

HARBOROUGH DISTRICT COUNCIL

MINUTES OF THE EXECUTIVE MEETING

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

held on 19 October 2015,

commencing at 5.00p.m.

Present:

Cllr Pain (Chair),
Councillors: Bannister Hallam, King and Mrs Page

Apologies for absence were received from Cllr Liquorish

Officers: , Ann Marie Hawkins, Beverley Jolly, Beth Murgatroyd, Norman Proudfoot,
Simon Riley and Verina Wenham.

226 PORTFOLIO HOLDER ACTIVITY

Communities

Cllr Page announced she had attended:

- Victims First launch at the Stadium
- Learning Disability forum
- LRS Sports Alliance
- A meeting with Lutterworth Town Council with officers

Leader

Cllr Pain announced that he had attended

- On 30 July the LLEP Board meeting at East Midlands Airport
- On 9 September a delegation from South Kesteven
- On 14 September a meeting of the LGA Tourism and Sport Board
- On 18 September a meeting with Sir Edward Garnier MP and representatives from the NHS
- On 24 September the LLEP Board meeting
- On 29 September the launch event at Bruntingthorpe Proving Ground
- On 9 October a meeting with Alberto Costa MP

227 MINUTES

RESOLVED that the minutes of the meeting of the Executive held on 7 September 2015 and the minutes of the extraordinary meeting of Executive held on 21 September 2015 be approved as a correct record.

228 APOLOGY FOR ABSENCE

An apology for absence was received from Cllr Liquorish

229 COUNCILLOR BROADBAND PROVISION

The Executive received comments from Cllr Rook regarding the provision of an allowance for broadband and the importance of looking at that allowance in the context of lower levels of other remuneration received.

The Executive received further information on comparative data with other local authorities in Leicestershire and details of the financial package suggested for member broadband.

It was reported that Councillors using HDC-provided broadband would need to arrange their own internet connectivity as soon as possible. HDC ICT would commence the ceasing of services 3 months after the date of the decision, which would be 19 January 2016.

RESOLVED that the Council pay elected members a financial contribution towards a broadband service as detailed in section 4.3 of the report thereby providing a similar financial package to many other neighbouring councils

Summary of Reasons

It is necessary to review the services offered to councillors to enable them to gain access to Council information systems; ensuring that a suitable and cost effective solution is provided. This review and its resulting decisions will help formalise ICT provision, clarifying the level of service expected and provided. Standardised equipment and services will provide consistency for Harborough District Council's (HDC's) councillors, remove duplication of equipment & services and increase their usability.

230 REVISION TO THE DATA QUALITY STRATEGY AND ACTION PLAN

The Executive considered the strategy and plan. It was noted that consistent, accurate, timely and comprehensive information is vital to support effective decision-making and management of resources to ensure that the improvements, outcomes and impacts the Council and its partners aim to achieve within the District are delivered.

Data that the Council holds and manages is used by external bodies to assess the Council's performance. This places great emphasis on data quality.

The Data Quality Strategy and Data Quality Action Plan have been updated to include the following changes:

- Roles and Responsibilities and Officer Structure.
- Key Performance Indicator Data Quality Template.
- Training of Managers (e-learning module and induction).
- Audit recommendations incorporated (see Action Plan at Appendix C).
- The introduction of a system of spot-checks to promote the integrity of data.

RESOLVED that the revised Data Quality Strategy and Data Quality Action Plan) be approved for implementation subject to changing section 2.1.2 to read

'The Portfolio holder for Business Planning and Performance has responsibility for data quality and will ensure that there are regular reviews through the portfolio briefings'

Summary of Reasons

The Council's Data Quality Strategy has not been updated since 2010.

The Internal Audit Team has recommended that the Council's Data Quality Strategy and Data Quality Action Plan be updated. The recommendations from the Internal Audit Team can be viewed at Appendix C of the attached Data Quality Strategy.

231 EMPTY PROPERTY STRATEGY

The Executive considered a draft Empty Property Strategy Properties become empty for a number of reasons and most are reoccupied within a short period of time however on occasion it may become necessary for the Council to undertake interventions to bring them back into use.

Since 2012 there has been a reduction in the number of empty properties in the district. In 2012, 1122 empty properties were recorded, of which 514 were long term empties. In 2014 these numbers had reduced to 995 empty properties with 365 being empty for more than six months.

It was reported that generally where a property had been left empty for more than 12 months it could often be more difficult to bring them back into use as the property could be more neglected and the costs of refurbishment increased etc. Consequently the focus of the strategy was to target interventions at the most problematic properties that had been left empty for the longest period and were causing the greatest impact on the local community.

The Strategy consolidated all the powers/initiatives currently available to the Council in relation bringing empty properties back into use into a single document and introduced a tool for officers to use to prioritise their work on empty properties. This enabled resources to be targeted to properties where there is the greatest impact.

The draft strategy had been reviewed by the Scrutiny Panel for Resource and Performance and its comments had been included in the assessment criteria for prioritising properties. Consultation on the document was carried out during May and June 2015. No responses were received during the consultation.

The Executive asked that officers consider how the strategy should be monitored and it was agreed that the Portfolio Holder should monitor the number of empty properties in the District as part of the portfolio holder regular meetings with key officers. The Portfolio holder also emphasised the importance of communication of the strategy and asked that it be made available on the Council's website

RESOLVED that

- i) The Empty Property Strategy attached at Appendix A to the report be approved
- ii) Delegate authority to the Corporate Director – Community Services in consultation with the Portfolio Holder for Communities to make minor amendments to the approved strategy to reflect legislative or best practice guidelines

Summary of Reasons

Whilst there is no statutory duty to bring empty properties back into use long term empty properties can have a detrimental impact on the local community and when brought back into use can provide much needed accommodation.

The strategy highlights the Council's approach to tackling empty properties and sets out the methodology to be used to prioritise action based on a number of contributing factors including length of time the property is empty or the impact on the surrounding neighbourhood etc.

Generally the Council does not receive many complaints regarding empty properties and since 2012 approximately 10 requests for service have been received by the Environmental Health Officers to deal with empty properties. However there are a few long term empty properties in the district that do cause concern for both members and officers. A reduction in the number of long term empty properties in the district will also have a positive financial impact on the Council through the allocation of the New Homes Bonus.

232 GENERAL ENFORCEMENT POLICY

It was reported that the Council has a statutory duty to enforce a wide range of legislation, with regulatory functions being delivered by a number of service areas across the council. The adoption of an enforcement policy is essential to ensure consistency in enforcement is achieved.

The Council's first Enforcement Policy was approved in 2002 and revised in 2010 to reflect legislative changes. The introduction of the Regulators' Code in April 2014 has resulted in the need for a further review of the existing enforcement policy. The principles of the Regulator's Code are to ensure that the Council will:

- Carry out activities in a way that supports those we regulate to comply and grow
- Provide simple and straightforward ways to engage those we regulate and hear their views
- Base regulatory activities on risk
- Share information about compliance and risk
- Ensure clear information, guidance and advice is available to help those we regulate meet their responsibilities to comply
- Ensure our approach to regulate activities is transparent.

It is proposed to simplify the Council's enforcement framework by introducing a General Enforcement Policy which incorporates a wider range of regulatory functions across the Council as the current Enforcement Policy does not include reference to all services such as Building Control for example. Recovery for revenues and benefits falls outside the scope of the general enforcement document as there is a separate recovery policy to cover this area of work.

The General Enforcement Policy will not deal with the service specific enforcement policies and operational procedures. These specific policies are likely to need more frequent review and amendment to keep them in line with legislative changes and therefore it is proposed that their approval be delegated to the Corporate Director in consultation with the relevant Portfolio Holder.

The draft policy for consultation was approved by the Regulatory Committee on the 24th March 2015 and the consultation took place in May and June 2015. No responses were received as a result of the consultation and there have been no amendments to the draft document that was approved by the Regulatory Committee in March.

RESOLVED that

- i) The General Enforcement Policy attached at Appendix A be approved subject to the inclusion of the following
The inclusion of the date of the Executive in the policy as the date of approval
The addition of the following as the final bullet point
Timeliness
Timeliness means undertaking any investigations and responding to individuals and businesses in accordance with our published service standards
- ii) authority be delegated to the Corporate Director – Community Services in consultation with the Portfolio Holder for Environment and Regulation to approve service specific enforcement policies in line with the Council's general policy.
- iii) authority be delegated to the Corporate Director – Community Services to make minor amendments to the General Enforcement Policy following notification to the Portfolio holder.

Summary of Reasons

A decision about enforcement action and in particular the decision to prosecute has serious implications for all involved. The aim of this policy is to ensure that:

- Decisions about enforcement action are fair, proportionate and consistent
- Officers apply current Government guidance and Codes of Practice
- Everyone understands the principles that are applied when enforcement action is considered.

The policy sets out what those being regulated can expect from the Council when enforcement activities are undertaken. Having a robust Enforcement Policy reduces the risk of legal challenge on the approach taken by the Council with regards to enforcement action.

233 VOLUNTARY AND COMMUNITY SECTOR POLICY

It was reported that currently the Council has no overarching Voluntary and Community Sector Policy to guide its support to the sector. Support is provided in a number of ways – both financial and non financial across multiple service areas.

- Community Grants process funded from New Homes Bonus.
- Funding additional work in Harborough District on volunteer development and group advice and support. (Over and above that, funded in all districts/ boroughs by Leicestershire County Council).
- Core funding for local Voluntary and Community Sector ‘Hubs’:
- Funding to enable free, impartial and confidential advice to residents.
- The Council also offers accommodation and premises to voluntary and community sector groups at reduced rates including ongoing repair and maintenance costs.
- The Council enables new and extended Community Facilities from s106 Housing developer contributions.
- The Council also provides in-kind/ non financial support, e.g. litter picking equipment and refuse collection for community litter picks/groups.

The purpose of the Voluntary & Community Sector Policy was to provide a framework to guide the Council's future support to the sector from 2015 until 2020. In the context of ongoing financial pressure the Council needs to ensure that it is using available resources to best effect. This includes being consistent and transparent in the support offered to individual organisations, particularly those leasing or hiring Council premises, where significant variation exists on terms and amount of rent paid.

The draft policy builds on the role of the Council as an ‘enabler’ – helping the community to meet its own needs, opportunities and problems in the most effective way, rather than the Council being the default provider of services. The aim is to ensure a variety of support mechanisms are available from the Council to help build capacity and sustainability in the voluntary and community sector and ultimately reduce the need for Council support over time.

RESOLVED that

- i) the Voluntary and Community Sector Policy be approved for implementation (attached at Appendix A to the report). subject to the following change
Paragraph 6.3(d) of the policy be amended to read
The Council will provide core funding within available resources and where possible and appropriate funding will be available for at least 3 years to allow organisations more stability to plan properly
- ii) it be noted that the Community Grant and Core Grant funding amounts for 2016 onwards will be reviewed as part of the budget setting process by February 2016.
- iii) it be noted that a detailed Voluntary and Community Sector Accommodation Policy will be brought back to the Executive in January 2016.

Summary of Reasons

To provide a strengthened policy framework to guide the Councils engagement and relationship with the sector from 2015 until 2020.

In the context of ongoing reductions in Council funding it may not be possible to maintain current support levels. It therefore important for the Council to consider its resource allocation in joined up way to ensure maximum value for money.

234 HARBOROUGH MUSEUM FUNDING

It was reported that in 2011 the three partners comprising the museum Leicestershire County Council , Harborough District Council and Market Harborough Historical Society agreed to the establishment of a Trust to ensure the sustainability of Harborough Museum

As work to establish the Trust progressed and the practical detail around what the Trust could and wanted to take on, a number of significant challenges emerged:

- Whilst much work had been done to engage new trustees, the key role of Treasurer remained vacant.
- The Trust's business plan could not be developed until it was clear if any income streams could be transferred to the Trust. Without its own revenue the Trust would need ongoing financial support from the local authorities.
- A lack of consensus over whether the Trust should take on responsibility for the collections.
- The refurbishment of The Symington Building with the Museum sharing space with the Library was a fundamental change from when the original Trust model proposal was formed.

All parties have now agreed a way forward to help secure the long term future of Harborough Museum ie

- Confirm the importance of the existing legal partnership between HDC, LCC and MHHS and clarify their individual roles within the partnership and affirm their ongoing commitment to the future of Harborough Museum.
- A commitment to make the partnership more effective and give equal weight to the voice of each partner, through the establishment of a partnership steering group, which would agree the strategic direction and priorities for Harborough Museum.
- A commitment to establish a programming/activity group to support the partnership in realising its vision for Harborough Museum. This group would have the ability to call on the support of other stakeholders and volunteers as appropriate.
- Agreed a series of initial priorities for Harborough Museum.
- Agreed that work to establish a Harborough Museum Trust would cease at that time and steps would be taken to resolve any outstanding issues around funding. Any funding held by the interim organisation for the benefit of the Museum be transferred to a relevant body, for the specific purpose of supporting and developing Harborough Museum.

.A draft Business Plan (for the funding agreed by HDC of £26K for 2015/16) has been agreed by the Strategic Steering Group for the museum. The purpose of the proposal is to enhance the current offer at Harborough Museum. It aims, through improved traditional and digital promotion, to engage with the audiences, particularly school groups, young people and visitors to the area. It also aims to help to make the Museum and its collections and resources accessible, sustainable and diverse through a well managed programme of activities. The funding has been suggested to be re-profiled over 3 years by Harborough District Council's Portfolio Holder to provide better value for money and sustainability and partners are fully supportive of this.

As the District Council's funding for the Museum of £26K for 2015/16 was originally agreed to support the Museum Trust to move to an independent and sustainable charitable organisation Executive approval was sought for this funding to be utilised to deliver the activities as set out in the Business Case

The Portfolio Holder commented that the level of this Council's commitment to the museum equated to £1.5m over the life of the agreement

RESOLVED that

i) approval be given for funding of £26,000 for 2015/16, originally allocated to support the development and delivery of a Charitable Museum Trust, and it be utilised to deliver the activities (outlined in the Business Case attached at Appendix A to the report) and re-profiled over three years (15/16, 16/17, 17/18);

ii) the Corporate Director of Community Services, in consultation with the Portfolio Holder for Communities, be authorised to agree any necessary changes to the Business Plan;

Summary of Reasons

The three year funding for the Harborough Museum agreed by the District Council was to support the Harborough Museum to move to an independent and sustainable charitable Museum. However, following the refurbishment of The Symington Building, the success of the new integrated Library and Museum and the challenges faced in progressing the Trust, partners agreed new partnership arrangements and a way forward. As a result of this it was agreed that work to establish a Trust at that time would cease. The newly established Harborough Museum Partnership Strategic Steering Group (made up of the three legal partners of the Museum) has agreed a Business Plan for the funding from Harborough District Council of £26K for 2015/16 (to be re-profiled over 3 years to ensure better value for money and sustainability) which is attached as Appendix A.

The Business Plan reflects the initial priorities identified by partners at workshops and meetings. The Executive is therefore asked to approve the funding to deliver the activities (as identified in the Business Plan in Appendix A) to support the future development of the Museum, provide an enhanced offer, increase visitors and users of the service and attract a more diverse audience.

235 DECLARATION OF MEMBERS' INTERESTS

Cllr Hallam declared an interest in the following item. The nature of the interest was that HCA were his landlord. Cllr Hallam left the meeting for consideration of the item

236 SECTION 100A LOCAL GOVERNMENT ACT 1972

RESOLVED that, except for those Members present not being Members of this Executive, the public and press be excluded from the following items 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

237 REDEVELOPMENT OF GARAGE SITES

Further to Minutes 146 (2013/2014) and 313 (2014/2015), the Executive considered the options in respect of several garage sites (including assessment of their potential for housing development).

RESOLVED that

- i) the Business Case to proceed with development by Harborough District Council of the Garage Site, Paget Road, Lubenham, be approved subject to;
 - Planning Permission with no significant conditions, which increase costs beyond the current cost envelope and no s. 106 contributions being required.
- ii) the Business Case to proceed with development by Harborough District Council of the Garage Site, St Cuthbert's Avenue, Great Glen, be approved subject to;
 - Planning Permission with no significant conditions, which increase costs beyond the current cost envelope and no s. 106 contributions being required; and
 - Highways 'Stopping Up' Order being approved.
- iii) Authority be delegated to the Corporate Director – Resources in consultation with the Head of Legal and Democratic Services, s. 151 Officer and the Portfolio Holder Financial and

Commercialisation, to take such steps as are necessary to implement the resolutions outlined above, including, but not restricted to;

- Terminate Occupier Licences at Paget Road, Lubenham and St Cuthbert's Avenue, Great Glen;
- Terminate Vehicle Access Licences at St Cuthbert's Avenue, Great Glen;
- Complete the contractual arrangements under the SCAPE/empa ii national framework with Jeakins Weir Ltd.;
- Agree an appropriate marketing budget with Connell's, the residential agent;
- Complete an application to the Help to Buy Scheme;

Summary of Reasons

To satisfy Corporate Delivery Plan 2013/14 Objective CA9 "Ensure financial and other assets are maximised and managed efficiently" and to further good asset/property management of the Councils assets.

To realise the maximum benefits from the Council's assets.

To deliver homes for first time buyers.

238 DECISION MADE UNDER DELEGATED AUTHORITY

It was reported that a decision had been made by the Corporate Director - Community Services accordance with Part 3 C 1.3.(2) of the Council's Constitution

RESOLVED that the decision to provide an assurance to FCC regarding the purchase of a new vehicle fleet for the Environmental Services Contract by the 1st April 2015 be noted

Summary of Reasons

The Executive on the 21st September approved the provision of the Council's Environmental Services Contract by FCC to the 31st March 2023. The offer was attached as Appendix N of the report. A key deliverable of the offer was for FCC to replace the vehicle fleet by April 2016, and this was inherent in the deliberations of the members and implied in the decision.

FCC is seeking assurance from the Council in respect of this capital investment. They seek the following assurance ' that on the basis that the vehicle fleet is replaced/ refreshed by April 2016 (as per their offer (detailed in Appendix N) that the Council would not exercise the break clause within the existing contract (the break clause can only be exercised after the 1st April 2016)

In giving this assurance at this stage it could be seen to fetter the Council's position, in effectively preventing it from exercising the break clause prior to the completion of an updated contract following the decision on the 21st September 2015, or if the financial or regulatory framework was to change in the meantime. This risk is perceived to be negligible

The replacement of the fleet is an essential part of the agreed service delivery model agreed by the Executive on 21 September 2015. There has been no request for the decision to be "called in" therefore the decision is in force. It is therefore recommended that that the Council provide the following assurance to FCC

'On the basis that the vehicle fleet is replaced by April 2016 (as per their offer (detailed in Appendix N) that the Council would not seek to exercise the break clause within the existing contract'

Basis of Urgency

(a) Executive resolution 21st September

(b) Lead in time for FCC to specify order and commission a new vehicle fleet by 1st April 2016. FCC will need to place an order for the new vehicle fleet before the next meeting of the Executive on 19 October 2015

The meeting closed at 6.08 pm