrutiny. If such changes are to be considered again I wish to ensure that the Commission steering group, consisting of each panel Chair and their vice-Chair, have fully debated the issues and are engaged with any such proposals before they are again presented to Commission Members.

A vexatious point was highlighted by Members: that of the completed misalignment of papers coming to Executive for decision before scrutiny had a chance to offer their thoughts and recommendations. It was recommended that the 6-monthly forward plan be changed to 3-monthly to enable a better pre-alignment of reports to scrutiny and then Executive. As a response to this and one paper that caused the greatest stir among members: “New Homes Bonus model – adoption of policy” – I discussed this with the Chair of Resources and decided to bring this paper to the Resources Scrutiny meeting of 8th December. In the event: weather, illness and accidents made the meeting non-quorate but was rescheduled in time for the 19th Dec. Executive meeting to hear the recommendation. My thanks to committee members for making them available again at short notice.

Other scrutiny panels (People) have been busy hearing the views of four former Council Chairman: Councillors Dunton, Liquorish, Page and Tooley, on the role of Chairman. A number of recommendations arose from an hour of interesting debate

and information. The major recommendation was to recommend a re-alignment of the chairman's budget and "ring-fence" the current allowance of £4,500. Executive members also gave their reports on the last six months of activity and included such highlights as the completing of the wet-side changing area at Market Harborough's Leisure Centre (Cllr. Pain); the significant reduction in complaints at the Bruntingthorpe Proving Ground and a much greater engagement between all interested parties (Cllr. Golding); Finally, Cllr. Dann's report ensured us of a "root and branch" ICT review. It was not mentioned in the meeting but I would like to personally congratulate Officers on the new website's design and functionality – even to the point of the website re-sizing itself when viewed on mobile devices (phones and tablet computers).

Scrutiny Places welcomed outside speakers to a debate on the council's response to registered social landlords and the placement of people in their available dwellings. This may deserve further scrutiny and it is for the Commission to declare if this will be so.

In the coming weeks Members will be presented with Executive's budget. Lets us all ensure a close scrutiny and let us be mindful that we are all responsible for steering this organisation through unprecedented choppy waters. I am grateful to the Leader and the Interim Chief Executive in how they have involved and informed ALL members during the Future Options Review and Property Review. This makes for a better scrutiny when we can make informed decisions and account for evidence-based choices.

Your Chairman,

Cllr Dr Paul Bremner"

405 MINUTES OF THE SCRUTINY COMMISSION

Minutes of the Meeting of the Scrutiny Commission held on 17th November 2011

It was moved by Councillor Dr. Bremner, seconded by Councillor King and

RESOLVED that: the Minutes of the Meeting of the Scrutiny Commission held on 17th November 2011 be received and adopted.

406 MINUTES OF THE SCRUTINY PANELS

i) Minutes of the Meeting of the Scrutiny Panel – Places held on 20th October 2011

It was moved by Councillor Brodrick, seconded by Councillor Hallam and

RESOLVED that: the Minutes of the Meeting of the Scrutiny Panel – Places held on 20th October 2011 be received and adopted.

ii) Minutes of the Meeting of the Scrutiny Panel – Places held on 1st December 2011

It was moved by Councillor King, seconded by Councillor Brodrick and

RESOLVED that: the Minutes of the Meeting of the Scrutiny Panel – Places held on 1st December 2011 be received and adopted.

iii) Minutes of the Meeting of the Scrutiny Panel – Resource Development held on 27th October 2011

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

RESOLVED that: the Minutes of the Meeting of the Scrutiny Panel – Resource Development held on 27th October 2011 be received and adopted.

iv) Minutes of the Meeting of the Scrutiny Panel – Resource Development held on 15th December 2011

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

RESOLVED that: the Minutes of the Meeting of the Scrutiny Panel – Resource Development held on 15th December 2011 be received and adopted.

v) Minutes of the Meeting of the Scrutiny Panel – People held on 24th November 2011

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

RESOLVED that: the Minutes of the Meeting of the Scrutiny Panel – People held on 24th November 2011 be received and adopted.

407 MINUTES OF THE GOVERNANCE AND AUDIT COMMITTEE

Minutes of the Meeting of the Governance and Audit Committee held on 10th November 2011

It was moved by Councillor Hallam, seconded by Councillor Tomlin and

RESOLVED that: the Minutes of the Meeting of the Governance and Audit Committee held on the 10th November 2011 be received and adopted.

408 MINUTES OF THE PLANNING COMMITTEE

i) Minutes of the Meeting of the Planning Committee held on 8th November 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 8th November 2011 be received and adopted.

ii) Minutes of the Meeting of the Planning Committee held on 13th December 2011 (and reconvened on 20th December 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 13th December 2011 (and reconvened on 20th December 2011) be received and adopted.

409 MINUTES OF THE STANDARDS COMMITTEE

Minutes of the Meeting of the Standards Committee held on 22nd November 2011

It was moved by Councillor Golding, seconded by Councillor Robinson and

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

410 MINUTES OF THE REGULATORY COMMITTEE

Minutes of the Meeting of the Regulatory Committee held on 6th December 2011

It was moved by Councillor Bannister, seconded by Councillor Tomlin and

RESOLVED that: the Minutes of the Meeting of the Regulatory Committee held on 6th December 2011 be received and adopted.

411 MINUTES OF THE CONSTITUTIONAL REVIEW COMMITTEE

Minutes of the Meeting of the Constitutional Review Committee held on 7th December 2011

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

RESOLVED that: the Minutes of the Meeting of the Constitutional Review Committee held on 7th December 2011 be received and adopted.

412 SEALING OF DOCUMENTS

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

RESOLVED that: the affixing of the Common Seal of the Council to the documents set out below be ratified.

- Supplemental Section 106 Agreement Kibworth Application reference 110123 Relating to residential development on land at Wistow Road/Warwick Road Kibworth Leicestershire parcel 11/-01123/FUL.
- Minor works Building Contract The Council and SMP (Playground) Ltd. Re: Supply and installation of a Multi-use games area Little Bowden Recreation ground Market Harborough.
- Tree Preservation Order 2011 Bosworth House Berridges Lane, Husbands Bosworth.
- Planning Obligation by Deed of Agreement under s106 of the Town and Country Planning Act 1990 relating to the erection of 50 dwellings including scout hall, land for new pre school or other school use, provision of allotments, public open space, access and associated landscaping on land off Crowfoot Way Broughton Astley, the Council, Leicestershire County Council and Ivan Peter Crane.
- Tree Preservation Order 2011 Re: The Mount/ Little Lunnon Dunton Bassett Licence land adjacent to Bridgewater Drive Great Glen the Council and Great Glen Community Wildspace.
- Agreement pursuant to Section 106 Town and Country Planning Act 1990 Supermarket Development at Springfield Street, Market Harborough- Peveril Securities Limited and Sandcliffe Limited and Waitrose Limited and Aldi Stores Limited and Aldi Beta Limited and Aldi Omega Limited and the Council and Leicestershire County Council.
- Access Agreement Scape System Build Ltd. and The Council.

413 REVIEW OF POLLING PLACES AND DISTRICTS

R. Ellis, Returning Officer, presented this report. The purpose of the report was to recommend changes to a number of existing polling place arrangements to ensure that the facilities for voting were reasonable for all electors and were accessible to all voters including those with disabilities. The Electoral Administration Act 2006 placed a duty on the Council to carry out a review of polling districts and polling places at least every four years. Before this one, the last review was conducted in 2007. Therefore the Council was required to complete another review before the end of 2011.

As part of the review of polling districts and polling places, a consultation exercise was carried out during July and August 2011 regarding the existing arrangements. Information regarding

the polling station review and the existing polling places was placed on the Council's website for public consultation and circulated to Ward Members and Parish Councils. Consideration was given to the comments and proposals received as a result of the consultation exercise, and information gained from polling station staff at recent elections in order that the Returning Officer could ensure that the polling places within the district were both practical and accessible to as many voters as possible.

It was moved by Councillor Dann, seconded by Councillor Beesley-Reynolds and

RESOLVED that: proposals arising from the review of polling districts and polling places 2011, set out at Appendix A to the report, be adopted.

414 COMMUNITY GOVERNANCE REVIEW

Members considered a report from R. Ellis, Corporate Services Manager, which asked that terms of reference be approved for a Community Governance Review.

Carrying out a district-wide community governance review was included as one of the actions in the Portfolio Plan for Corporate and Customer Services for 2011/12.

Community Governance Reviews provide the opportunity for principal councils to review and make changes to community governance arrangements in their areas to reflect local circumstances, for example, in relation to changes in population or in reaction to specific or local issues. The provisions of the Local Government and Public Involvement in Health Act 2007, which devolved powers to carry out and implement reviews to principal councils, are intended to improve the development and coordination of support for citizens and community groups so that they can make the best use of empowerment opportunities.

Community Governance Reviews are conducted under the provisions of the Local Government and Public Involvement in Health Act 2007. With effect from 2008, the power to take decisions about matters such as the creation of parishes and their electoral arrangements was devolved from the Secretary of State and the Electoral Commission to the principal council (Harborough District Council in this instance). The principal council must determine and publicise the terms of reference of the review and must specify the area concerned.

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

RESOLVED that: the terms of reference for the Community Governance Review, set out at Appendix A to the report, be approved as the basis for consultation on local governance arrangements.

415 COUNCIL TAX BASE

Members considered a report on the fixing of the Council Tax Base for the 2012/13 year.

The Local Government Finance Act 1992, as amended, requires the Council to fix the Council Tax base for 2012/2013 between 1st December 2011 and 31st January 2012.

The Council Tax Base is the total number of "Band D equivalent" dwellings in the District after, allowing for exemptions, discounts and a provision for irrecoverables. The calculation for 2012/2013 in accordance with the Local Authorities (Calculation of Council Tax Base) Regulations 1992, as amended, is set out below. This figure is based on the Banding list at 1st December 2011 with an allowance for new properties taking into account discounts etc. and part-year occupation.

Band	Dwellings in Banding List	Disabled Persons Adjustments No. of cases	Less Exemptions Properties Affected	Less Discounts	Adjusted Amount for Council Tax Band	Applied Ratio to Band D Equivalent	Band D Equivalent (to one decimal place)
AR		6		(0.75)	5.25	5/9	2.9
A	4255	39	(273)	(593)	3428	6/9	2,285.3
B	7701	16	(195)	(767.75)	6,754.25	7/9	5,253.3
C	7301	(21)	(155)	(570.25)	6,554.75	8/9	5,826.4
D	5666	4	(114)	(337)	5,219	9/9	5,219
E	5430	(20)	(83)	(234.50)	5,092.50	11/9	6,224.2
F	3187	(4)	(53)	(116)	3,014	13/9	4,353.6
G	2346	(7)	(33)	(72)	2,234	15/9	3,723.3
H	225	(13)	(6)	(10.50)	195.50	18/9	391
				(2701.75)	32,497.25		33,279
							Add allowance for new properties
							126
							33,405
							Less 1% allowance for irrecoverables
							(334)
							COUNCIL TAX BASE FOR 2012/2013
							33,071

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

RESOLVED that:

- (i) the calculation of the Council Tax base for the year 2012/2013 be approved;
- (ii) in accordance with the Local Authorities (Calculation of Tax Base) Regulations 1992, as amended, the amount calculated by Harborough District Council as its Council Tax base for the year 2012/2013 shall be 33,071 and
- (iii) the Council Tax base for individual Parishes for 2012/2013 be calculated in accordance with the same principles as the Council's overall Council Tax Base (detailed in the report set out in the papers for the Meeting).

416 THE LOCALISM ACT 2011 – THE AMENDED STANDARDS REGIME

V. Wenham, Head of Legal and Democratic Services and Monitoring Officer, presented this report to Members. The purpose of the report was to inform Members of changes to the system of regulation of standards of conduct for elected and co-opted members. The date for implementation of these changes was proposed to be 1st April 2012 (this date was necessary to comply with the anticipated effective date of the Act). It was reported that the date for implementation had been put back to 1st July 2012.

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

RESOLVED that:

- (i) the Council note the changes made to the standards regime by the Localism Act 2011 (The Act) and instructs the Monitoring Officer to prepare the following documents:
 - Draft Code of Conduct, based on discussions with local authorities in Leicestershire.
 - a new Register of Members Interests to comply with the requirements of The Act and of the Council's Code of Conduct, once adopted, and ensure that it is available for inspection.
 - Draft options for arrangements for dealing with complaints about potential breaches of the Code of Conduct to comply with the requirements of The Act

including whether a sub-committee should be established. The draft arrangements should set out a range of options available to the Council.

- any other documents necessary in respect of the amended Standards regime;
- (ii) the implications of the changes be considered by the Standards Committee and the Monitoring Officer and a subsequent report to be submitted to Council to consider and adopt.

417 MATTERS OF SPECIAL URGENCY

None were received.

418 SECTION 100A LOCAL GOVERNMENT ACT 1972

RESOLVED: that the press and public 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 paragraphs 1 and 2 of Part 1 of Schedule 12A to the Local Government Act 1972.

419 CONTRACT OF THE INTERIM CHIEF EXECUTIVE

Members considered recommendations from the Interim Chief Executive Sub-Committee. At its Meeting on 4th January 2012, The Interim Chief Executive Sub Committee made recommendations to Council.

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

RESOLVED that:

- (i) the contract of the Interim Chief Executive be extended until 31st March 2013.
- (ii) delegated authority be given to the Human Resources Manager and the Head of Legal Services to examine the contract of the Interim Chief Executive to ensure that it is fit for purpose.

The Meeting ended at 9.06p.m.