

HARBOROUGH DISTRICT COUNCIL

MINUTES OF THE EXECUTIVE MEETING

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

held on 14 February 2017,

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, S. Riley and V. Wenham

437 PORTFOLIO ACTIVITY

Wellbeing and Localities

Cllr Rickman reported that the Grants Committee recently awarded £47,496.16 to a number of applications, leaving circa £2,500 available. 18 S106 applications are currently being assessed and some may be more suitable for Community grant consideration.

A design for a plaque for grant applicants has now been decided upon and previous recipients of up to two years will be considered to receive the plaque.

Cllr Rickman also reported that he had recently attended a Community event at the Leicester Arena.

Finance and Assets

Cllr King reported that a very successful Leisure workshop had taken place recently. The building of four semi-detached houses had started at St. Cuthberts Avenue, Great Glen (formerly a Council owned garage site), and he had attended a publicity event with the Director of the Contractor. Following a recent Planning Committee meeting, an application for a new allotment site has been approved by the Council to enable Lutterworth Town Council to commence the relevant processes.

Cllr King also reported that the dilapidation work on Market Harborough Leisure Centre has now all been completed, with only work on the fascia outstanding.

Housing and Community Safety

Cllr Page reported that in regard to the Community Safety Partnership, grant funding had been received from the Office of Police and Crime Commissioners with no cuts and an assurance of sustainability for 2 years.

Funding for a Youth Worker had finished however fortuitously additional funding has been received for a further year.

Priorities have been agreed for the Community Safety Partnership which have resulted in a new structure for the governing arrangements covering all of Leicestershire. The Corporate Director (NP) has been appointed by the Executive Group as the representative for the seven districts.

Strategic/Economic Development

Cllr Pain reported that on the 21st January he had given a presentation and talk to the Harborough Civic Society. He had also welcomed the Department for Environment, Food and Rural Affairs to a seminar at the Symington Building on European Rural Funding, which had approximately 50 delegates.

438 MINUTES

RESOLVED that the minutes of the meeting of the Executive held on 9 January 2017 be approved as a correct record.

439 DECLARATION OF MEMBERS' INTERESTS

Cllr Pain declared a disclosable pecuniary interest in the item on the General Fund Revenue Estimates and Capital Programme, in particular Appendix F, Fees and Charges Proposals 2017/18. The nature of the interest was that Cllr Pain is a Director of a local taxi firm.

440 CORPORATE PLAN AND CORPORATE DELIVERY PLAN, 2017/18

The Executive noted the Corporate Plan for the 2017/18 year, the Corporate Delivery Plan for the 2017/18 year and the Strategic Performance Dashboard for the 2017/18 year, as set out at Appendices A to C of the report.

The Executive noted that the Corporate Delivery Plan identified high-level expected outcomes of the Key Activities, which would add depth to what the Critical Outcomes will mean for communities in the District. It also contains the headline Performance Indicators and Risks connected to these Key Activities.

It was reported that the number of Key Activities proposed in the 2017/18 Corporate Delivery Plan was currently around 62.

The Executive also considered the recorded questions and comments of the Performance Scrutiny Panel at its meeting on the 19th January 2017 in regard to the draft versions of the Council's Corporate Plan, Corporate Delivery Plan and Strategic Performance Dashboard for the 2017-18 period.

The Leader commended the Executive and Officers for their hard work in overseeing and developing both documents.

RECOMMENDED TO COUNCIL that:

- (i) The 2017/18 Corporate Plan as set out at Appendix A of the report be approved; and**
- (ii) The 2017/18 Corporate Delivery Plan, as set out at Appendix B of the report, and the Strategic Performance Dashboard for the 2017/18 year, as set out at Appendix C of the report be approved.**

Summary of Reasons

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

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

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

Three priorities have been identified for the 2017/18 year. Both the Corporate Plan and the Corporate Delivery Plan are structured around the delivery of these three priorities:

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

The Corporate Plan for the 2017/18 year is the overarching public document that sets out the Council's vision for the District, its ambitions and priorities and how it will work with its partners and the community to ensure that living in, working in, and visiting the District is the best possible experience. It is based on information about the area and customer feedback and identifies how the Council will achieve its vision.

The Corporate Delivery Plan for the 2017/18 year is the Council's annual high-level plan which sets out how it will deliver its vision and priorities through Critical Outcomes and Key Activities during the forthcoming financial year.

441 GENERAL FUND REVENUE ESTIMATES AND CAPITAL PROGRAMME

The Executive considered the 2017/18 Budget and Capital Programme and the proposed Fees and Charges.

The comments, questions and response from the Performance Scrutiny Panel on 19th January 2017 were noted.

The draft budget had been prepared for consultation following the provisional Local Government Finance Settlement issued by the Department for Local Government & Communities. The Executive was advised that the Council was still awaiting the final Local Government Finance Settlement, and this therefore may result in changes to the final budget.

The draft budget reflected continued reduction in Central Government funding as the Government addresses the public sector deficit. In order to provide stability in forecasting, the Government offered four year funding, subject to submission of an efficiency plan. The Council's efficiency plan had been approved and the settlement funding assessment was consistent with the funding assumed within the Council's Medium Term Financial Strategy where the reduction in Settlement Funding Assessment of £452k was anticipated.

Within the provisional settlement, the Government has revised the New Homes Bonus scheme following a consultation over a year ago. The Government's New Homes Bonus was £319K less than the indicative amount provided in February 2016 by Government. Key changes leading to this reduction are the introduction of a 0.4% 'deadweight' housing growth threshold for which no New Homes Bonus would be paid, along with a change that new homes bonus is only paid for 5 years instead of 6.

The Council continues to have to provide for a large number of undetermined appeals due to a backlog at the Valuation Office. To date, the Council has prudently provided for appeals and it is expected that a significant proportion of the appeals will be settled in 2017/18 for the previous 2010 rating list. The estimate might require updating if the final settlement changes.

The draft budget proposed an increase in Council Tax of 3.12% which equates to £5 for a Band D property and generates an additional £61K in 2017/18 over and above that forecasted in the Council's Medium Term Financial Strategy (MTFS). Given that re-emergence of Council Tax as an important component of core spending power (after many years of Council Tax freezes) it is appropriate for the Council to consider increasing Council Tax for the first year since 2010/11 to ensure that the Council Tax baseline is increased, as this is what the Government will base any future years decisions upon.

The budget reduces the recurrent use of a contribution from the General Fund Balance from £764K to £0 from 2016/17 to 2017/18. This reduction (at a time of continued funding reductions from Central Government) is a significant achievement and supports the overall financial strategy set out in the Council's MTFS. The budget continues to utilise earmarked reserves on a recurrent and non recurrent basis to support delivery of corporate priorities. Earmarked Reserves are both added to (for example, New Homes Bonus and Retained Business Rates) and utilised (for example, Business Rates, Local Plan).

The Capital Programme for the next three years continued the targeting of Council resources to the Council's priorities of business growth, vibrant communities and housing. A Capital Programme of £10.405 million was recommended for the period 2017/18 to 2019/20. A number of the schemes will be linked to the need for external funding and detailed business cases if the scheme is to progress, for example, the proposal for move on space for small and medium enterprises which is dependent on securing significant external funding and a detailed business case to progress.

The Capital Programme also provides for planned maintenance of the Council's assets following full condition surveys of the key Council Assets. The Council have ensured that where the liability for repairs is the responsibility of a third party, for example Leisure Centres that dilapidation surveys have been undertaken and investment secured and programmed.

The Capital Programme provides for increased support to elderly and vulnerable people resulting from an increase in funding from the Better Care Fund from £199K in 2016/17 to £384K in 2017/18. It is planned to set aside £350K for Disabled Facility Grants (an increase of £50k on 2016/17) and to create a new capital project for Lightbulb/Social Care Capital projects of £135k in 2017/18. This is linked to the Lightbulb Programme initiative which aims to allow more people to remain in their own homes through the provision of aids and adaptations and targeted support.

The Council levies fees and charges for a wide range of services. The budget assumes that collectively income from fees and charges will increase by 1% However, many of the Council's fees and charges are based on full cost recovery or nationally set and will be set accordingly.

The key risks facing the Council in relation to current and future budget provision are :

a) Business Rates

The Council continues to be successful in growing business rates and thereby retaining the benefits of business rate growth. Since 2013 Harborough has been consistently one of the best performers within Leicestershire in respect of Business Rate growth despite a high level of appeals. The Council has prudently only used previously retained business rate growth and operates a business rate retention reserve to manage the inherent volatility within the system. The Council has been part of the Leicester and Leicestershire Business Rate pool for every year except 2014/15. This has retained monies within Leicestershire which would otherwise have gone to Central Government. As a result over £4 million is expected to be distributed by the Leicester and Leicestershire Enterprise Partnership (LLEP) into local Economic Growth projects.

b) New Homes Bonus

The provisional settlement included significant changes to the application and receipt of New Homes Bonus. The Council had anticipated these changes in the 2016/17 budget and in the Council's published MTFS.

A review of projected housing completions over the next few years had been undertaken and it is anticipated that the District should receive high levels of housing growth over the next few years and hence new homes bonus for growth over 0.4%. However, there is the risk that the economic environment change and that completions slow.

c) Economic Growth

The national economic position continues to have an impact on Council activity. The vote for Brexit in June 2016 is forecast to lead to reduced growth forecasts, higher inflation and by implication an increase in interest rates for our investments. However, the certainty and timing of the rebalancing of the UK economy is unclear. For this reason the budget has largely been prepared on a steady state position of the UK economy with a corporate assumption of 1% inflation. Any significant shifts in costs or investment returns are adequately covered by Council's contingencies and reserves.

d) Impact of Budget Reductions by Partners

The Council works closely with other public and voluntary bodies in the delivery of services. All organisations are experiencing a contraction in public sector funding. In particular, the budget proposals by Leicestershire County Council continue to impact on the Council and will do so in the future. All 2016/17 pressures have been incorporated within the budget. The Council continues to make representations and undertake forward financial planning to manage and mitigate the risk of any changes.

e) Pay Costs

The Local Government pay award covers the period to the end of 2017/18 and provision has been made for a pay rise of 1%. The budget also makes provision for the introduction of the Apprenticeship Levy. To date, the Council's workforce has not been impacted upon by the increase in the Living Wage though initial forecasts indicate pressures towards the end of the decade. There have been impacts in our third party provision in respect of Leisure and Environmental Services which have been reviewed in line with the relevant contractual frameworks. In addition, the Council contribution to the Local Government Pension has increased a result of the recent triennial review of the pension fund.

f) Income Risks

A prudent level of income assessments has been factored into the budget for 2016/17. Fees and Charges have been changed by 1% or by the statutory fee or cost recovery needs. Regular budget monitoring of income identifies any income trends and appropriate action plans put in place. is.

g) Welfare Reforms

The Government continues to implement the largest change to welfare reforms since 1940. Locally in 2016/17 Universal Credit has been introduced for part of Harborough District alongside other changes in the welfare framework. It is anticipated that this could lead to increased hardship for a number of residents. The Council have a series of advice services and hardship funds that seek to mitigate some of the impact of these externally driven changes. The Council continues to work in partnership to understand and evaluate the changes and the impact on the Council's finances and its communities.

h) Capital Spending

The three year Capital Programme details the Capital priorities and ambition for the Council. Detailed business cases will detail the risks and the funding options linked to major schemes.

i) Contingent Liabilities

The Council is aware of a number of contingent liabilities which are detailed annually in the statement of accounts. During the year there is the potential for additional liabilities to be identified. At the moment no separate provision has been made in the accounts until the nature and timing of the

liabilities become more certain. To mitigate against this the projected General Fund balance will be maintained higher than the minimum level required.

RECOMMENDED TO COUNCIL that:

(iii) The 2017/18 General Fund Revenue Account Net Expenditure Budget of £11,667,676 as set out in Appendix A of the report, be approved, resulting in a 3.12% (£5) increase in the District Band D Council Tax for 2017/18; and

(iv) Authority be delegated to the S151 Officer in consultation with the Leader and Portfolio Holder for Financial and Commercialisation to make any necessary amendments to the Budget, following receipt of the final local government settlement; and

(iii) The General Fund Budget as set out in Appendix A of the report be approved; and

(iv) The Capital Programme as set out in Appendix E of the report be approved; and

(v) Authority be delegated to the S151 Officer in consultation with the Portfolio Holder for Finance and Commercialisation to withdraw from the Leicester and Leicestershire Business Rate Pool or to enter into an alternative pool in the future as necessary.

Cllr Pain having declared a pecuniary interest left the room for consideration of the following matter.
Cllr King in the Chair.

(vi) The Fees and Charges Schedule as set out in Appendix F of the report be approved, and authority be delegated to the S151 Officer in consultation with the Portfolio Holder for Finance and Commercialisation to agree new fees and charges during the year and agree changes to fees and charges when required.

Summary of Reasons

The Council must set a balanced budget to discharge its duties and responsibilities by the 11th March. The duty to recommend a budget to the Council rests with the Executive.

442 LEICESTER AND LEICESTERSHIRE HOUSING AND ECONOMIC NEEDS ASSESSMENT (HEDNA) AND THE EMERGING LOCAL PLAN

The Executive noted the report which considered the outcome of the recently completed Leicester and Leicestershire Housing and Economic Development Needs Assessment (HEDNA) for the Local Plan and an associated Joint Statement of Cooperation. The Executive also noted that the report confirmed the consequential plan requirement to meet those needs and the approach to development allocations across the Leicester and Leicestershire Housing Market Area.

The Leicester and Leicestershire local authorities and the Local Enterprise Partnership (LEP) commissioned GL Hearn to carry out a Housing and Economic Development Needs Assessment (HEDNA) to assess future housing needs, the scale of future economic growth and the quantity of land and floorspace required for B-class economic development uses between 2011 and 2031/36. The assessment provides an evidence base to inform the preparation of statutory local plans by individual local planning authorities across the Leicester and Leicestershire Housing Market Area (HMA), a non-statutory Strategic Growth Plan for Leicester and Leicestershire and a refresh of the LEP's Strategic Economic Plan.

The HEDNA establishes the demographic based need for housing in Harborough District projecting forward 10 year migration trends. The projections show a 23.4% growth in population in Harborough

District to 2036. The HEDNA finds that there is no need to adjust the level of housing provision upwards to support economic growth. However an upward adjustment of 15% is justified in order to improve the delivery of affordable housing and to improve the supply/demand balance for housing across the District which result in the District being one of the more expensive parts of the County to buy housing. This results in an objectively assessed housing need between 2011-2036 of 514 dwellings per annum or 532 per annum if a period 2011-2031 is used.

The Local Plan must seek to deliver as a minimum, the level of objectively assessed need, taking into account constraints such as land availability. The Strategic Housing Land Availability Assessment (SHLAA) published in 2016, demonstrates that the District has sufficient suitable land to meet this need both to 2031 and 2036. The Local Plan requirement for housing must therefore be equivalent to the level of objectively assessed need of either 532 dwellings pa to 2031 or 514 dwellings pa to 2036. The Council must also be prepared to assist in meeting the housing need of any authority within the Housing Market Area (HMA) which is demonstrably unable to meet its own housing need.

The Local Plan must also be based on the need to ensure delivery of objectively assessed need for employment land. This means delivery of at least 21.3ha of land for offices, 22,4ha of land for general industrial uses, 7.5ha of land for smaller warehousing/distribution activities and contributing to a minimum requirement of 152ha of land for road based strategic B8 Distribution development across Leicester and Leicestershire over the period 2011-2031.

The Executive noted that the Joint Statement of Cooperation will commit HDC to working together with other Councils across the Leicester & Leicestershire HMA on a Strategic Growth Plan. This will involve looking at options to help deliver any demonstrable unmet housing need arising from any of the authorities in the Leicester and Leicestershire HMA and will involve assessing options for additional development in Harborough District.

The Executive also noted that it is proposed to include in the Harborough Local Plan a reserve site that is considered suitable to help meet unmet housing needs from elsewhere and as such the Local Plan will seek to anticipate and provide for this possibility, if it is demonstrated that it is required.

RESOLVED that

- i) The outcome of the recently completed Leicester and Leicestershire Housing and Economic Development Needs Assessment (HEDNA) be noted and that the objectively assessed needs for housing and employment land will form the requirement of the Local Plan, as set out in the Executive Summary of Appendix A to the report also be noted.
- ii) The Joint Statement of Co-operation linked to ensuring the delivery of housing and employment requirements across Leicester and Leicestershire, as attached in Appendix B to the report be approved on behalf of the Council.

Summary of Reasons

To enable the Executive to note the outcomes of the completed Leicester and Leicestershire Housing and Economic Development Needs Assessment (HEDNA) (Executive Summary at Appendix A to this report). This evidence will inform the development requirements to be provided for within the emerging Local Plan.

To formally record the support of the Council to a Joint Statement of Co-operation linked to the delivery of housing and employment requirements across Leicester and Leicestershire (Appendix B).

443 DETERMINATION OF THE POTENTIAL CONTAMINATED LAND SITE

The Executive was asked to approve the outcome of the intrusive contaminated land investigation of the land known as The Cuttings Thurnby in that it does not meet the definition of "Contaminated Land" as set out in Section 78A of the Environmental Protection Act 1990 as amended. The Executive was also asked to delegate authority to the Corporate Director, in consultation with the Portfolio Holder, the authority to make a determination on any future land which is not deemed to meet the definition of contaminated land following an intrusive investigation.

The Cuttings is a piece of land in Thurnby which historically was used as a landfill site in the 1970's onwards. The site has had several planning applications for the redevelopment of the area over the last 30 years. At the time of these historic applications it was believed that the risk from ground gasses was low.

Current good practice requires a modern ground investigation, in line with current techniques to be undertaken on such sites when planning applications are submitted to the local authority. An investigation was carried out as part of a planning application which identified some potential risks on site. Whilst mitigation measures have been installed on the most recent developments, there was insufficient information to confirm that such measures were installed or required in the earlier properties and it was felt further work was required to determine any future actions.

In February 2016 a Phase 1 desk top contaminated land assessment was carried out which concluded that further investigation was required to determine whether the site does or does not meet the definition of "contaminated land" as defined by 78A of the Environmental Protection Act 1990 as amended.

As a result of the desk top study, detail, ground investigations were undertaken on the site between May and October 2016. The final report from the consultants undertaking the investigation concluded that whilst ground gas was found on the site, the potential risk to residents was low. The consultants therefore recommended that the site is not designated as contaminated land as there is no evidence to suggest that there is a significant possibility of significant harm both on site and off site.

RESOLVED that

- i) The outcome of the investigation be approved and that confirmation be given that the land at The Cuttings, Thurnby does not meet the definition of contaminated land as defined by section 78A of the Environmental Protection Act 1990 as amended.
- ii) Authority be delegated to the Corporate Director (NP), in consultation with the relevant Portfolio Holder, to make a determination on future land that does not meet the definition of contaminated land following a detailed investigation.

Summary of Reasons

A recent geo-environmental survey and land contamination risk assessment has concluded that the site poses a low risk to receptors

Whilst the intrusive investigation found elevated levels of carbon dioxide, the risk posed to people living on the site is considered to be low because:

- no gas flow was detected;
- the buildings on site have ventilated sub-floor voids which provide some protection; and
- no elevated levels of carbon dioxide were detected outside of the area of the landfill.

Following the intrusive investigation, the report from the GeoEnvironmental Consultants – GRM Development Solutions Ltd and Council's Contaminated Land Officer concluded that the site poses a

low risk to receptors and does not pose a "significant possibility of significant harm" to receptors either on or off-site and therefore does not meet the definition of "Contaminated Land"

444 SECTION 100A LOCAL GOVERNMENT ACT 1972

RESOLVED that the public and press be excluded from the following items on the grounds that the matter yet to be discussed involve the likely disclosure of exempt information as defined in Paragraphs 1, 2 and 3 of Part I of Schedule 12A to the Local Government Act 1972.

445 PROPOSED MULTI-USE GAMES AREA


RESOLVED that

- (i) The request from Thurnby and Bushby Parish Council to agree a new licence for land at Manor Field, Thurnby to facilitate the installation of a Multi-Use Games Area is considered.
- (ii) Subject to the outcome of (i) above, that authority be delegated to the Corporate Director (BJ) in consultation with the Head of Democratic and Legal Services to take whatever steps are necessary to implement any decision.

Summary of Reasons

To ensure that Members consider the request for use of the land in order that the project would be delivered within the necessary timescales.

The meeting closed at 7.20 pm.


20/3/2017

