



Annual Council

To All Members of the Council on Friday, 10 May 2024

Date of meeting: Monday, 20 May 2024

Time: 18:30

**Venue: Council Chamber
Council Offices, Adam and Eve Street, Market Harborough.**

Members of the public can access a live broadcast of the meeting from the [Council website](#), and the meeting webpage. The meeting will also be open to the public.

Dear Councillor

A Meeting of the Harborough District Council, which you are invited to attend, is to be held as detailed above.

The business to be transacted is set out in the Agenda below.

Yours faithfully

JOHN RICHARDSON
CHIEF EXECUTIVE AND HEAD OF PAID SERVICE
HARBOROUGH DISTRICT COUNCIL

Agenda

- 1 Presentation to the Harborough District Council Officers Team in the East Midlands Council Challenge**
- 2 Chaplain's Address**
- 3 Election of Chairman for the year 2024/2025**
- 4 Investiture of Chairman and Declaration of Acceptance of Office**
- 5 Vote of thanks to retiring Chairman**
- 6 Response by retiring Chairman**

7	Appointment of Vice- Chairman for the year 2024/2025	
8	Investiture of Vice- Chairman and Declaration of Acceptance of Office	
9	Chairman’s Announcements	
10	Approve the minutes of Council on 26 February 2024	
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Circulate to: **All Councillors**

HARBOROUGH DISTRICT COUNCIL

MINUTES OF AN ORDINARY MEETING OF COUNCIL on

Monday 26 February 2024 commencing at 6.30 p.m.

Held at **The Council Chamber, The Symington Building**, Adam & Eve Street,
Market Harborough, LE16 7AG

Present:

Councillor Johnson (Chairman)

Councillors: Anderson, Asher, Bannister, Bateman, Beadle, Birch, Burrell, Dann, Elliott, Finan, Forman, Gair, Galton, Grafton-Reed, Graves, Hallam, Hollick, James, King, Knight, Mahal, Modha, Mrs Page, Rickman, Sarfas, Taylor, Whelband, Whitmore, Woodiwiss, Worrell

Officers present: S. Baldwin, L. Elliott, S. Hamilton, C. Mason and J. Young

J. Richardson- Chief Executive Officer

CHAIRMAN'S ANNOUNCEMENTS

The Chief Executive announced at Cabinet on the 12th of February that Cllr Simon Galton has been appointed as the Deputy Leader of Harborough District Council. Cllr Galton has a wealth of experience having been a district councillor since 1986.

Among my events, some more remarkable than others, on a Thursday and Friday in January, I delighted to accept the invitation, as a Civic Dignitary, to join academic procession and witness two of the University of Leicester's winter degree ceremonies in De Montfort Hall.

In the same month, I and my Consort were invited to a De Montfort University event to mark National Holocaust Day. The event, held in the Hugh Aston Building, reflected on the Fragility of Freedom. Students and pupils from Leicester schools provided their reflections on the Fragility of Freedom, which turned out to be a thought-provoking and moving experience.

On 16 February, as Chairman, I attended the funeral of Tony D'Costa, in remembrance of his good citizenship and positive and generous contribution to the good of our community.

And on 19 February, I accepted a Rotary Club invitation to their Dinner and Awards Ceremony, where the guest speaker, Frances Quinn, a winner in the popular Bake Off competition, gave an entertaining insight into her career. During the course of the evening, I was delighted to witness a former colleague, Councillor and Chairman of Harborough District Council, Brian Smith of Husbands Bosworth receive an award in recognition of his considerable contribution to the work of Rotary.

On behalf of the Council I would like to congratulate Councillor Anderson on the recent birth of his son.

APOLOGIES FOR ABSENCE

The Leader, Councillor Knowles, offered his apologies as well as Councillors Bilbie and Nunn.

DECLARATIONS OF MEMBERS' INTERESTS

Councillors King, Bateman, Bannister and Galton declared themselves to be Members for Leicestershire County Council.

MINUTES OF THE COUNCIL 11.12.2023

In respect of the ordinary meeting of the Council on 11 December 2023 it was :-

RESOLVED that the Minutes of the Meeting of Council held in the 11 December be received and adopted.

MINUTES OF THE ADJOURNED COUNCIL 18.12.2023

Councillor Mahal highlighted that her she was included in both attendance and apologies in these minutes for the meeting, however she had in fact, given her apologies. This error was accepted.

In respect of the adjourned ordinary meeting of Council on 18 December 2023 it was

RESOLVED that the Minutes of the Adjourned Meeting of Council held on the 18 December be received and adopted.

REPORT OF THE LEADER

The Deputy Leader made the report in the absence of the Leader.

Firstly, to confirm the announcement made by the Chief Executive at Cabinet on the 12th February that **Cllr Simon Galton has been appointed as the Deputy Leader** of Harborough District Council. Cllr Galton has a wealth of experience having been a district councillor since 1986.

The Issues and Options public consultation is the first stage of public consultation of the new Local Plan and seeks views on a range of planning issues and potential options for the future development of Harborough district. We have been hosting drop-in events across the district inviting residents to find out more about proposals for the Local Plan and answering questions about what happens next.

More than 345 people have visited the series of events with a good number of people responding to the consultation online via the dedicated web pages and sending in comments via email.

The detail will be shared once the consultation closes on 27 February and the feedback has been reviewed and considered. Many thanks to the council's planning policy officers who, as subject matter experts, pulled together the detailed display and attended the sessions to answer queries from visitors. The Local Plan display is still accessible to visit this week on the ground floor at The Symington Building.

We were pleased to launch the **Environmental Grant Scheme** earlier this month. The grants will provide important funding for 'not for profit' organisations in Harborough district to support capital projects that provide a demonstrable positive impact on the environment and benefit our communities.

Village groups, community enterprises, registered charities, and town or parish councils can apply for grants ranging from £5,000 to £20,000.

Successful applicants will need to demonstrate a clear benefit and a positive, proven impact on the environment, aligning with one or more of the following outcomes:

- Reduce the carbon footprint of the community
- Reduce the waste produced in the community
- Create, or protect & enhance, biodiversity or environmental assets such as green spaces & waterways
- Educate and/or raise awareness of climate change that will result in one of the above outcomes

Please share and help promote this fantastic scheme to residents through the following link <https://www.harborough.gov.uk/environmentalgrant>

With the **ongoing challenging weather this winter**, we have been proactive in working in partnership with other local authorities and agencies to prepare for potential flooding in the district.

Sandbags stocks have been replenished with additional deliveries made to local parishes ready for local distribution including;

- Broughton Astley
- Glooston
- Scraptoft
- Peatling Parva
- Fleckney

Flood response actions also include the continuation of monitoring flooding hot spots and our contractors, FCC being on standby for additional sandbag deliveries when flooding is likely.

The council's emergency response team are fully prepared to co-ordinate any action required, with CMT ready to attend any Tactical Co-ordinating Group meetings, day

or night. Our leisure contractor is aware they might be required to act as a rest centre alongside the Local Resilience Forum.

Our Communications team continue to share official forecasts and real-time weather information with helpful signposting to the wide range of support available for both businesses and residents. This includes how and where to report a flood, what steps to take if residents are affected by flooding and how to access grant support. Again, please share the details on our dedicated [flooding support pages on our website](#).

We are also proud to announce that our Land Charges Team have been shortlisted for a national award!

Harborough District Council are officially listed in the Top 3 for the Best Performing Migrated Local Authority award.

HM Land Registry works in partnership with local authorities in England and Wales to standardise and migrate local land charges register information to one accessible place.

Our Land Charges Team successfully migrated data comprising of an incredible 97,000 records which had to be cleansed and technical rules were created to ensure the data was migrated into the HMLR systems accurately. The process was long and tough with intricate checking in place to manage the transfers which were completed smoothly and without issue.

The nomination for this national award reflects the hard work, dedication, and attention to detail which has been part of the team's project over a number of years. It is great that they have been recognised for this work and our congratulations them on their success!

The council are pleased to support **a new initiative which provides a safe drop-off zone**, between 8.20am and 8.50am on weekdays for children to be dropped off for school.

Although the council promotes active travel, we understand that parents and carers may also need to go to work directly after school drop-off so this is not always possible. The first scheme will see the Commons car park to be used as a safe drop-off zone for the children at St Joseph's Primary School on Coventry Road in Market Harborough.

Officers have spoken with the head teacher and agreed that the children will design a permit and the winner will have theirs rolled out, with a new design chosen annually.

The council are now looking at supporting other schools with similar issues near to District owned car parks and officers are also in the process of convening a meeting of interested parties at Harborough Leisure Centre to look at improving car parking arrangements around the site at peak times.

Comments on the Leader's Report

Councillor Bateman highlighted that there had been some disquiet from parish councils in the West of the district around the Issues and Options Public Consultation regarding how this was presented in that there was a lack of hard paper copies for them to access. He commented that the Leader made promise that a member of cabinet would be present at each of the consultation events, he questioned whether this was correct. Councillor Bateman mentioned that he was encouraged to see the Environmental Grant Scheme up and running and he echoed the congratulations to the Team for winning the Best Performing Migrated Local Authority award. He also asked whether the school drop-off allowances would be for after school collections as well as drop-offs.

Councillor King commented on some of the problems that have occurred with the consultation process. He also asked for clarification around the regulations and rules with members responses and the consultation period. Councillor King also raised his concerns around car parking permits for school traffic and car parking availability in the areas.

Councillor Bannister expressed his thanks to the emergency response teams for their work with the inclement weather recently. He enquired as to an assurance that enough sandbags would be accessible in the next instance of bad weather.

Councillor James commented that the response to the local plan consultation events using the online system had been met with some difficulty, he enquired as to whether responses could be received by email. He also queried whether other organisations in the district had been invited to respond to the consultation.

Members were also given the opportunity to ask questions that were not related to the report.

The Deputy Leader provided a response to each of these queries and comments.

QUESTIONS AND PETITIONS SUBMITTED BY THE PUBLIC

Mandate Public Display of Animal Activity License Star Ratings by Councils and Businesses -Submitted by Victoria Owen

On 20th July 2023, our beloved dog Bella was left at a doggy daycare & home boarding setting. Tragically, we never saw her again. We were told that the two safety barriers failed, and Bella escaped the property. She was chased up the road where she was then hit by a car; the incident was fatal; she did not survive.

The investigating authority formally identified several matters which, as per current guidelines, constitute minor failings (which led to Bella's death). Consequently, they then reduced the business' Animal Activity rating to one star.

Despite being a DEFRA recommendation, crucial information about Animal Activity star ratings is often not publicly available on council websites, with the majority of councils directing the public to email them to request information. This seems to be an unnecessary hurdle and lacks transparency.

A licensing certificate shows the star rating yet more often than not, owners have no knowledge that the system exists. This is not the owners fault, this is because the criteria and results are not talked about enough!

I propose legislation that requires councils to display these ratings on public-facing platforms transparently. Furthermore, businesses should be mandated to visibly display their star rating on their doors ,just like with food hygiene ratings.

**** It's time to get the 'Paws on the Doors'**

If this change were to happen, it would have a direct and positive impact on licensed establishments which are:

- a) selling animals as pets
- b) providing or arranging for the provision of boarding for cats or dogs (including the provision of boarding for cats; kennels for dogs; home boarding for dogs; or day care for dogs)
- c) hiring out horses

As a result of the proposed change, I believe that the quality of care which the animals receive will improve dramatically as businesses would be more stringent in ensuring both basic and higher standards are met. These changes would also support the public in making informed decisions about which service to trust with their beloved pets.

Dogs and other animals are more than just pets; they bring joy, companionship, and positive impacts to our lives. They deserve better treatment and protection under the law. Unfortunately, my story is not unique - countless pet owners have faced difficult situations, often due to lack of transparency about animal welfare standards in businesses.

In 2019 alone, there were over 1 million registered complaints about animal welfare in England and Wales (RSPCA). Yet many owners remain unaware of the licensing star ratings awarded to businesses they trust with their pets' care. Every pet deserves safe care in licensed establishments with transparent ratings.

This incident has broken our hearts in a way we did not believe was possible. The least we can do is to try to bring about positive change from such tragic circumstances.

The petition was supported by Councillors Woodiwiss, King, Sarfas, and Asher. The Petition was debated and Councillor King proposed a report be submitted to the Regulatory Committee in consideration of this. The Chair acknowledged this and highlighted that this could be taken to the Regulatory Committee or to the Performance Scrutiny Panel. A vote was taken and it was unanimously decided that a report would be taken forward for consideration and it was therefore **RESOLVED** that:

a report considering the Mandate of Public Display of Animal Activity License Star Ratings by Councils and Businesses would be submitted

to either the Regulatory Committee or a Scrutiny Panel for consideration.

QUESTIONS SUBMITTED FROM MEMBERS

The following question was submitted by Councillor James to The Leader:

“Several members will recall that in November 2019 I put forward a case for the review of the Councils open spaces strategic plan whereas newly developed open spaces should be handed over a private management company. The review was supported at the time by my fellow ward member Councillor McHugo. The review was duly undertaken and no change to the strategic plan was recommended. We are now some 4 years on from that review and serious problems still exist. The Overstone House development still has no residents company in place. The major Kettering Road development has several concerns around public engagement, cycle routes and on-site community provisions let alone the future maintenance requirements for the open spaces. The Hearsely Park development in Great Bowden has run up against the very same open space problems at Overstone House did some 4 years ago. The council has made no progress to satisfy residents caught up in this situation.

Given the lack of progress regarding the Councils open spaces strategy and the dissatisfaction of many residents will the leader commission the Scrutiny Communities Committee look at this matter again?”

The **Leader responded** that:

“The administration are aware of concerns being expressed by some residents across the district around the management and maintenance of public open space in new housing developments which has been transferred by a developer to a land management company. The Director of Planning is going to undertake a review of our current policy framework (set out below) for members to consider. It is expected that the review will be undertaken during quarter 1 of 24/25 with an initial report back to Scrutiny in quarter 2.

Current council policy on this matter is set out in the Council’s Corporate Property Strategy that was reported to Council on 27th January 2020 and the Open Spaces Strategy reported to Council in June 2021.”

REPORT FROM CABINET

The Deputy Leader introduced the report. He highlighted the main points of the report including the Medium-Term Financial Budget, the supply and installation of Solar PV System for the Harborough Innovation Centre the progression of the work being undertaken on the Local Plan and Delegated Authority decisions.

Council discussed the subject matter presented in the report and asked for clarification on certain points. The Deputy Leader responded.

It was therefore **RESOLVED that:**
Council receive and note the report.

REPORT ON COMMITTEES

The Deputy Leader presented the report. There were no further comments or questions.

It was therefore **RESOLVED that:**
Council receive and note the report.

REPORT ON JOINT ARRANGEMENTS

Councillor Beadle presented this report. He gave an update on arrangements since the last meeting.

Councillor King requested that a list of the current joint arrangements in place be made available and circulated to members for clarity. The Chief Executive Officer confirmed this would be taken away as an action and facilitated.

It was therefore **RESOLVED that:**
Council note the joint arrangements activity since the last meeting.

PAY POLICY STATEMENT 2024/2025

The Deputy Leader introduced this report and highlighted the main points. This was motion was proposed by the Deputy Leader, seconded by Councillor Graves and the motion was carried, and it was therefore **RESOLVED that Council:**

- 1. Note and adopt the Pay Policy Statement for 2024/25 as attached at Appendix A.**
 - i. This Pay Policy Statement is a statement of fact and is a legal requirement to produce and publish a Pay Policy Statement which is published on the Council website annually.
 - ii. The Pay Policy Statement reflects the factual position in respect of payments to those employed by the council.

COMMUNITY GOVERNANCE REVIEW- MOWSLEY

Councillor Beadle presented the report and set out the aim of the Community Governance Review to establish a Parish Council in Mowsley.

This was debated and commented on. The motion was carried and it was therefore **RESOLVED that:**

the Council agree to carry out a community governance review to establish a parish council for the parish of Mowsley.

REVIEW OF POLLING DISTRICTS AND PLACES 2023/2024

Councillor Beadle presented the report. The report was discussed and commented on. Councillor Hallam requested that clear signage is put in place if the location of the polling stations is changed to clearly inform members of the public, especially if this is the first time of change. The Chair acknowledged this be taken forward as an action.

The motion was proposed and carried and it was therefore **RESOLVED that:**

Council approves the Returning Officer's recommendations –

- **St Cuthberts Community Hall Great Glen is designated as the polling station for Glen Ward**
- **MH Church of St Nicholas extension is ratified as a designated polling station for Little Bowden Ward**
- **MH Congregational Hall is designated the polling station for voters within the airfield farm area of Lubenham Ward until a suitable building is available within the area**
- **Community Hub in Scraftoft is designated as a polling station for the Thurnby & Houghton Ward**
- **Tur Langton Village hall is ratified as a designated polling station for the Kibworths Ward**

2024/25 BUDGET AND MEDIUM-TERM FINANCIAL STRATEGY (2025/26-2028/29)

Councillor Graves presented the report and set out the main highlights to Council including the various funds set out to help in the community and the freeze of Council Tax rates. He emphasised that the budget proposed is balance and reflects the continuous improvements made by the Council. He commented that this budget also reflects the stability of finances in the Council currently and going forward.

Councillor King proposed an amendment to the motion. A proposed amendment to the recommendation was circulated to Council.

Councillor King introduced and explained the proposed amendment which laid out plans to reduce the Band E Council Tax in the Harborough District by £5 per household per annum and the reasons for this as well as the strategized budget to support this amendment. The amendment was debated.

The motion for the amendment was **proposed** by Councillor King and **seconded** by Councillor Bateman. A recorded vote was taken and supported by the requisite number of Councillors and the result was:

For the motion: 14

Against the motion: 15

Abstentions: 1

The proposal for the amendment was therefore **LOST**.

The Deputy Leader continued to speak on the budget in favour of the substantive motion.

Those who spoke on the amended motion were invited by the Chair to speak on the substantive motion for a total of 5 minutes each as per Rule 40.4 of the Council Procedure Rules.

Councillor Graves **proposed** the motion, and it was **seconded** by Councillor Galton. A recorded vote was taken and supported by the requisite number of Councillors and the result was:

For the motion: 18

Against the motion: 0

Abstentions: 13

There proposal was therefore **CARRIED**, and it was therefore **RESOLVED that:**

Council is to determine the following recommendations “en-bloc” and:

1. APPROVE:

General Fund

- For 2024/25, the Council’s net revenue budget requirement of £15.3m [paragraph 3.7, Table 1], including the budget allocations to portfolios as set out at Appendix 1 (Annex 1).

- The 6.7% increase in Fees and Charges for 2024/25 [paragraph 3.15 of the report], as set out at Appendix 4
- The planned net contribution to the General Fund (Unallocated) Reserve of £4m, and from Earmarked Reserves of £1.5m to finance the budget requirement in 2024/25 [paragraph 3.7 of the report, Table 1]
- The Medium-Term Financial Strategy (2025/26 to 2028/29) [paragraph 3.7 of the report, Table 1] as set out at Appendix 1 (Annex 1), which includes forecasts on matters such as inflation and wage increases.

Capital Programme and Capital Strategy

- The Capital Programme 2024/25 to 2028/29 and its method of funding [Paragraph 3.26 and 3.27 of the report, Table 6]
- The Capital Strategy 2024/25 as set out at Appendix 7 [Paragraph 3.28 of the report and Appendix 7].

Reserves

- The Reserves Statement, including 2024/25 General Fund (Unallocated) Reserves of £3.1m [Paragraph 3.19 of the report, Table 5]

Council Tax, including resolution

- That the Council Tax Requirement for Harborough District Council's own purposes for 2024/25 (excluding Parish precepts) is £6,926,931. [Appendix 9]
- The following amounts be calculated by the Council for the year 2024/25 in accordance with Sections 30 to 36 of the Local Government Finance Act 1992 as amended (the Act):
 - a. £36,318,633 - being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (2) of the Act taking account of all precepts issued to it by Parish Councils;
 - b. £26,859,829 - being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act;
 - c. £9,458,804 - being the amount by which the aggregate at (a) above exceeds the aggregate at (b), calculated by the Council, in accordance with Section 31A (4) of the Act, as its Council Tax requirement for the year including special expenses items and Parish precepts [Item R in the formula in Section 32B of the Act]
 - d. £243.02 - being the amount at c above [Item R] divided by the amount of 38,921.9 [Band D equivalent, Appendix 9 1 (a) Item T above] in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the

year [Average Band D Council Tax including special expense items and Parish precepts];

- e. £3,189,591 - being the aggregate amount of all special items (special expense items of the Council and Parish precepts) referred to in Section 34(1) of the Act
- f. £161.07 being the amount at (d) above less the result given by dividing the amount at (e) above by Item T (38,921.90), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its areas to which no special item relates. [Band D Council Tax for general expenses only excludes special expenses items and Parish precepts]
- g. Harborough District Council's element of Council Tax 2024/25 as set out at Appendix 9; being the amounts given by adding to the amount at (e) above the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at Appendix 9, 1(b), calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which one or more special items relate.
- That the Harborough District Council's council tax level for a Band D equivalent of £177.97 [Paragraph 3.5 of the report] and each property band for 2024/25 be approved as set out in Appendix 9.

Special Expenses

- The Special Expenses for 2024/25 as set out at Paragraph 3.16 (Table 4) of the report and Appendix 5.

Treasury Management Strategy

- The Treasury Management Strategy as set out at Paragraph 3.29, Appendix 8;

2. DELEGATE to the Director of Resources, as the council's Chief Finance Officer, in consultation with the Leader of the Council and the Portfolio Holder for Finance & Assets, authority to:

- incorporate all outstanding precepts and levies once received from the relevant authorities.
- set aside sufficient sums in Earmarked Reserves as are considered prudent for both adequacy and purpose.

3. NOTE:

- The budget consultation process followed, and the feedback received set out at Appendices 10 and 11.
- The statement of the Director of Resources, as the council's Chief Finance Officer, that the Budget proposals for 2024/25 are robust and that the proposed level of reserves is adequate, as set out at in Appendix 1, Annex 3 to this report.
- The Council Tax base for 2024/25 adopted by Council on 11 December 2022:
 - of £38,921.9, [Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended for the whole district];
 - for dwellings in those parts of its district to which one or more special items relates as listed at Appendix 5 and 9.

NOTICES OF MOTION

One Notice of Motion had been received by the Council and accepted in accordance with the Council Procedure Rules. Councillor Anderson **proposed** the Motion and Councillor Woodiwiss **Seconded**. The motion was debated.

A recorded vote was taken and supported by the requisite number of Councillors and the result was:

For the motion: 17

Against the motion: 13

There were no abstentions, and the motion was therefore **CARRIED**, that this Council therefore **RESOLVES:**

to write to H.M. Government and the leader of the Labour party calling for a change in our outdated electoral laws and to enable Proportional Representation to be used for all UK elections.

URGENT ITEMS

There were none.

The Meeting closed at 9:10pm.

Harborough District Council

Report to Annual Council

Meeting of 20 May 2024



Title:	Review of the constitution
Status:	Public
Report Author:	Liz Elliott, Deputy Chief Executive l.elliott@harborough.gov.uk
Portfolio Holder	Councillor Paul Beadle
Appendices:	A. Refreshed Constitution

Summary

- i. As per the Constitution, Council delegates the responsibility of overseeing the maintenance and development of the Council's Constitution to the Constitutional Review Committee ("CRC").
- ii. The Constitutional Review Committee (CRC) had previously advised it was content to allow the Monitoring Officer to make all necessary changes to the Constitution, under delegated authority, to remove ambiguity and duplication, ensuring legal compliance and make the constitution fit for purpose.
- iii. This work has been completed through numerous Task and Finish Group meetings and the refreshed constitution is attached to this report.

Recommendations

That Council:

1. Approves the refreshed Constitution at Appendix A and adopts the document with immediate effect.
2. Notes that prior to the first meeting of the Constitutional Review Committee in the new municipal year, the refreshed Constitution will be reviewed to ensure any best practice improvements are included by an independent Legal Firm specialising in Local Authority Constitutions.

Reasons for Recommendations

- i. Full Council are required to approve the adoption of the new constitution.

1. Purpose of Report

- 1.1 To present the refreshed Constitution to Council for its adoption.

2. Background

- 2.1 The Constitution Review Committee (CRC) has met on the following dates in this municipal year to consider the process for the review of the Constitution; 29th June 2023 and 5th October 2023. A Task and Finish Group was created to allow for a more in-depth review of each part of the constitution and to ensure that members were involved fully in the process and aware of the proposed changes. The Task and Finish Group has met on the following dates; 8th January 2024, 30th January 2024, 27th February 2024, 18th March 2024 and 4th April 2024.
- 2.2 In addition to this the Scrutiny Commission has also met to discuss the future of the Overview and Scrutiny arrangements. They have been consulted on the changes to the constitution with regards to the changes suggested to the Overview and Scrutiny arrangements.

3. Details

- 3.1 The key stakeholders in any review of a Council's constitution are the Members as they are the individuals most impacted by the operation of the Constitution. The CRC has been involved fully in the refresh work undertaken and their comments have been included in the final version attached to this report. The Scrutiny Commission has also been involved in the work relating to the proposed new Overview and Scrutiny arrangements.
- 3.2 The Scrutiny Commission consider it appropriate, once the new constitution has been adopted, to form 2 scrutiny panels to be called "**Corporate and Performance**" and "**Services and Communities**". This has been included in the Political Balance report elsewhere on the agenda.
- 3.3 To ensure clarity and for ease of discussion in the refresh of this large and complex document, the CRC agreed that each paragraph should have a unique reference number ("URN") so that all can clearly identify which section is being referred to. This is particularly important given the length and complexity of the document, and the interdependencies which occur throughout. The refreshed constitution formatting now incorporates this referencing.
- 3.4 The CRC also agreed that there would be a staged refresh of sections of the constitution, reviewed through the Task and Finish Group, to ensure the task was done in a manageable way. Each section has now been reviewed and comments from members of the Task and Finish Group have been included in the Final Draft attached to this report.
- 3.5 Whilst the review was undertaken in a staged manner, it is important to agree the constitution as a whole document to ensure that the interdependencies and referencing within it remain accurate and consistent.

- 3.6 Once the refreshed Constitution is adopted by Full Council it will be uploaded to the website. Further work on its accessibility will be undertaken to add in hyperlinks within the document and external websites for ease of use by the reader.
- 3.7 Council should note that the review has not changed any delegations and subject to the adoption of the refreshed version, the subsequent CRC will consider any recommendations regarding best practice improvements following a review by an independent legal firm specialising in Local Authority Constitutions in the new municipal year.
- 3.8 In addition to this, further work on the delegations and Financial, Contract and Procurement rules will be undertaken, which was not covered by the scope of the work undertaken in this review.

4. Implications

Corporate Priorities

- 4.1 The refresh of the constitution will support the delivery of the council's corporate priorities of:
- 4.1.1 Community leadership to create a sense of pride in our place;
 - 4.1.2 Promoting health and wellbeing and encouraging healthy life choices;
 - 4.1.3 Creating a sustainable environment to protect future generations;
 - 4.1.4 Supporting businesses and residents to deliver a prosperous local economy

Consultation

- 4.2 In preparing this report, no statutory consultation has been required. The report is informed by the views of the CRC and Scrutiny Commission and their comments have been incorporated into the final version attached to this report.

Financial

- 4.3 There are no direct financial implications as a consequence of this report. However, it has been a resource intensive process for both officers and members in the time needed to review and redraft the document.

Legal

- 4.4 The requirement to establish and maintain a constitution is contained within section 20 of the Local Government and Housing Act 1989 and supplemented by the Local Authorities (Standing Orders)(England) Regulations 2001 as amended. The refreshed Constitution is now a more user friendly and compliant document, which is future proofed as far as possible.

Environmental Implications

- 4.5 The Council has declared a climate emergency. This report does not specifically address climate issues however regard has been had in the preparation and the engagement through the CRC Task and Finish Group to minimising environmental impacts such as by conducting as much of the review as possible electronically rather than by printing documents. Where documents are required to be printed, the Council will do this double sided and in black and white. Members are invited to retain and re-use their printed copies as much as possible and recycle them when no longer required.

Risk Management

- 4.6 The main risks in relation to this matter are failing to ensure that the Council has, and maintains, a fit for purposed constitution.

Equalities Impact

- 4.7 The amendment of the constitution, which is statutorily required, does not give rise to any direct equalities and in fact may reduce adverse equalities impacts by ensuring that the Council adopts a plain English document which is easier to understand and navigate. The refresh will enable font types and sizes to be standardised throughout the document and meet minimum accessibility standards. Removing tables as far as possible will ensure that the constitution is more accessible for those utilising aids. At this point however, a full equality impact assessment is not considered necessary.

Data Protection

- 4.8 As this report contains no personal information, the principles set out in the Data Protection Act 2018 are not engaged.

5. Alternative Options Considered

- 5.1 No alternative options were considered as the CRC had given clear instructions for the review.

6. Recommendations

- 5.1 For the reasons set out within this report, it is recommended that the full Council adopt the refreshed Constitution.

7. Background Papers

- 7.1 The Current Constitution of Harborough District Council. [HDC Current Constitution](#)

- 7.2 Previous reports to Council bodies in respect of governance generally as follows:

- 7.2.1 Annual Council – 15 May 2023

<https://cmis.harborough.gov.uk/cm5/Meetings/tabid/73/ctl/ViewMeetingPublic/mid/410/Meeting/5706/Committee/847/Default.aspx>

- 7.2.2 CRC – 29 June 2023

<https://cmis.harborough.gov.uk/cm5/Meetings/tabid/73/ctl/ViewMeetingPublic/mid/410/Meeting/5746/Committee/852/Default.aspx>

- 7.2.3 CRC – 5 October 2023

<https://cmis.harborough.gov.uk/cm5/Meetings/tabid/73/ctl/ViewMeetingPublic/mid/410/Meeting/5774/Committee/852/Default.aspx>

Appendix A to follow

Harborough District Council



Report to Annual Council Meeting of 20th May 2024

Title:	Calculation and application of Political Balance
Status:	Public
Key Decision:	No
Report Author:	Sarah Hamilton, Interim Senior Democratic Services Officer
Portfolio Holder:	Leader of the Council, Councillor Phil Knowles
Appendices:	None

Summary

- i. The Council is required to determine the political balance of its councillors following local government elections, which calculation is used to inform the allocation of seats on council committees.
- ii. The calculation of political balance is largely a factual and mathematical exercise by which the proportions of each political group represented on the council are identified and applied to the number of seats available on council committees. Where the figures are required to be rounded up or down however, there may need to be some adjustment to ensure that representation across all parties is fair.
- iii. Council is asked to approve the calculation of political balance, and endorse the allocation of seats to political parties in accordance with that calculation.

Recommendations

1. The Council is invited to:
 - (a) Appoint the committees as shown in Section 3 to the report in accordance with the constitution and terms of reference therein;
 - (b) Agree the calculation of political balance for the 2024-2025 municipal year, as set out in Section 3, Table 1 to the report;
 - (c) Agree the allocation of seats on committees to groups in accordance with the political balance calculations as set out Section 3, Table 2 to the report.

- (d) Authorise the Deputy Chief Executive and Monitoring Officer, in consultation with the relevant Group Leader, to determine any further necessary adjustments to be made to individual Committee and Sub-Committee allocations in accordance with the provisions of Sections 15 and 16 of the Local Government and Housing Act 1989;
- (e) Authorise the Deputy Chief Executive and Monitoring Officer to allocate seats to political groups in respect of any sub-committee which might be established from time to time in accordance with the provisions of Sections 15 and 16 of the 1989 Act;

Reasons for Recommendations

- i. It is a statutory requirement that the Council calculate its political balance and apply this to the governance arrangements it has adopted. This reports confirms the democratic arrangements of the Council for the municipal year 2024-2025.

1. Purpose of Report

- 1.1 This report identifies the political balance calculation for Harborough District Council for the 2024-2024 Municipal Year and suggests how this can be applied to the various committees it designates.
- 1.2 This report confirms the democratic arrangements for the Council for the Municipal Year 2023-2024.

2. Background

- 2.1 At the annual meeting of Council, councillors are required to decide what committees and sub-committees to establish for the coming municipal year. This includes the allocation of seats to political groups represented on the Council in accordance with the provisions of the Local Government and Housing Act 1989 (the “1989 Act”). Councillors should also determine the size and terms of reference of those committees.
- 2.2 Section 15 (Duty to Allocate Seats to Political Groups) of the 1989 Act sets out the requirements as to political proportionality on Council bodies and requires the Council, in allocating seats on committees and sub-committees of the Council to political groups, to give effect, so far as practicable, to the following four principles:
 - 2.2.1 that not all seats on the committee/sub-committee are allocated to the same political group;
 - 2.2.2 that the political group having a majority of seats on the Council should have a majority on each committee and sub-committee;
 - 2.2.3 that, subject to 2.2.1 and 2.2.2 above, the number of seats on the Council’s committees and sub-committees allocated to each political group, bears the same proportion to the total number of such committee/sub-committee seats as the number of members of that group bears to the membership of the full Council; and

2.2.4 that, subject to 2.2.1 to 2.2.3 above, seats will be allocated on each committee and sub-committee in the same ratio as exists on the full Council.

2.2.5 Section 16 (Duty to Give Effect to Allocations) of the 1989 Act requires the Council to give effect to the allocations determined in accordance with the wishes of the relevant group.

2.3 Section 3 sets out the committees of the Council subject to the adoption of the refreshed Constitution.

2.4 The distribution of seats between groups has been calculated on a proportional split of the 34 seats. In each case the determination of seat numbers has followed the general principle of rounding up or down. There has therefore been some adjustment to the resulting distribution in order to correct the consequences of this and to give effect to the principles in Section 15 of the 1989 Act, as set out above.

3. Details

Committees

3.1. The Council is required to appoint to the following committees and sub-committees:

3.1.1. Planning Committee;

3.1.2. Regulatory Committee;

3.1.3. Constitutional Review Committee;

3.1.4. Audit and Standards Committee;

3.1.5. Employment Committee;

3.1.6. Investigating and Disciplinary Committee;

3.1.7. Appeals Committee;

3.1.8. Licensing Committee;

3.1.9. Corporate and Performance Overview & Scrutiny Panel

3.1.10 Services and Communities Overview & Scrutiny Panel

3.1.11 Revenues and Benefits Joint Committee

Political Balance

3.2. The political balance of the Council is, for the municipal year 2024-2025 as set out in Table 1 below:

Table 1: Political Balance for 2024 - 2025

Group	No. of Councillors	% of Council
Conservative	15	44 (44.1176)
Liberal Democrat	13	38 (38.2352)
Labour	3	9 (8.8235)
Green	3	9 (8.8235)
Other	0	0
Total	34	100

3.3. Members will recall that political balance is necessary to ensure that representation on Council bodies that are subject to political balance reflect the democratically elected balance of the Council.

3.4. Seats according to political balance 2024-2025

Table 2: Seats according to political balance 2024 – 2025

Committee	Coalition	Conservative
Planning (9)	5	4
Regulatory (10)	6	4
Constitutional Review (7)	4	3
Audit & Standards (7)	4	3
Employment (5)	3	2
Investigatory & Disciplinary (5)	3	2
Appeals (5)	3	2
Licensing (10)	6	4
Services and Communities Overview and Scrutiny (7)	4	3
Corporate and Performance Overview and Scrutiny (7)	4	3
TOTAL SEATS 72	42	30

3.5. The membership of all Council Committees and Panels is therefore confirmed as set out below:

3.5.1. **Appeals** – total of 5 seats

Coalition: 3 seats:

Conservative: 2 seats:

3.5.2. Audit & Standards – total of 7 seats

Coalition: 4 seats

Conservative: 3 seats

3.5.3. Constitutional Review – total of 7 seats

Coalition: 4 seats

Conservative: 3 seats

3.5.4. Corporate and Performance Overview & Scrutiny Panel – total of 7 seats

Coalition: 4 seats

Conservative: 3 seats

3.5.5. Employment – total of 5 seats

Coalition: 3 seats

Conservative: 2 seats

3.5.6. Investigation & Disciplinary – total of 5 seats

Coalition: 3 seats

Conservative: 2 seats

3.5.7. Licensing – total of 10 seats

Coalition: 6 seats

Conservative: 4 seats

3.5.8. Planning – total of 9 seats

Coalition: 5 seats

Conservative: 4 seats

3.5.9. Regulatory – total of 10 seats

Coalition: 6 seats

Conservative: 4 seats

3.5.10 Services and Communities Overview & Scrutiny Panel – total of 7 seats

Coalition: 4 seats

Conservative: 3 seats

Appointment of Cabinet

- 3.6. The Leader has confirmed that he will be supported by 6 Cabinet members. Each member of Cabinet will be responsible for a portfolio of issues. The Leader will confirm the title and scope of each portfolio at a later date.

Cabinet Sub-Committees and Advisory Panels

- 3.7. Cabinet Sub-Committee Grants
3.8. Member Development Advisory Panel
3.9. Local Plan Advisory Panel

4. Implications of Decisions

Corporate Priorities

- 4.1. The Council is committed to delivering its corporate priorities as set out in its corporate plan. Providing the information contained within this report gives assurance that the Council continues to work to deliver these priorities. The distribution of seats according to political composition ensures fair representation of all groups in the delivery of the Council's corporate objectives.

Consultation

- 4.2. The identification of individuals within this report reflects the nominations provided by the relevant group leaders. No further consultation is required.

Financial

- 4.3. The financial consequences of the number of committees and representatives set out within this report are within the budget set by the Council. The current budget for members allowances and expenses is £319k.

Legal

- 4.4. The requirement to determine and update the political balance calculation is contained within statute. This report therefore ensures that the Council is meeting its legal obligations in this regard.
- 4.5. The identification of nominations to committees, Cabinet and outside bodies is required to aid transparency. Any changes during the municipal year to these nominations will be reported to the next relevant meeting.

Environmental Implications

- 4.6. Nothing within this report is anticipated to impact upon the Council's commitment to achieving net zero carbon.

Risk Management

- 4.7. As set out in the Legal implications, the risk of not complying with statutory requirements is that the Council will be acting ultra vires and therefore capable of being subject to successful challenge of its decisions.

Equalities Impact

4.8. The Council has a statutory duty to consider and demonstrate equalities impact in all of its activities. However, the report does not impact upon the public sector equality duty given it reports the application of political balance and decisions made as to which individual is allocated to which council role. This in all decisions, and Equalities Impact Assessment may need to be provided.

Data Protection

4.9. This report contains no private information.

5. Alternative Options Considered

5.1. The Council is required to calculate the political balance and apply it, therefore there are no alternative options other than to not undertake this exercise, which will have the implications listed in this section 4 of the report.

5.2. The Council is required to publicise its arrangements in respect of political balance, and has collated within this report for ease of reference the information in respect of the outcome of the application of political balance, and the nomination of councillors to council roles and outside bodies.

6. Recommendation

6.1. Council is invited to:

- (a) Appoint the committees as shown in Section 3 in accordance with the constitution and terms of reference therein;
- (b) Agree the calculation of political balance for the 2024-2025 municipal year, as set out in Section 3, Table 1 to the report.
- (c) Agree the allocation of seats on committees to groups in accordance with the political balance calculations as set out Section 3, Table 2 to the report.
- (d) authorise the Deputy Chief Executive / Monitoring Officer, in consultation with the relevant Group Leader, to determine any further necessary adjustments to be made to individual Committee and Sub-Committee allocations in accordance with the provisions of Sections 15 and 16 of the Local Government and Housing Act 1989;
- (e) authorise the Deputy Chief Executive / Monitoring Officer to allocate seats to political groups in respect of any sub-committee which might be established from time to time in accordance with the provisions of Sections 15 and 16 of the 1989 Act;

7. Background papers

7.1. The Local Government and Housing Act 1989

<https://www.legislation.gov.uk/ukpga/1989/42/part/II/crossheading/political-balance-on-committees-etc>

7.2. The Local Government (Committees and Political Groups) Regulations 1990

<https://www.legislation.gov.uk/uksi/1990/1553/regulation/17/made>

Report to the Annual Council Meeting of 20 May 2024

Title:	Draft Rota of Meetings 2024 – 2025
Status:	Public
Key Decision:	N/A
Report Author:	Sarah Hamilton, Interim Senior Democratic Officer and Team Leader
Portfolio Holder:	Councillor Paul Beadle
Appendices:	Appendix A - Rota of Meetings June 2024 – May 2025 Calendar View (To Follow)

Summary

The report asks the Council to review and agree the Draft Rota of Meetings for the municipal year 2024 – 2025.

Recommendations

1. That the Draft Rota of Meetings, June 2024 – May 2025 be adopted and implemented.

Reasons for Recommendations

- i. Procedure Rule 4.1.9.18 of Part 4 of the Council's Constitution states that the meeting of Annual Council will "... approve a programme of ordinary meetings of the Council for the year ...".

1. Purpose of Report

To consider the Draft Rota of Meetings for June 2024 – May 2025 as attached at Appendix A.

2. Background

The Council's Constitution requires that at its Annual Meeting the Council agrees a Rota of Committee, Cabinet and Council meetings for the next municipal year. At the Annual Council

Meeting of 15th May 2023, the Draft Rota of Meetings was agreed for the period up to and including May 2024.

3. Details

Council is asked to note the following information in relation to the Rota;

- 3.1. The Draft Rota for the municipal year 2024-2025 has been produced in a calendar view and once approved will be produced in a list view for accessibility.
- 3.2. The meeting dates allocated for the Budget Council in 2025 have been scheduled to take place after the County Council budget meeting dates.
- 3.3. The recess break in August, and where possible, school holidays, have been observed, and key dates are noted on the calendar.

4. Implications of Decisions

Corporate Priorities

- 4.1. The formal decision-making process supports all the corporate priorities.

Financial

- 4.2. The Rota of Meetings is designed to facilitate and encourage efficient government working. It will reflect the working needs of the Council, and facilitate efficient and appropriate use of resources.
- 4.3. Further resource implications will be directly addressed in accordance with each respective meeting.

Consultation

- 4.4. Key officers and stakeholders have been consulted on the timing of meetings

Legal

- 4.5. Procedure Rule 1.1 Part 1(i) of Part 4 of the Council's Constitution states that the meeting of Annual Council will "... approve a programme of ordinary meetings of the Council for the year ...".

Policy

- 4.6. None in the context of this report.

Environmental Implications

- 4.7. None in the context of this report.

Risk Management

4.8. None in the context of this report.

Equalities Impact

4.9. None in the context of this report.

Data Protection

4.10. None in the context of this report.

5. Alternative options considered

5.1. Key officers have been consulted on the Draft Rota to ensure it meets legislative requirements and options for alternative dates reviewed before the final rota was agreed for proposal to council.

6. Recommendation

6.1. That the Draft Rota of Meetings, June 2024 – May 2025 be adopted and implemented.

7. Background papers

7.1. None.

Appendix A to follow

Report to the Annual Council Meeting of 20th May 2024

Title:	Appointments of Representatives on Outside Bodies
Status:	Public
Key Decision:	N/A
Report Author:	Sarah Hamilton, Interim Senior Democratic Officer and Team Leader
Portfolio Holder:	Councillor Paul Beadle
Appendices:	Appendix A - Representatives on Outside Bodies 2024 (To Follow)

Summary

The report asks the Council to consider and make appointments to the Outside Bodies listed in Appendix A to this report.

Recommendations

1. That nominations to the vacancies on Outside Bodies (which are not Executive appointments) be considered and appointments made; and
2. In the absence of nominations, the Chief Executive be given delegated authority to fill the vacancies in consultation with the Political Group Leaders.

Reasons for Recommendations

Procedure Rule 4.1.9.14 of the Council's Constitution states that the meeting of Annual Council will 'make appointments to outside bodies except where appointment to those bodies has been delegated by the Council or is exercisable only by the Cabinet.'

1. Purpose of Report

To consider and make appointments to the Outside Bodies listed in Appendix A to this report.

2. Background

The Council's Constitution requires that at its Annual Meeting the Council makes appointments to outside bodies except where appointment to those bodies has been delegated by the Council or is exercisable only by the Cabinet.

3. Details

Details of the nominations (including any special criteria for nominations), to appoint at this meeting are attached at Appendix A. The appointments to be made are highlighted in red.

4. Implications of Decisions

Corporate Priorities

4.1. These appointments give elected Members an opportunity to represent Harborough District Council in various environments locally, regionally and nationally, which supports all the corporate priorities.

Financial

4.2. Allowances payable are included in the Council's budget.

4.3. Members receiving Members' Allowances would not claim allowances from the organisation(s) to which they are appointed.

Legal

4.4. This request is submitted in accordance with Procedure Rule 1.1 of Part 4 of the Council's Constitution.

4.5. Members are reminded that all Council appointments to Outside Bodies are covered by the adopted Code of Conduct, including the receipt of gifts and hospitality.

Consultation

4.6. Nominations for those to be appointed are to be submitted by each Political Group.

Policy

4.7. None in the context of this report.

Environmental Implications

4.8. None in the context of this report.

Risk Management

4.9. None in the context of this report.

Equalities Impact

4.10. None in the context of this report.

Data Protection

4.11. None in the context of this report.

5. Alternative Options Considered

Not to request nominations – This is not considered appropriate, particularly in view of the information set out above.

6. Recommendations

6.1. That nominations to the vacancies on Outside Bodies (which are not Executive appointments) be considered and appointments made; and

6.2. In the absence of nominations, the Chief Executive be given delegated authority to fill the vacancies in consultation with the Political Group Leaders.

7. Background papers

None.

Appendix A to follow

Harborough District Council



Report to Annual Council

Meeting of 20th May 2024

Title:	Appointment of the Monitoring Officer
Status:	Public report with Appendix A Exempt under Paragraph 2 of Schedule 12 (A) of the Local Government Act
Report Author:	Rebecca Jenner, Head of HR
Lead Councillor:	Cllr Beadle, Portfolio Holder for Corporate
Appendices:	A – Recommendation of the Member Appointment Panel (to be circulated once received)

Summary

- i. The appointment of statutory chief officers' rests with the full Council. The Council must at all times ensure it has adequate arrangements to discharge the functions of the statutory chief officer roles, including that of Monitoring Officer.
- ii. The statutory role of Monitoring Officer has since March 2022 been covered on an interim basis.
- iii. Following the appointment of the Chief Executive (& Head of Paid Service) in December 2023, he has since undertaken a review of the Senior Leadership Team and the Corporate Management Team and has restructured some of the roles and created a permanent role for the Monitoring officer that will now sit with the new post as Head of Democratic Services & Elections. Previously this role sat with the post of Director of Law & Governance, which has now been removed from the structure.
- iv. Council is invited to approve the recommendation of the appointment to the permanent post of Head of Democratic Services, Elections and Monitoring Officer from the Members Appointment Panel which will take place on the 16th May.
- v. In addition, Council is invited to approve the recommendation of the appointment of Sarah Hamilton to the post of Monitoring Officer on an interim basis effective immediately until the permanent Monitoring Officer is in post.

Recommendations

- I. Council approves the appointment of the Monitoring Officer as outlined in the report, and as updated following on from the Members Appointment Panel recommendation.
- II. Council approves Sarah Hamilton, Interim Senior Democratic Officer & Team Leader, be appointed as the Monitoring Officer on an interim basis with effect from 21st May

2024 until the new Monitoring Officer and Head of Democratic Services and Elections commences permanent employment with the Council.

- III. Council to note that the current interim Monitoring Officer, Julie Young, will vacate the post of Interim Monitoring Officer from 20th May 2024 on the approval of Sarah Hamilton being appointed by Council.

Reasons for Recommendations

- i. The Council is required to appoint a named individual to the statutory chief officer role of Monitoring Officer, in accordance with section 5 of the Local Government and Housing Act 1989.

1. Purpose of Report

- 1.1. This report informs Council of the progress made towards the appointment of the statutory role of Monitoring Officer, which is now incorporated into the role of Head of Democratic Services & Elections, following on from the recruitment process.
- 1.2. In addition, this report invites Council to confirm the appointment, on an interim basis, of a new Monitoring Officer with immediate effect.

2. Background

- 2.1. Following the Interim Director of Law & Governance and Monitoring Officer finishing on the 31st December 2023, the post of Monitoring Officer has been filled on an interim basis by Julie Young, Head of Legal. This was on the understanding that the post of Monitoring Officer would be recruited to on a permanent basis.
- 2.2. John Richardson, Chief Executive in his capacity as Head of Paid Service and in discussion with the Leader and Shadow Leader reviewed the management structure in February 2024. The driver behind this was to realign services, but also to generate financial efficiencies that were inherited from previous budget proposals.
- 2.3. The creation of this new post, Head of Democratic Services, Elections and Monitoring Officer was through the deletion of the Director for Law and Governance (and Monitoring Officer) which has been occupied on an interim basis since December 2021 and the Head of Corporate Services after the post holder retired in November 2023.

3. Details

- 3.1. The recruitment campaign ran in the Municipal Journal (MJ) from the 3rd April 2024 to 22nd April 2024 for the post of Head of Democratic Services, Elections and Monitoring Officer. There were five candidates, two of whom have been invited to an assessment centre on the 16th May.

- 3.2. The assessment centre will involve a technical interview designed to explore and test the candidates experience, expertise, and suitability for the role, which will be followed by a discussion with their prospective direct reports. This exercise will give the candidates an opportunity to meet with some officers and for them to find out more about the Harborough District, what it's like to work and live here, key projects and challenges. The afternoon of the 16th May, will comprise of an interview and an individual presentation from the two candidates. The two shortlisted candidates will be interviewed by the Member Appointment Panel.
- 3.3. The Member Appointment Panel will convene a Member Appointment Panel committee meeting to discuss the outcome of the interviews and if appropriate a vote will be taken on the most suitable candidate to recommend to Council to appoint as the Monitoring Officer.
- 3.4. The selection process will be carried out in accordance with the Council's Constitution and Recruitment and Selection Policy.
- 3.5. Given the timing of this Council meeting and the conclusion of the recruitment process, it has not been possible to provide a written update on the outcome of the selection process for the dispatch of this agenda. However, further information as to the preferred candidate identified by the Members Appointment Panel will be circulated to members in advance of the meeting as Appendix A to the report. Council is invited to approve the appointment of this candidate as the Monitoring Officer from the date (to be confirmed) that they commence employment with the council.
- 3.6. The preferred candidate will have a period of notice to serve before they can commence employment with the council. In the period before their start the role of Monitoring Officer will be undertaken on an interim basis by Sarah Hamilton, Senior Democratic Officer and Team Leader. Council is asked to approve the appointment of Sarah Hamilton as the Monitoring Officer with immediate effect, up to and including the date the new Monitoring Officer's employment starts with the council.
- 3.7. Council should note that the current designated interim Monitoring Officer, Julie Young, Head of Legal, will cease being the Monitoring Officer with immediate effect upon the approval of Sarah Hamilton's appointment to the interim statutory role. It is the responsibility of the Monitoring Officer to appoint Deputy Monitoring Officers.
- 3.8. Should the Member Appointment Panel agree that neither candidate is appointable, the post will be readvertised without delay.

4. Implications of Decisions

Corporate Priorities

- 4.1. As the Chief Executive has overall responsibility for the delivery of all staffing and services, this report has implications for whole content of the Corporate Plan and priorities.

Consultation

- 4.2. Discussions with the Leader of the Council and the Leader of the Opposition have been undertaken by the current Chief Executive prior to making any changes to the new senior management structure.
- 4.3. Discussion were held with those whose roles were changing as a result of the realignment of services.
- 4.4. Discussions with the Council's recognised trade union, Unison, have been undertaken by the Head of HR regarding the changes to the management structure.

Financial

- 4.5. This role is budgeted for so will not have any negative consequences on the approved budget for 24/25. This new role will support savings detailed in the budget.

Legal

- 4.6. The Council is required to appoint a Monitoring Officer by section 5 of the Local Government & Housing Act 1989. The decision must be taken by Full Council. The Council's other statutory Chief Officers, the Head of Paid Service and the Chief Finance Officer, are prohibited from acting as the Monitoring Officer.
- 4.7. The Monitoring Officer has a number of personal statutory duties and responsibilities in respect of ensuring that no decision or omission of the Council is likely to give rise to illegality or maladministration. These duties attract statutory employment law protections for the post holder. The role also requires the Monitoring Officer to promote high standards of Councillor conduct (including of Local Councillors in the district) and be responsible for the monitoring and updating of the constitution.

Environment Implications

- 4.8. This update report does not impact upon the Council's commitment to achieving net zero carbon.

Risk Management

- 4.9. The contents of this report with regard to the permanent Monitoring Officer appointment does not pose any risk implications for the Council as it is an update.
- 4.10. The interim arrangements can, in some circumstances, pose a risk for the Council as they can be unsettling and have a lack of continuity, however this proposed interim arrangement will be for a short duration and by an experienced officer whilst awaiting the commencement of the new permanent Monitoring Officer.

Equalities Impact

- 4.11. The Council's recruitment and selection policies and procedures comply with the Council's public sector equality duty and no adverse equality impacts are identified in this report.

Data Protection

- 4.12. The Council's recruitment and selection policies and procedures comply with the Council's public sector equality duty and no adverse equality impacts are identified in this report. However, Appendix A to follow does have Data Protection considerations.

5. Alternative Options Considered

- 5.1. Contracting a consultant Monitoring Officer. However, this option has not be explored further due to the expense, and time to fill the post would leave the Council without a Monitoring officer which is not an option due to the statutory requirement to have a Monitoring Officer in post.
- 5.2. The option of utilising a shared Monitoring Officer for an interim period has been discounted as a consequence of the strong views expressed by Council when rejecting shared senior officers at its meeting in December 2022. Further, the Chief Executive has expressed a preference for a dedicated Monitoring Officer for the Council, which is a view shared by the Leader of the Council.
- 5.3. Given that there is a statutory requirement to appoint a Monitoring Officer, not appointing to the post is not an option.

6. Recommendations

- 6.1. Council approves the appointment of the Monitoring Officer as outlined in the report, and as updated following on from the Members Appointment Panel recommendation.
- 6.2. Council approves Sarah Hamilton, Interim Senior Democratic Officer & Team Leader, be appointed as the Monitoring Officer on an interim basis with effect from 21st May 2024 until the new Monitoring Officer and Head of Democratic Services and Elections commences permanent employment with the Council.
- 6.3. Council to note that the current interim Monitoring Officer, Julie Young, will vacate the post of Interim Monitoring Officer from 20th May 2024 on the approval of Sarah Hamilton being appointed by Council.

7. Background papers

[231106 DRAFT Council Meeting Mintues \(2\).pdf](#)

Council – 20th May 2024

Section 100A (4) Local Government Act 1972

The following item is suggested to be dealt with under the above legislation.

To comply with the Act the following resolution needs to be passed.

“That the public and press 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 paragraph 2 of Part 1 of Schedule 12A to the Local Government Act 1972”.

- **Exempt: Appendix A ‘Appointment of the Monitoring Officer’**

