

Minutes of the Cabinet Meeting

Location: Council Chamber, The Symington Building, Adam and Eve Street, Market Harborough, LE16 7AG



Date: 4 September 2023 commencing at 6.30pm

Present:

Councillors:

P. Knowles (Leader)	Portfolio Holder for Strategy
S. Galton	Portfolio Holder for Planning
M. Graves	Portfolio Holder for Finance
J. Knight	Portfolio Holder for Wellbeing
G. Whitmore	Portfolio Holder for Culture, Leisure, Economy and Tourism
D. Woodiwiss	Portfolio Holder for the Environment and Climate Change

CMT Officers:

- L. Elliott – Interim Chief Executive, Head of Paid Service
- C. Mason – Interim Deputy Chief Executive, Section 151 Officer
- C. Pattinson – Interim Director of Law & Governance, Interim Monitoring Officer
- V. Jessop – Interim Director of Communities & Wellbeing
- D. Atkinson – Director of Planning

8. Apologies for Absence

Apologies were received from the Portfolio Holder for Corporate, Councillor Beadle.

9. Declaration of Members' Interests

There were no declarations of interest.

10. Minutes

Cabinet agreed the minutes of the meeting on 10 July 2023 as an accurate record.

11. Corporate Plan 2023/24

The Leader introduced the report and explained that the current corporate plan was approved in February 2022 to run until 2031. The new administration undertook a light touch review of the Key Activities for the corporate plan following the election.

Councillor Graves asked for clarification on the order of Key Activities in Appendix A of the report. The interim Chief Executive clarified that some Key Activities were missing as they had been achieved.

RESOLVED: that Cabinet note the Key Activities for 2023/24 set out in appendix A to the report and the timeline for the refresh of the corporate priorities set out in the Corporate Plan for 2024/25.

Reasons

The Corporate Plan outlines the Council's Vision, Priorities, Critical Outcomes and associated Key Activities for the financial year. It is essential to help the council deliver better outcomes for communities and therefore is regularly monitored and reviewed.

12. 2023/24 Performance Report – Financial (Outturn) and Corporate Quarter 1 (Year ending 31 March 2024)

The Head of Finance introduced the report. It was explained that the report combined two reports previously received separately, Financial Performance (Outturn), and Performance.

Councillor Graves explained the key sections of the report in more detail, and that revenue expenditure is forecast to underspend by £683,000, a variance of 5.5% to the approved budget. Capital expenditure is forecast to overspend by £200,000, a variance of 1% to the approved budget.

Councillor Graves also brought attention to the Performance section of the report, on behalf of the Corporate cabinet member.

RESOLVED that Cabinet:

- i. receive the contents of the report and associated appendices;
- ii. allocates £300,000 of the forecast revenue underspend to the "Capital & Contracts Earmarked Reserve" to meet the estimated costs of procurement for the environment / waste contract.

Reasons

Cabinet is required to monitor the performance of the Council in accordance with the Performance Management Framework against the Corporate Delivery Plan. Good financial governance requires the Cabinet to consider and comment on the financial management of the Council as well as its forecast financial outturn.

Monitoring performance ensures that customers, partners and stakeholders are assured that the Council is actively managed.

13. Bad Debt Write Offs (Revenues and Benefits)

Councillor Graves provided a brief introduction to the report which reflected a report from the Leicestershire Revenues and Benefits Partnership in respect of the debts written off from revenue streams collected by the Partnership.

The Section 151 Officer drew particular attention to the collapse of Joules, which is based in Market Harborough, and the effect this has had on the write off report.

Councillor Woodiwiss questioned whether more of the funds from Joules' debt could have been collected had the time frame for collection been different. The Section 151 Officer explained that this would have had very little effect.

RESOLVED: that Cabinet write off the outstanding National Non-Domestic Rates (Business Rates) totalling £508,864.47 as listed in Appendix A to the report.

Reasons

All reasonable steps to recover the outstanding debts had been taken. Write off is recommended as the last course of action once all other avenues to recover the debt have been exhausted. Retaining irrecoverable debts in the accounts can distort the true financial position of the Council.

14. Terms of Reference for Cabinet Sub-Committee – Grants

Councillor Knowles introduced the report, and explained the recommendations. The report suggests that Cabinet nominate councillors to the Cabinet Sub-Committee, Grants, to enable the allocation and spend of Section 106 grants and other community grants as required. He pointed out that the Sub-Committee Grants had not been constituted properly previously, so it was decided that Councillors Knowles, Galton and Woodiwiss would form the sub-committee, and that Councillor Knight would be a substitute.

RESOLVED that Cabinet:

- i. Creates a sub-committee of Cabinet to determine applications for grants from the Council;
- ii. Appoints a maximum of three Cabinet members to the newly formed Grants Cabinet Sub-Committee;
- iii. Approves the Terms of Reference for the Grants Cabinet Sub-Committee as set out at Appendix B of the report.

Reasons

With the commencement of a new administration, the leadership of the Council, and therefore the membership of Cabinet, had changed. Cabinet could determine what sub-committees to set up, and the applicable terms of reference. It considered that a sub-committee of Cabinet to administer grants sought from the Council was appropriate, with the terms of reference as set out at Appendix B of the report. The creation of this sub-committee ensures the Council efficiently and democratically administers the awarding of grants within, and for the benefit of, the district.

15. Leicester and Leicestershire Statement of Common Ground relating to housing and employment land needs

Councillor Galton introduced the report. Cabinet was invited to consider its position in relation to the imminent recommendation to Council that it sign the Statement of Common Ground with other planning authorities in Leicestershire. He explained that signing the Statement of Common Ground would support the Council in meeting its Duty to Cooperate and Tests of Soundness, both of which are essential in the process of preparing a new Local Plan.

Cllr Galton addressed the collaboration that had taken place between Leicester City Council, and the other local planning authorities in Leicestershire. He stressed the importance of signing the Statement of Common Ground in order to progress the Council's Local Plan.

RESOLVED: that Cabinet recommends to Council that it become a signatory to the Leicester and Leicestershire Statement of Common Ground relating to housing and employment needs, June 2022.

Reasons

The Statement of Common Ground has, over a period of years, been negotiated between the Leicestershire local planning authorities. It evidences that the Council has collaborated with its neighbours. To date, it has been adopted by 7 of the 9 Leicestershire Councils.

The duty to cooperate remains a statutory requirement at this point in time and Government planning policy is clear on the need accommodate unmet housing needs from neighbouring areas. Approving the Statement of Common Ground will align the Council with the approach taken by 7 of the 8 partner authorities in Leicester and Leicestershire and will support the preparation of the next local plan.

16. Harborough District Council Community Safety Three Year Plan 2023-2026

Councillor Woodiwiss introduced the report, and deferred to the Community Safety Manager to provide further explanation.

The report set out the joint response of the Council, the Police and other Community Safety partners to the crime and anti-social behaviour issues identified in the strategic assessment. It proposes a three year Community Safety Plan for the Harborough District 2023-26, owned by the Harborough Community Safety Partnership.

Councillor Galton questioned whether the Cabinet would receive a briefing with the local police lead, as in previous years. Councillor Knowles confirmed that this had been organised for the near future.

Councillor Graves reiterated the importance of the council's continued collaboration with the local police, in order to keep crime rates low and continue effective policing in the district.

RESOLVED: that the Harborough District Community Safety Plan 2023-2026 be adopted.

Reasons

Adopting a Community Safety Plan setting out how the Council and its partners are working together to tackle crime and disorder is a statutory requirement. The plan addresses serious and organised crime; re-offending; tackling anti-social behaviour; alcohol and substance misuse, and any other behaviour which has a negative effect on the local environment. The Community Safety Plan will inform the Council's priorities and ensure the service meets the requirements for all Communities within the District. It's content is determined locally and reflects local priorities.

17. Exclusion of the press and public from the meeting

Councillor Knowles informed the Cabinet that the next item of business included consideration of information which was exempt from public disclosure.

RESOLVED: that, in accordance with the provisions of Section 100(A)(4) of the Local Government Act 1972, the public (including the Press) be excluded from the meeting for the following item of business,

Reasons

The nature of the business to be transacted is such that, if the press and or public remain in attendance, exempt information within paragraph 3 (Finance or Business Affairs) of Schedule 12A of the Local Government Act 1972 (as amended), would be disclosed.

In the circumstances, the public interest in excluding the press and public from the proceedings outweighs the public interest in publication of the report. The proper administration of the Council demands that Cabinet are apprised of the full financial implications of the decision to be taken.

18. Mechanical & Electrical Management Contract

The Section 151 Officer introduced the report. He explained that having an effective Mechanical and Electrical (M&E) maintenance service is essential to the successful management and use of Council owned buildings. The service ensures longevity of all plant and machinery and allows the Council to comply with its statutory obligations in buildings such as The Symington Building, Harborough Innovation Centre, Harborough Market Hall and a number of pavilions and public toilets.

The existing M&E contract expires on 31 October 2023 and a procurement process has been undertaken. It is proposed that a contract be awarded, commencing on 1 November 2023 for a period of years, to ensure continued compliance with statutory obligations in respect of the Council's property portfolio.

Councillor Woodiwiss questioned the reason for the exemption of the appendices related to this report. The Section 151 Officer clarified that this was due to the appendices containing commercially sensitive information regarding the winning contract bid.

RESOLVED that Cabinet:

- i. Award a contract for Mechanical & Electrical maintenance, commencing 1 November 2023, to contractor 1 as detailed in appendix A;
- ii. delegate authority to the Section 151 officer, in consultation with the cabinet member for Finance and the Monitoring Officer, to negotiate and finalise the contract.

Reasons

The Council is required ensure that it discharges its statutory responsibilities in relation to mechanical and electrical maintenance. It does not have the expertise for this in house and therefore has undertaken an appropriate procurement process to identify a suitably qualified company to undertake this work. The work is essential to the Council's operation and function of the property portfolio.

The evaluation panel agreed that Contractor 1 should be offered preferred provider status based on the tenders submitted. Cabinet was satisfied that awarding the contract to Contractor 1 offered the solution for future provision of mechanical and electrical maintenance services.

19. Urgent items

There were no urgent items identified.

The meeting ended at 19:06