

HARBOROUGH DISTRICT COUNCIL
MINUTES OF THE COUNCIL MEETING

held in Council Chamber The Symington Building, Adam and Eve St, Market Harborough

28 July 2014

commencing at 6.30p.m.

Present:

Cllr Hall (Chairman)

Councillors:, Bannister, Beaty, Beesley -Reynolds, Bowles, , Brodrick, Mrs. Burrell, Callis, Charlish, Dann, Dewes, Elliott, Evans, Everett, Galton, Golding, Graves,, Hallam, Dr.S..Hill, Holyoak, Johnson, Mrs. Page, Pain , Mrs Robinson Rook, Mrs. Simpson, Spendlove-Mason, and Tomlin

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

Apologies for absence were received from Cllrs Mrs. Ackerley Birch, Bremner, Dunton, King, Knowles, Liquorish, McHugo and Wood

96 CHAIRMAN'S ANNOUNCEMENTS

The Chairman announced that:

- i) On 4 August there would be a Commemoration of the centenary of the start of the First World War There would be three events held during the evening of the 4 August The programme will begin at 7.00pm at the Market Harborough Hospital Memorial where the names are listed of all those from Market Harborough, Great Bowden and Little Bowden who served during the war. At 7.30pm there will be a short ceremony in the Memorial Gardens where the refurbishment of the pergola and its roses has been completed, At 7.45pm there will be a service of commemoration led by Revd. Richard Brand at St. Dionysius. All Councillors were invited.
- ii) He had attended 14 events since the last meeting of Council .He singled out the Council's STAR awards ,the Royal Anglian Regiment's homecoming parade, the Carnival and the fitness centre at Welland Park which Cllr Pain had also attended

97 DECLARATION OF MEMBERS INTERESTS

No interests were declared

98 MINUTES

RESOLVED that: the minutes of the Annual Council meeting held on 12 May 2014 be received and adopted

99 PETITIONS

It was reported that

- A Petition of 83 signatures has been received calling on Harborough District Council to prohibit the culling of badgers on council owned land and invest in vaccination programmes locally.

With regard to this petition the Leader made the following statement:

Due to the level of support for this petition there are not sufficient numbers to trigger a Council debate. It does not appear to be a significant issue on Council owned land and at this time there appears to be no need to contact DEFRA to seek permission to prohibit culling of badgers and implement a local vaccination programme.

- A petition of 67 signatures has been received calling for Leicestershire County Council, Harborough District Council and Great Glen Parish Council to take action appropriate to their powers and responsibilities to enable equality of pedestrian access to all public areas of Great Glen parish regardless of age, ability or disability

A Ward Councillor , Cllr Spendlove-Mason spoke in favour of the petition

With regard to this petition the Leader made the following statement

A number of issues have been raised in the Great Glen Safe Walking Petition, May 2014, and the relevant authorities have been notified where the issue concerns their jurisdiction. The issues relevant to the District Council are around parking enforcement and footpaths.

Civil Enforcement Officers regularly patrol the Great Glen area for parking enforcement and since April, 46 patrols have been undertaken and 9 penalty charge notices have been issued. The area in question has been identified as a hotspot area. Patrols will continue in liaison with the County Council where it involves on street enforcement.

With regard to the footpath issue an inspection to the footpath was carried out in early July. Whilst there are no trip hazards or potholes, the footpath is in a poor condition and officers have been asked to assess the footpath to determine whether maintenance is required.

100 SEALING OF DOCUMENTS

The Council noted the sealing of the following documents

- Consultancy Agreement relating to the provision of a Rural Centres Landscape Sensitivity and capacity Assessment ,the Council and Landscape Partnership Limited
- DS1 Land Registry Removal of Legal Charge Carlson Gardens Lutterworth
- Section 106 Variation Coventry Road, Lutterworth, The Council Leicestershire County Council and Bellway Homes
- Confirmation of Footpath order Footpath A25 (part) Parish of Lubenham (Airfield Farm)
- Confirmation of Footpath order Footpath B38 (part) Grange Farm Main Street, Slawston
- Section 106 Variation Glen Rise Oadby Riverside Group the Council and Leicestershire County Council
- Lease Unit G1 Harborough Market Gary Lawson
- Counterpart Lease Unit F14 Harborough Market the Council and Simon Mayers
- Section 106 Variation Stretton Road Great Glen Miller Homes and the Council
- Consultancy agreement the Council and URS Infrastructure and Environment
- Lease Storage 18 Harborough Market the Council and Cheuk Wai Ng
- Lease Storage 3 Harborough Market the Council and Stelios Paphitis

- Partnering Agreement for the appointment of a Consultant for services in relation to the Strategic Distribution Sector the Council, Blaby DC Charnwood BC Hinckley and Bosworth BC Leicester City Council , Melton BC North West Leicestershire DC and Leicestershire County Council
- Section 106 Variation Glebe Road Market Harborough Redrow Homes ,the Council and Leicestershire County Council
- Grant Agreement –Leicestershire County Council and The Council Commissioning Plan and Locality proposal for Sport Activity
- TR1 19-21 Market Street, Lutterworth the Council Christopher McDonagh and Melanie McDonagh
- Variation Agreement to Contract (street cleaning) the Council and FCC Environment Services (UK) Limited
- Agreement Leicester and Leicestershire Strategic Distribution Sector study the Council and MDS Transmodal Limited
- Licence –Memorial Stone Village Green Thurnby the Council and Thurnby and Bushby Parish Council
- Lease Unit F10 Market Hall, the Council and MJ and S Brennan and Son

101 REPORT OF THE LEADER

MJ Awards & Gallone's

I was delighted that The Symington Building was named as one of the six best community investment projects in the UK in the national MJ Awards. The awards commended the way the Grade II listed building was taken from a state of serious disrepair to become the community hub it is today while honouring and preserving its heritage.

Moving on from this, it was exciting to see the first retail unit in the building open for business this month. Gallone's ice cream parlour is doing a roaring trade, no doubt helped by the exceptionally warm weather we've had lately. This is fantastic news for Gallone's, the council, the public and the local economy, and I, for one, have been in and sampled the delights they have on offer to the expense of my waistline!

I'm looking forward to a further two retail units opening at The Symington Building in the coming weeks.

LABC awards success

I hope members will join me in congratulating our building control team after Harborough District Council's recent success at the LABC Awards (Local Authority Building Control Awards).

Two Harborough District Council nominated projects were among those chosen by the judges as regional winners. These were the pioneering Solar House at Great Glen which is believed to be the UK's first new-build home to use the sun's energy for all of its heating and hot water. This won two awards – the Best individual new dwelling and the Chairman's Award.

More pleasing than that, the judges gave the Best Partnership with a local authority building control team award to the Harborough District Council Building Control & Corporate Architecture. This recognises the best development team approach, long-standing relationship, or cooperative approach to a problem.

The winners now go forward to the national LABC Building Excellence Awards Grand Finals, to be held in London in November 2014 and we wish them well.

New Homes Bonus money

Last Monday, the Executive agreed that a further quarter of a million pounds worth of New Homes Bonus funding should be allocated to parishes and worthwhile projects. This is on top of the £250,000 we allocated last year.

This year, the money is being split evenly with £125,000 going to the Locality Investment for areas which have seen new housing, and £125,000 going to the Districtwide Fund.

This means more projects will be able to apply for funding for local facilities or for emerging community needs such as feasibility studies, or for example, to support the development of community broadband initiatives. This, I hope, will be welcome news to residents and community groups across the district.

Information about how to apply for this funding will be on the council website.

Business event

It was pleasing that we had over 40 business representatives attend a business breakfast event held at the innovation centre recently.

Not only did it give people a chance to meet the council's new Business Support Manager, Lee Byrne, it was also chance to share information about the national business picture and the good work we are doing locally with the Leicester and Leicestershire Enterprise Partnership (LLEP). In particular how the LLEP is making funding available to businesses in the district.

We were lucky to have local MP Sir Edward Garnier with us on the day and it is my aim that we hold similar events to support the business community over the coming weeks. I hope the next one can be held in Lutterworth.

Parking incentives

You may be aware of media reports about calls from businesses and the chamber of trade for more car parking incentives in town centres and whilst we are always looking for ways to support local businesses and invest in the community as we did in the run up to last Christmas, we need to be sure that these decisions and incentives are based on sound business principles.

At a time when the council needs to make savings, we must be certain there is evidence that free parking does actually result in bringing more people to the town. That said, I am very happy to work with the chamber of trade to explore ideas as we continue to review our overall parking strategy.

Lift issues

Since the opening of The Symington Building a limited number of visitors have reported issues with accessing services on the upper floors of the building. I am keen that the Council's buildings are as accessible as possible. During July the number and type of users using the two main lifts has been recorded. During this period no users have been unable to access the first floor library and museum.

It is clear that the Council should obtain the view of users of the building and to better guide people through to the Foxes Yard Lift before any wider investment is considered. Over the next month users' views and experiences will be collected to provide better information of need and issues.

The concierge and library staff will continue to support all visitors to access services within the building. I intend bringing a full report to Council after the summer setting out options for the future.

A Member raised an issue regarding the changes to Planning and Housing numbers. The Leader informed Council that his next report would look at those issues once further clarification had been achieved. He had requested a meeting with developers to discuss whether the new targets could be achieved as historically there had been very few occasions when this number of dwellings (600) had been built in a single year

A Member raised an issue regarding disabled parking bays and whether they could be exempt from paying as some disabled drivers struggled to use the coin operated machines.

The Leader assured Council that cashless payments would be looked at as part of the car parking review

102 RECOMMENDATIONS FROM THE EXECUTIVE

Harborough District Council and the Welland Partnership

It was moved by Cllr Pain seconded by Cllr Dann and

RESOLVED that

- i) Harborough District Council withdraw from the Welland Partnership;
- ii) delegated authority be given to the Head of Financial Services (Section 151 officer) to negotiate and formalise the best possible terms for the Council's withdrawal.
- iii) the Council continues its membership of the Welland Internal Audit Partnership; and that delegated authority be given to the Head of Financial Services (Section 151 officer) to negotiate revised terms for the relevant agreement.

Summary of Reasons

The Council's recent internal review of partnership working concluded that membership of the Welland Partnership does not provide value commensurate with the investment of officer and member time and resources and recommended that the Council should withdraw. The outcome of the review of the partnership policy and partnership register was considered by the Resource and Performance Scrutiny Panel on 16 January 2014 and by the Executive on 10 February 2014 who approved the Council's withdrawal from the Welland Partnership. This excluded withdrawal from the Welland Independent Remuneration Panel as further consideration will need to be given to HDC's future involvement. The Council is required to appoint an independent remuneration panel and if it were to withdraw from the joint panel it would need to go through a separate appointment process.

The Welland Internal Audit Unit provides an important service to the Council and it is considered in the Council's interests that it secures future provision of the service and therefore the Executive agreed in February that HDC should continue to use the service whilst it provides value for money.

103 MINUTES OF EXECUTIVE

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

RESOLVED that the Minutes of the Executive held on 24 March 2014 be received and adopted.

104 REPORT OF CHAIRMAN OF SCRUTINY COMMISSION

Since the last meeting of Council the Community Leadership Panel has met to have its annual Crime and Disorder Reduction Partnership Meeting:

The Panel was joined by representatives from the following agencies:

- Leicestershire Fire and Rescue
- Leicestershire Constabulary
- Women's Aid

The representatives gave an excellent introduction to the day-to-day work of their agencies working within our communities and we were also given an insight into how they dealt with particular issues. The Panel felt that these regular updates are an excellent way of keeping the Council informed.

On Friday the 11th July Ed O'Neill and I attended a Training Workshop for Scrutiny Chairs held at the University of Birmingham. The presenter was Andrew Coulson, Lead Consultant on Overview and Scrutiny at INLOGOV.

The event was attended by Councillors and Democratic Officers from various councils including Birmingham, Warwickshire, Northampton, Manchester, Croydon, Shropshire, Lincolnshire and Cardiff.

During the day there was lots of discussion and advice around how Scrutiny should be undertaken in various different contexts. At the end of the programme it was clear that Harborough District Council is operating a Scrutiny mechanism appropriate for the size of the authority and in line with best practice.

I look forward to many successful Scrutiny meetings in the year to come.

Cllr Lynne Beesley-Reynolds

105 MINUTES OF THE SCRUTINY COMMISSION

It was moved by Cllr Beesley-Reynolds seconded by Cllr Bowles and

RESOLVED that: the minutes of the Scrutiny Commission held on 29 May 2014 be received and adopted

106 MINUTES OF COMMUNITY LEADERSHIP SCRUTINY PANEL

It was moved by Cllr Brodrick seconded by Cllr Tomlin and

RESOLVED that: the minutes of the Community Leadership Scrutiny Panel held on 15 May 2014 be received and adopted

107 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 3 June 2014 and 1 July 2014 be received and adopted.

108 MINUTES OF THE ETHICAL GOVERNANCE COMMITTEE

It was moved by Cllr Everett, seconded by Cllr Bannister and

RESOLVED that: the minutes of the Ethical Governance Committee held on 24 June 2014 be received and adopted.

109 MINUTES OF GOVERNANCE AND AUDIT COMMITTEE

It was moved by Cllr Bannister, seconded by Cllr Bowles and

RESOLVED that: the minutes of the Governance and Audit Committee held on 26 June 2014 be received and adopted.

110 WELLAND REMUNERATION PANEL MEMBERS ALLOWANCES UPDATE

Members were updated on the current position following the recommendations adopted by the Council at its meeting on 21 February 2013. It was noted that since the last meeting of the Welland Remuneration Panel one of its members had resigned and members considered whether there should be a recruitment process for an additional panel member.

A formal request had been received from one of the Parish Councils for the remuneration panel to consider payment of allowances to its parish councillors. It was reported that the remuneration panel was the appropriate body to carry out this work. The costs associated with the panel undertaking this role would be met by the parish concerned.

RESOLVED that

- i) a new independent member be recruited to the Welland Remuneration Panel following the resignation of one of the existing members, (subject to the agreement of the other authorities who utilise the panel);
- ii) consideration of parish councillor remuneration be included as part of the Panel's future work plan; and
- iii) once the actions set out at i) and ii) have been completed, a further report be presented to Council on progressing the outstanding recommendations from Council of 21 February 2013 (Minute 493 refers)

Summary of Reasons

The Welland Members Remuneration Panel undertook a review of members' allowances during late 2012 and the subsequent report of the Panel was considered by the Council at its meeting on 21 February 2013. The relevant extract of the Minutes of 21 February 2013 is attached as Appendix A to the report

The recommendations from the Panel (which were approved by the Council) relating to the roles of the position of Chairman of Scrutiny Task and Finish Groups and the role of Champions be revisited in October 2013 and the Chairman of the Scrutiny Commission and the Chairman of the Scrutiny Panels be confirmed on an interim basis but be revisited at the same time.

Whilst further meetings of the Panel were arranged for early January 2013 as a fundamental review of the constitution was commissioned in February 2014 it was considered appropriate to postpone those deliberations. However, as a significant amount of time has elapsed since the report was considered it is appropriate that the matter is referred back to Council for review.

The Council has received a formal request from one of its parish councils for the independent remuneration panel to consider the payment of allowances to its councillors. The panel is the appropriate body to carry out this.

111 URGENT REPORT

The following item was added to the agenda with the consent of the Chairman as the Regulations come into force on 31 July and amendments are needed to the Constitution to accommodate the changes.

112 THE OPENNESS OF LOCAL GOVERNMENT BODIES REGULATIONS 2014 –RECORDING OF COUNCIL MEETINGS

Members were updated on the provisions of The Openness of Local Government Bodies Regulations 2014 specifically relating to the recording of Council meetings and the necessary changes required to the Council's Procedure rules contained in Part 4 of the Constitution. It was suggested that as an interim measure the Council adopt the following principles:

- The filming, recording and use of social media of and at public meeting of the Council, its committees or sub-committees is permitted. This does not include oral commentary during the meeting as this would be disruptive to the good order of the meeting.
- Any person intending to record the meeting is requested to notify the Council (provide contact details) prior to the meeting to allow the Council to ensure that adequate facilities can be provided
- The chairman of the relevant meeting will notify those present if that the meeting may be recorded.
- Any activity or action in relation to the recording of meetings which disrupts the conduct of the meeting is not permitted. Any person who, in the opinion of the Chairman of the meeting, so disrupts the meeting will be asked to leave.

RESOLVED that:

- i) the provisions of The Openness of Local Government Bodies Regulations 2014 be noted; and
- ii) Procedure Rule 26 in Section 1 of Part 4 of the Constitution be waived to allow the recording of public meetings of the Council (including its committees and sub-committees) to the extent permitted under the 2014 Regulations;
- iii) the Constitutional Review Committee consider options for a revised procedure rule governing the recording of meetings for consideration by Council and;
- iv) the interim policy set out at paragraph 5.4 of the report be approved pending consideration of detailed policy at a future meeting.

Summary of Reasons

The 2014 Regulations are due to come into effect on 31 July 2014 and allow any person attending a public meeting to take photographs, film and audio record the proceedings and report on the meeting. The 2014 Regulations allow for reporting of the meeting via social media of any kind, although oral reporting or commentary is prohibited. The Council needs to consider changing its Procedure rules to allow this and to consider adopting an interim policy to cover this situation.

The meeting closed at 7.20pm