

HARBOROUGH DISTRICT COUNCIL
MINUTES OF THE EXECUTIVE MEETING

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

held on 10 October 2016,

commencing at 5.00p.m.

Present:

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

Officers: D. Atkinson, S. Hamilton, B. Jolly, B. Murgatroyd, N. Proudfoot, S. Riley and V. Wenham

256 PORTFOLIO ACTIVITY

Financial & Commercialisation

Cllr King reported that the lift is now in situ and fully operational, and requested that thanks were noted to the Contractor for undertaking the work ahead of schedule.

Communities

Cllr Mrs Page reported that on the 6th October, she had attended both a joint Action Group meeting as well as being interviewed on Harborough FM radio, answering questions from the public on Community Safety issues. Cllr Mrs Page advised that she has been given a regular slot on the radio for this every six weeks.

On the 23rd September, Cllr Mrs Page had attended a Safer Communities meeting, where notification was given of the appointment of a new deputy Police and Crime Commissioner, Kirk Master.

Performance Management and Rural

Cllr Rickman reported that he had attended the re-opening event of The Well in Kibworth, undertaken by Michael Wood, which had been given funding via S106 Community grants.

At a recent meeting, a decision was taken to allocate £10k to the Leicester Sports Alliance to enable the organisation to potentially become a self-governing body.

257 INFORMATION EXCHANGE

Cllr King reported that on behalf of the Leader he and Officers had hosted a recent visit from Breckland and South Holland District Councils to discuss a number of topics including the transformation process of the Council and the conversion of Council buildings for multi-occupancy use. Excellent feedback on the visit had been received.

258 APOLOGIES

There were none.

259 MINUTES

RESOLVED that the minutes of the meeting of the Executive held on 5 September 2016 be approved as a correct record.

260 DECLARATION OF MEMBERS' INTERESTS

Cllr's Pain and Mrs Page declared a personal, non-pecuniary interest in the item on the Leicester and Leicestershire Combined Authority. The nature of the interest was that they were both County Councillors.

Cllr's Pain and Mrs Page declared a personal, non-pecuniary interest in the item on the Whittle Roundabout. The nature of the interest was that they were both County Councillors.

261 CLIMATE LOCAL ANNUAL PROGRESS

The Executive was presented with the First Annual report of progress against the Climate Local Action Plan. The report highlighted a fall of 33% in CO2 emissions over the last 9 years.

The Executive noted that the Council continues to be very pro-active through various initiatives such as working with partners on flood alleviation schemes, working with Parish Councils on emergency planning, installing solar panels on the Market Hall, organising a Green Homes Open Event and transforming a 1950's house to make it eco-friendly with a reduced energy consumption.

RESOLVED that the contents of the First Annual Report on Climate Local as set out in Appendix A to the report be noted.

Summary of Reasons

For the Executive to be informed about the completion and content of the First Annual Report on Climate Local.

262 WHITTLE ROUNDABOUT

The Executive was presented with a report on the current position regarding the involvement of the Sir Frank Whittle Commemorative Trust (The Trust) with the Sir Frank Whittle replica aeroplane on the Lutterworth roundabout, together with a tabled letter from The Trust to the Leader.

The Trust had requested that the Council release them from their obligations to maintain the aircraft. Previously the Council had asked The Trust to bring the aircraft up to a required standard, which had been undertaken.

The Executive noted that the timescales involved in releasing The Trust was dependent on the drafting of the necessary deed of release and a new licence, which could be a number of weeks subject to the agreement of all parties involved (i.e. the County Council, The Trust and Harborough District Council).

With regard to the timescales involved in exploring options for the future ownership and/or maintenance of the replica aircraft, Officers reported that a report would be available in early 2017 as a substantial piece of work needed to be undertaken, involving contacting each of the organisations and public sector bodies who had previously expressed an interest in the aircraft to see if there was still an interest. This would then be followed by a process to consider which would be the preferred option.

The Executive requested that thanks be recorded to Officers for their hard work over the last year in order to reach a successful outcome in relation to this matter.

RESOLVED that:

- i) The Trust be released from its obligations under the Licence dated 25 April 2003 subject to the Council retaining the sum of £2,000 lodged by the Trust to cover any future costs of removal and disposal of the replica aircraft and the agreement of Leicestershire County Council to release the Trust under the terms of the current licence.
- ii) The Corporate Director (BJ) in consultation with the Portfolio holder for Finance, Assets and Commercialisation, the Head of Legal and Democratic Services and Leicestershire County Council be authorised to enter into such legal arrangements and take such steps as are necessary to put into effect the decision in (i) above and;
- iii) The Corporate Director (BJ) be authorised to explore what options are available to the Council regarding the future ownership and/or maintenance of the replica aircraft and bring a future report to the Executive for consideration.

Summary of Reasons

Following the completion of approved maintenance to the replica aircraft it is recommended that the Trust is released from its maintenance obligations which will accordingly become the Council's responsibility as the owner of the aircraft.

263 LEICESTER AND LEICESTERSHIRE COMBINED AUTHORITY

The Executive considered the Constitution and Operating Agreement which support the functioning of the Combined Authority for Leicester and Leicestershire (LLCA), as set out in Appendices A and B of the report, together with a tabled letter from Nicholas Rushton, Leader of Leicestershire County Council, before submitting to Council for approval.

The Constitution (which is currently in a draft form) has been agreed by officers of the Constituent Councils and Council approval of this document is now sought. Instructions have been provided to the Monitoring Officers, who have been tasked with drafting the documents, by the Corporate Director (NP), the Chief Executives' of the other Constituent Councils and members of the Economic Growth Board.

As with the constitutional document of any local authority, the document details the proposed governance arrangements for the LLCA. It contains information on such matters as:

- membership
- committees
- voting
- meeting procedure rules and rules of debate
- contract procedure rules
- financial procedure rules

Previous reports have referred to the Leicester and Leicestershire Enterprise Partnership (LLEP) membership on the LLCA and in the Scheme they are described as a non-voting member of the LLCA. There are provisions in the Constitution which allow the LLCA to resolve, by unanimous decision, to award voting rights to the LLEP. Such voting rights can be awarded on all matters or it can be limited to specific matters. It is proposed that at the first meeting of the LLCA, the members will be asked to consider whether to award voting rights to the LLEP. The proposal intended to be put to the LLCA is that the LLEP shall have a vote on all matters of the full LLCA but not on committees and that it will not have the power to veto any decision except for any decision in relation to the strategic economic plan (which they lead on). The draft Constitution also states that the LLEP will be an advisory, non-voting member of the LLCA transport committee. If Council were to approve the draft Constitution, it would be providing their support to the proposal on awarding voting rights to the LLEP as described above.

The Constitution will be taken to a future meeting of the Economic Growth Board where Members will be asked to approve the document. Before that meeting takes place the Constituent Councils will have individually undertaken their own internal processes requesting approval. Each Constituent Council will either use delegated powers which have been given or take the documents back to Members. The document may be subject to some final subsequent tweaks after it has been approved to ensure it coincides with the wording of the final Order and it will then be approved and adopted by the LLCA at its inaugural meeting.

The Operating Agreement provides further detail as to how the LLCA will be run on a day to day basis and has been drafted by the Monitoring Officers of the Constituent Councils, with input being provided by the section 151 Officers of the Constituent Councils on the financial aspects of the document.

Officers highlighted that there was still work to be undertaken regarding the financial impact, and there would be additional costs associated with this aspect.

The Executive noted that a number of appointments, including named substitutes, for the LLCA and Planning, Transport and Overview and Scrutiny Committees, would need to be agreed by Council.

Harborough District Council has power to enable the Authority, via Council, to make appointments regarding joint arrangements, under legislation (The Local Government Act 1972 and the Local Democracy, Economic Development and Construction Act 2009).

The Executive commented on the importance of establishing an efficient and transparent system for cascading information between Harborough District Council, the LLCA and other joint associations to ensure that all Members remained fully briefed and aware of the work of the LLCA.

It was agreed that Officers would provide the relevant extract concerning power to establish a combined authority, and operate on the terms set out in the agreement and constitution.

RECOMMENDED that::

- i) The draft Constitution of the Leicester and Leicestershire Combined Authority as set out in Appendix A to this report be submitted to Council for approval;**
- ii) The draft Operating Agreement of the Leicester and Leicestershire Combined Authority; as set out in Appendix B to this report be submitted to Council for approval;**
- iii) Council authorise the Corporate Director (NP) in consultation with the Leader to make any final amendments to the Constitution and Operating Agreement prior to their adoption by the Leicester and Leicestershire Combined Authority;**
- iv) Council authorise the Corporate Director (NP) in consultation with the Leader to agree any minor changes to the Operating Agreement in future following the adoption of the document by the Leicester and Leicestershire Combined Authority and;**
- v) Council agree the appointment of representatives from the Council to serve on the Leicester and Leicestershire Combined Authority and its Committees as set out in paragraph 6 of the report.**

Summary of Reasons

The Leicester and Leicestershire Combined Authority will need to have in place a Constitution setting out the governance arrangements and an agreement governing the day to day operation of the Combined Authority.

264 NOTES AND RECOMMENDATIONS FROM EXECUTIVE ADVISORY PANELS

The Executive considered the work of the Local Planning Executive Advisory Panel and noted that the Spatial report would not be considered at this meeting as further work needed to be undertaken.

RESOLVED that the record of the following meeting be noted:

Local Planning Executive Advisory Panel: 19 September 2016 - meeting notes (draft)
(Appendix A)

Summary of Reasons

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

The notes of the Panel meeting on 19 September 2016 are in draft format as they will not be reported to the Panel for approval until its next meeting (on 17 October 2016). The draft notes were sent to the Chairman and Panel members for comment to ensure that they captured the views expressed by the Panel at its meeting.

265 CAR PARKING STRATEGY

The Executive considered the draft car parking strategy, and noted that comprehensive work had been undertaken over a six month period initially by consultants who had identified a number of key outcomes, and subsequently by an Executive Working Group who had reviewed and developed the strategy document. It was reported that the current strategy was produced in 2008 and that the new strategy needs to ensure that parking provision for the District is fit for purpose up to 2031.

Key components of the strategy cover a tariff structure, pricing (including a comparison with other local authorities), standardisation of the issue with Lutterworth car parks having the first hour free of charge (with the associated enforcement issues), allocation of free bays for a limited time, the re-designation of long and short stay car parks, a proposal to introduce charges to the Symington Recreation Ground car park, alternative methods of payment, changes to car parking permits, and how to accommodate coach parking.

From the tabled project plan with associated timescales, the Executive noted two periods of consultation, in order to maximise the capturing of residents' views.

The Executive noted that the report had been considered within the Scrutiny process.

A note of thanks was asked to be recorded to the Executive Working Group and Officers in putting together the comprehensive strategy.

RESOLVED that:

- i) The draft Car Parking Strategy as set out in Appendix A to the report goes out to public consultation; and
- ii) The proposed changes to the (Off Street Parking Places) Order set out in a) to g) below go out to public consultation
 - a) the proposed tariff structure;
 - b) the re-designation of car parks to amend the number of long and short stay spaces;;
 - c) the introduction of charging at Symington Recreation Ground car park;
 - d) the introduction of alternative payment methods;

- e) the proposed changes to the permits currently available to business and residents;
- f) the introduction of electrical charging points;
- g) the provision of coach parking.

iii) The exemption from the Harborough District Council Procurement Statement of Required Practice, ('the Procurement SORP') for the extension of the contract be approved on the grounds that "the particular reputation or personal and professional expertise or experience of the contractor is of central importance to the contract (for example, an expert witness, specialist consultant or advocate). This may also apply if work previously undertaken by the provider means that they are clearly and uniquely best equipped to carry out the new work." (7.1.7).

Summary of Reasons

The current car parking strategy was published in 2008. Whilst there is no legal requirement for a Council to provide car parking facilities, they do play an important part in promoting the vitality of the town centres.

To ensure that the Council's parking assets meet the requirements of the local residents, businesses and visitors to the district 2020 Consultancy was commissioned to review the current strategy. The draft car parking strategy can be found in Appendix A.

The consultants made a number of recommendations for further consideration which will form the basis of the Action Plan for the implementation of the Strategy.

An Executive Working Group made up of members of the Executive and relevant officers was established to review in more detail the recommendations.

The recommendations from the Executive Working Group were considered by the Scrutiny Panel for Performance on the 15th September 2016 and their comments have been incorporated into this report.

A number of the recommendations can be implemented without the need to amend the current (Off-Street Parking Places) Order; however there are several changes that will need to be incorporated into the amended order. It is necessary to consult on the proposed changes to the Order. The comments from this consultation will be considered as part of the development of the Order.

The post of Parking Manager is currently covered by an interim contractor as there have been two unsuccessful attempts to recruit to the post on a permanent basis. The current contractor has been an integral member of the Executive Working Group and his expertise in this area has been vital in the development of the recommendations. It is necessary to retain this expertise during the development and implementation of the new Parking Order. To allow his continued involvement it is necessary to approve an exemption to the Council's procurement SORP.

266 EFFICIENCY PLAN

It was reported that the Secretary of State for Communities and Local Government had invited all Councils to submit an efficiency plan in order to secure four year Government funding settlements.

The Executive considered the report and the following points were highlighted :-

- The Council has a very good track record in financial planning.
- The Council has a coherent approach to its medium term financial strategy.

The Executive was asked to note specific areas of focus over the period of the Efficiency Plan :-

- Delivering the property strategy
- Undertaking outcome reviews
- Promoting sustainable housing and economic growth through the Local Plan
- Income maximisation

- Partnerships
- Use of reserves

As part of the Medium Term Financial Strategy agreed in February 2016, the Efficiency Plan target shows that the Council expects to be able to identify efficiencies in excess of £350k in 2017/18 i.e. more than 50% towards the £672k required from 2019/20 to deliver a balanced budget during this period.

Due to the considerable uncertainty in the Government agenda, a caveat has been attached to the plan stating that the Council would like to accept the four year funding settlement, but on the basis that if any additional funding is made available to local authorities through national control totals, that a share of this will be allocated to those authorities that accept the four year funding offer.

The Executive highlighted how well the Council has performed through funding streams, particularly through income maximisation, particularly in comparison with other, much larger, authorities. .

RESOLVED that

- i) The submission of the Efficiency Plan (as set out in Appendix A to the report) to the DCLG to secure four year funding settlements is approved.
- ii) Any subsequent amendments prior to submission or in post submission communication with DCLG, are delegated to the S151 Officer to make in consultation with the Portfolio Holder for Finance and Commercialisation.

Summary of Reasons

The Council is required to submit an efficiency plan to the DCLG by the 14th October 2016 in order to be able to be eligible to receive four year Government funding settlements. Confirmation that the Efficiency Plan has been successful is expected prior to, or contained within the December Local Government Finance Settlement.

The meeting closed at 6.32 pm.