

HARBOROUGH DISTRICT COUNCIL

MINUTES OF THE EXECUTIVE MEETING

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

held on 11 January 2016,

commencing at 5.00p.m.

Present:

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

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

PORTFOLIO HOLDER ACTIVITY

There were no reports.

MINUTES

RESOLVED that the minutes of the meeting of the Executive held on 30 November 2015 be approved as a correct record.

APOLOGY FOR ABSENCE

There were none.

DECLARATIONS OF MEMBERS' INTERESTS

Councillor Hallam declared a personal interest in item 9 (S106 Grant Allocations Round 1 15/16) in relation to the Football and Rugby Extended Provision as a member of the Rugby Club.

Councillor King declared a personal interest in item 3 (Community Grant Allocations) in relation to the application from the Carers Centre as he was a trustee of the organisation.

EXECUTIVE PROCEDURE RULES – PROPOSED AMENDMENTS

The Executive considered proposed amendments to the Executive Procedure Rules as set out in the report, which had been referred by the Constitutional Review Committee at its meeting held on 22 October 2015. The Committee requested the comments of the Executive for consideration at the Committee's meeting proposed to be held on 16 February 2016 as part of the current review of the Constitution.

The proposed revised version of the Procedure Rules were set out at appendix 1 of the report along with the comments of the consultant employed by the Council to assist in the review of the Constitution. The proposed changes were brief and intended to allow flexibility in the Executive Procedure Rules.

It was noted that the Strong Leader model allowed the Leader to delegate executive functions if he or she wished at his/her absolute discretion.

A further aspect which was considered was the right of members to attend and address meetings of the Executive, Committees and bodies of which they were not a member. Members currently had an automatic right to attend any such meetings and, with the agreement of the Leader/Chairman, to place an item on an agenda and to speak to that item. Members considered that this courtesy should be continued to allow members to address bodies on which they did not sit in a way that was consistent with the efficient operation of the meeting. The Constitutional Review Committee was requested to consider a form of wording, prepared by officers in advance, which addressed this issue when they considered the Executive's comments. It was noted that the Executive had not considered the draft amendments before they had been presented to the Constitutional Review Committee and that they had then been referred to the Executive for comments.

RESOLVED that the proposed amendments set out in Appendix A to the report be considered and comments referred to the Constitutional Review Committee for its consideration and referral to Council for adoption.

#### Summary of Reasons

The Constitutional Review Committee referred the proposed changes to the Executive for any comments which would then be considered as part of the over all review of the Constitution.

#### NOTES OF MEETINGS OF EXECUTIVE ADVISORY PANELS

The Executive received the notes of the Local Planning Executive Advisory Panel.

RESOLVED that the record of the following meeting be noted:

- Local Planning Executive Advisory Panel: 1 November 2015.

#### Summary of Reasons

The arrangements for the Executive Advisory Panels require that they report back to Executive with notes of their meetings.

#### COMMUNITY GRANT ALLOCATIONS

The Executive considered the recommendations on funding allocations for the Community Grant Fund from the Member Grants Panel meeting of 30 November 2015, which the Panel had requested be approved. The Member Grants Panel had considered all of the projects recommended for funding in line with the criteria set out in the Community Grant Fund grant guidance notes. The recommendations also took into account the comments made by Officers through the Officer Grant Panel held on 2 November 2015. The recommendations were set out in Appendix A of the report with one exception.

With regards to Application 002 for essential maintenance to the Lutterworth Whittle Plane the Member Panel noted comments from Officers that the project did not meet the aims of the grant as strongly as other applications. However, the Member Grant Panel felt that a grant should be awarded on the following special grounds:

- To recognise the work of the Whittle Trust and public support in efforts to preserve an 'iconic' landmark within the district.
- To support the pump priming of essential maintenance needed to get the plane to a good state of repair in order to secure longer term sponsorship and sustainability.
- That this should be a one-off grant and the Trust should not seek further grant funding from the Council.

- Release of this funding is subject to the remaining funding being secured and the work completed in 18 months.
- Due to the specialist nature of the work needed the Member Grant Panel were satisfied that 2 final quotes would be sufficient rather than the usual 3.
- All other standard terms and conditions apply.

Officers and the Member Grant Panel were thanked for the huge amount of work they had undertaken.

It was noted that a number of Parish Councils were using the Grants Panel to seek funding for projects in their area rather than using their own revenue raising powers.

#### RESOLVED:

- i) That the community grants recommended in Appendix A to the report be approved from community grant funding.
- ii) That the recommendation from the Grant Panel to award £12,000 to the Whittle Trust from community grant funding, noting the circumstances surrounding the Whittle Plane at Lutterworth, as set out in section 4.8 of the report, be considered.

#### Summary of Reasons

The Member Grants Panel considered all of the projects recommended for funding in line with the criteria set out in the Community Grant Fund grant guidance notes. The recommendations also took into account the comments made by Officers through the Officer Grant Panel held on 2 November 2015. The recommendations were set out in Appendix A with one exception.

The rationale and conditions for Application 002 Lutterworth Whittle Plane were set out in the body of the report due to the special circumstances surrounding this case.

#### OPEN SPACES STRATEGY 2016-2021

The Executive was informed of the representations received during consultation on the Draft Open Spaces Strategy and for consideration of the final version Open Spaces Strategy for adoption. Executive approved the publication of a Draft Open Spaces Strategy and companion document "Provision for Open Space, Sport and Recreation" at its meeting on 13 July 2015. Consultation responses (at Appendix C to the report) had informed the amendments made to the final version of the Open Spaces Strategy 2016 - 2021. The Strategy would help to provide evidence to inform Planning Obligation Supplementary Planning Documents and the new Local Plan, both of which are currently under preparation.

Sport England had made representations that they considered more robust quantitative and qualitative assessment be undertaken of future outdoor sport facilities. They recommended that the Council undertakes a Playing Pitch Strategy for the District and officers propose that this be undertaken in 2016.

The comment from Sport England (a statutory consultee) was that the Open Spaces Strategy:

*- does not constitute a robust quantitative and qualitative assessment of the need for sport and recreation facilities. Notwithstanding the above Sport England understands that plans may be developing to undertake a Playing Pitch Strategy we would strongly support the development of such a strategy to address this issue.*

There was a possibility that Sport England might object to the Local Plan and oppose funding applications by local sports clubs if a Playing Pitch Strategy was not adopted.

It was stated that it was not the Council's intention to take over responsibility for all open spaces in the District but it was the intention that some open spaces would be managed by the community.

Officers would investigate possible funding sources from Sport England for a Playing Pitch Strategy, although it was important that there was no delay in developing the Strategy as it would support the new Local Plan. Should there be any delay in seeking external funding the Council's reserves could be used if necessary. The model for moving forward would be that all Planning Officers would be made aware of the Open Spaces Strategy, with the Neighbourhood and Open Spaces Officer being the lead.

#### RESOLVED:

- i) That the representations made during the consultation period on the draft Open Spaces Strategy and associated responses, as detailed in Appendix C to the report, be noted.
- ii) To adopt the revised and final version of the Open Spaces Strategy 2016-2021, as attached in Appendix A to the report, and Provision for Open Space Sport and Recreation 2015, as attached in Appendix B to the report.
- iii) To commission a Playing Pitch Strategy as recommended by Sport England, and that funding to undertake this work be allocated from the Local Development Framework reserve.

#### Summary of Reasons

Executive approved the publication of a Draft Open Spaces Strategy and companion document "Provision for Open Space, Sport and Recreation" at its meeting on 13 July 2015. Consultation responses (Appendix C to the report) had informed the amendments made to the final version of the Open Spaces Strategy 2016 - 2021.

The Open Spaces Strategy 2016 – 2021 had been prepared for adoption by the Authority. The Open Spaces Strategy 2016 – 2021 will support the Local Plan and provide a framework for provision, enhancement and enabling of open space throughout the District.

Sport England had made representations that they considered more robust quantitative and qualitative assessment be undertaken of future outdoor sport facilities. They recommended that the Council undertake a Playing Pitch Strategy for the District and officers proposed that this be undertaken in 2016.

#### PERFORMANCE MANAGEMENT FRAMEWORK

The Executive considered the Council's Performance Management Framework to ensure that it is fit for use in the 2016/17 year. The first edition of the Performance Management framework was approved by the Executive on 14 January 2013, and implemented on 1 April 2013. The latest version of the Performance Management Framework was approved by the Executive on 9 February 2015.

The framework sets out the overall high-level approach that Harborough District Council will take to managing its performance. The aim of the framework is to provide a basis for consistency in the way that performance is managed and joined-up across the Council – a 'one council' approach, which will encourage Members, Officers and Partners to work together to deliver activities.

The framework demonstrates the 'golden thread', which flows through the organisation to link the Council's business planning activity, from the high-level vision and priorities in the Corporate Plan, to the Critical Outcomes and Key Activities in the Corporate Delivery Plan, Team Plans, and individual employee appraisal objectives.

At its meeting on 19 October 2015, the Executive approved revisions to the Council's Data Quality Strategy. The proposed 2016/17 Performance Management Framework makes reference to the Council's Data Quality Strategy. All references to the Council's Data Quality Strategy had been updated to refer to the latest edition.

RESOLVED:

- i) That the Performance Management Framework, as attached in Appendix A to the report, be considered and referred to the Resource and Performance Scrutiny Panel for discussion.
- ii) That the Performance Management Framework be subject to a review in two years' time and, from that point forward, on a two-year cycle.

#### Summary of Reasons

The Performance Management Framework is subject to review on a two-year cycle to ensure it remains appropriate to Council needs and requirements.

#### RISK AND OPPORTUNITY MANAGEMENT FRAMEWORK

The Executive considered the Risk and Opportunity Management Framework appended to the report in order to ensure that it is appropriate for use during the 2016/17 year. The Framework was last approved for use on 15 September 2014. It is prudent to review the document prior to commencement of the new financial year. Officers had reviewed the Framework and no changes to the Risk and Opportunity Management Framework were proposed.

The changing nature of the local government environment means that there is an increasing need to look ahead to proactively anticipate and manage risks and opportunities in order to make the most effective use of resources and make well-informed decisions.

RESOLVED:

- i) That the Council's Risk and Opportunity Framework, as attached in Appendix A to the report, be approved for use during 2016/17.
- ii) That the Risk and Opportunity Management Framework be subject to a review in two years' time and, from that point forward, on a two-year cycle.

#### Summary of Reasons

The Council's Risk and Opportunity Management Framework was last approved for use on 15 September 2014. It is prudent to review the document prior to commencement of the new financial year.

The Risk and Opportunity Management Framework (attached at Appendix A to the report) set out how the Council will manage risk and opportunity.

The Risk and Opportunity Management Framework aims to set out a simple, consistent approach to risk and opportunity management across the organisation and the processes by which this will be implemented.

#### REVIEW OF S106 GOVERNANCE FOR COMMUNITY FACILITIES AND OFF-SITE RECREATION

The Executive was requested to agree revised governance arrangements for the management of S106 funding for Community Facilities and Off-Site Recreation where this is held by the Council on behalf of communities.

There is currently around £1 million in S106 for Community Facilities and Off-site Recreation held in Council reserves although this changes regularly with money being paid in from developers as trigger points are reached and the Council allocating funding for community projects. So far this year £605,000 has been applied for by community groups.

It is proposed to streamline the governance through creating a new Executive Sub-Committee which would have delegated decision making power and would comprise of 3 Executive Members, of which quorate will be 2 Executive Members, supported by 3 Non-Executive Members. Non-Executive Members will not have voting rights. This Sub-Committee would take the place of the existing Member Grants Panel which makes recommendations to the Executive. This would reduce decision making time by a third and cut administration and the number of reports required. It is recommended that the Executive Sub-Committee is held a minimum of twice a year.

There were also changes to S106 legislation and policy, as set out in the report, which required a review of the allocation process.

The Executive welcomed the consultation of Ward members as part of the allocation process.

#### RESOLVED:

- i) To delegate decision making for the allocation of S106 funding for community facilities and off-site recreation to an Executive Sub-Committee.
- ii) Subject to the above, to set up a Sub-Committee as outlined in section 4.7 of the report.
- iii) That the local ward member(s) should be consulted by the Council as part of the allocation process.

#### Summary of Reasons

To improve the efficiency and flexibility in the allocation of S106 funding by replacing the current Member Grant Panel making recommendations to the Executive with a single Executive Sub-Committee with decision making powers.

To ensure effective governance of S106 monies held by the Council, including the role of Ward Members for their local knowledge.

To manage risk to the Council by ensuring decisions on allocations are informed by the latest legislation and policy.

#### REQUEST FROM DAVIDSONS DEVELOPMENTS LTD FOR HARBOROUGH DISTRICT COUNCIL TO ACQUIRE A BALANCING POND

The Executive considered the request from Davidsons Developments Ltd for the District Council to acquire the balancing pond at Leicester Road, Lutterworth associated with the development there. There are no S106 obligations relating to the land, and as such, there was no obligation either at the completion of the development or now to “acquire” the land.

As such, there could be a cost to the District Council in terms of ongoing Revenue, and possibly Capital. Typical costs for scheduled maintenance to dry and wet balancing areas can be between £15,000 and £30,000 respectively over a period of 15 years, based on 500m<sup>2</sup> pond area. In addition to scheduled maintenance, it may be necessary over a longer period of time for capital work to be carried out on associated structures or de-silting of the area.

The balancing pond forms part of the flood defences, and as such, the preferred approach would be to add the facility to the inspection regime already in place and in the event of any maintenance issues, work with the Local Lead Flood Authority, Leicestershire County Council, to take appropriate action to remedy the situation.

It was noted that there was no obligation for the Council to pick up the responsibility should Davidsons go into liquidation but there might be an issue for the County Council as the Local Lead Flood Authority.

RESOLVED that the land acquisition as requested by Davidsons Developments Ltd will not be pursued.

#### Summary of Reasons

To avoid further burden to the Council's budget.

#### SECTION 106 GRANT ALLOCATIONS ROUND 1 2015/16

Recommendations on funding allocations for Section 106 from the Member Grants Panel meeting of 30 November 2015 were considered and the Executive was asked to approve the recommendations as outlined in Appendix A of the report, taking into consideration the S106 balances at Appendix B in the report.

The grant window for Round 1 closed in October 2015. All parishes were informed and details of exact monies available were issued. Officers at Harborough District Council as well as the Voluntary Sector were asked to disseminate the information to any other group or organisation who may wish to apply for this money. The decision making process includes three stages of consultation for Section 106 prior to the recommendation report for the Executive. The recommendations were based on projects fulfilling the key Section 106 criteria, providing evidence of need and mitigating against the negative impact of development in their parish.

The Executive thanked members and officers for their work in this area.

Officers were asked to clarify to Executive members after the meeting the situation where the deadline date was imminent for S106 moneys. The deadline had expired for offsite recreation facilities in Broughton Astley Parish and officers had requested an extension of the deadline but had not had a response from the developer's solicitors. If agreement was not reached for an extension the money would be lost.

The Executive Sub-Committee established earlier in the meeting to consider Community Grant allocations would also have a scrutiny role in this process.

RESOLVED that the grant allocations, as recommended in Appendix A to the report, be approved.

#### Summary of Reasons

The Member Grants Panel considered all of the projects recommended for funding in line with the criteria set out in the Section 106 grant guidance notes. The recommendations also took into account the comments made by officers which informed the Member Grant panel. Appendix A of the report provided details of the rationale and conditions for individual applications.

#### CORPORATE PLAN AND CORPORATE DELIVERY PLAN, 2016/17

The Executive considered the draft Corporate Plan for the 2016/17 year and the draft Corporate Delivery Plan for the 2016/17 year, as set out at Appendices A to C of the report.

Four priorities have been identified for the 2016/17 year. Both the Corporate Plan and the Corporate Delivery Plan are structured around the delivery of these four priorities:

- Working with communities to develop places in which to live and be happy.
- Enable public services which are effective and deliver value for money.
- Encourage a vibrant and sustainable business community intent on prosperity, employment and learning opportunities.
- Support the vulnerable in the communities where they live.

The Strategic Performance Dashboard has been modified to show performance trends. The intention of this is to improve the quality of the information reported by providing a complete picture of performance rather than labelling direction of travel as simply 'Better', 'Same' or 'Worse'.

The Resource and Performance Scrutiny Panel on 21 January 2016 would consider the proposals set out in these papers and the Draft Corporate Plan 2016/17 and Draft Corporate Delivery Plan 2016/17 would be considered again by the Executive on 8 February 2016 and then by Council on 22 February 2016.

Portfolio Holders undertook to look at whether the most appropriate indicators were in place to measure the output of their service and to discuss this with Heads of Service prior to this issue being considered again by the Executive.

The Executive thanked staff for their output and performance.

RESOLVED.

- i) That the Corporate Plan for 2016/17, as set out in Appendix A to the report, be considered and referred to the Resource and Performance Scrutiny Panel for discussion.
- ii) That the Corporate Delivery Plan for 2016/17, as set out in Appendix B to the report, and the format of the Strategic Performance Dashboard for 2016/17, as set out in Appendix C to the report, be considered and referred to the Resource and Performance Scrutiny Panel for discussion.

#### Summary of Reasons

The Corporate Plan and Corporate Delivery Plan are documents which outline the Council's Vision, Priorities, Critical Outcomes and associated Key Activities.

Both of the documents are underpinned by the Council's vision, which is:

"Working with communities in a vibrant, safe and prosperous District."

Four priorities have been identified for the 2016/17 year. Both the Corporate Plan and the Corporate Delivery Plan are structured around the delivery of these four priorities:

- Working with communities to develop places in which to live and be happy.
- Enable public services which are effective and deliver value for money.
- Encourage a vibrant and sustainable business community intent on prosperity, employment and learning opportunities.
- Support the vulnerable in the communities where they live.

The Corporate Plan for the 2016/17 year is the overarching public document that sets out the Council's vision for the District, its ambitions and priorities and how it will work with its partners and the community to ensure that living in, working in, and visiting the District is the best possible experience. It is based on information about the area and customer feedback and identifies how the Council will achieve its long-term vision.

The Corporate Delivery Plan for the 2016/17 year is the Council's annual high-level plan which sets out how it will deliver its vision and priorities through Critical Outcomes and Key Activities during the forthcoming financial year. There should be a clear 'golden thread' that links these two documents.

#### GENERAL FUND REVENUE ESTIMATES AND CAPITAL PROGRAMME

The Executive was advised of the projected base budget position for 2016/17 based on the provisional grant settlement for 2016/17, asked to review the savings and growth proposals put forward for the year 2016/17 and to begin a period of consultation, and to consider a draft Capital Programme for the period 2016/17 - 2018/19 and to begin a period of consultation.



The draft budget has been prepared for consultation following the provisional Local Government finance settlement issued by the Department for Local Government & Communities on 17 December 2015 and announcements in the Autumn Statement and Comprehensive Spending Review on 25 November 2015. The final budget will be presented to Executive on 8 February 2016 following receipt of the final Local Government finance settlement expected in late January.

Council on 14 December 2015 approved the taxbase for 2016/17 as 32,787.5 (2015/16, 32,163), an increase of 624.5 Band D equivalents from 2015/16 which has generated £100K additional Council Tax without a need to increase the Council tax levied on individual properties.

It was stated that there would be some difficult decisions needed in terms of the Council's services during the next twelve months.

RESOLVED:

- i) To endorse the proposed Revenue Budget for 2016/17 for consultation.
- ii) To endorse the proposed Capital Programme for 2016/17 to 2018/19 for consultation.

Summary of Reasons:

To provide the opportunity for consultation on the Revenue and Capital budgets as well as potential pressures and savings.

#### 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

#### FORMER GARAGE SITE, NASEBY CLOSE / NEWCOMBE STREET, MARKET HARBOROUGH

Consideration was given to the options in respect of the garage site following a Council decision to review the options for the remaining garage sites including the potential for housing development.

RESOLVED:

- i) That the acquisition of 3 Naseby Close and the "land swap" with Seven Locks Housing be recommended to Council.
- ii) Subject to Council approval, that Seven Locks are given preferred status in respect of the transfer of any affordable housing provided on the site for the reasons outlined in section 4.15 of the report.

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.

The meeting closed at 7.19 pm.