

HARBOROUGH DISTRICT COUNCIL  
MINUTES OF THE EXECUTIVE MEETING

held in the Council Chamber

4 July 2011

commencing at 6.30p.m.

Present:

Councillor Rook (Leader)  
Councillors: Mrs. Ackerley, Charlish, Dann,  
Golding, Pain, Spendlove-Mason

Officers: E. Bird, M. Bradford, B. Jolly, K. Mehta, B.Murgatroyd, S.Pointer, N. Proudfoot,

95 PORTFOLIO HOLDER ACTIVITY REPORTS

i) Community safety and enforcement

On 24 June 2011 along with other District Councils Cllr Golding attended a Leicestershire Safer communities strategy board which was a commissioning workshop to look at spending on area based budgets for the next 12 months –action plans have been noted and objectives. The CDRP meeting would be held on Friday and this would be discussed further.

ii) Waste and Recycling

Cllr Charlish announced that on 17 June he had visited Pure recycling at Stratford on Avon which would assist with the strategic review of waste  
He also announced that we were currently recycling 58% of the district's waste, though this figure had yet to be audited

iii) Community Engagement, Cohesion and Wellbeing

Cllr Pain announced that as reforms were being proposed at national level with regard to health and wellbeing a meeting was being held on Tuesday with officers were attending  
With regard to St Luke's day care unit contractual problems, a meeting was being held with directors of the PCT on Thursday 7 July

iv) Housing Infrastructure and Planning

Cllr Ackerley informed the Executive that the Examination in public of the Core Strategy would begin on 19 July. This was open to the public, All the information was available on the website

v) Leader

The leader made the following announcements:

On 7 June he had attended the County leaders meeting along with the CEO

On 14 June he had attended a localism conference

28- 30 June he had attended the LGA conference in Birmingham on "localism works" which had showed it had far reaching consequences

On 15 June he had attended a core group meeting with FOCSA

On 16 June he had attended a meeting in Oakham with the police on local policing and difficulties with the budgets for local policing.

## 96 MINUTES

RESOLVED that the minutes of the Executive meeting held on 23 May 2011 be approved and signed as a true record.

## 97 DECLARATIONS OF MEMBERS' INTERESTS

Cllr Rook declared that he would ask the deputy leader to chair item 7 on response to HS2 consultation as Cllr Rook had a family member whose land was split in half by the proposed railway line.

## 98 PERFORMANCE REPORT YEAR END 2010-2011

The Executive gave consideration to the performance of the Council against the Business plan actions, National and Local performance indicators, risks and equality impact assessments for the 2010-2011. It was noted by the Executive that the number of 'red' risks had reduced during this year

RESOLVED that

- i) the contents of the report be approved for inclusion in the Annual Report 2010/11
- ii) Portfolio Holders consider and comment on the contents of this report at their meetings with the respective Scrutiny Panels.

### Summary of Reasons for the Recommendations

The presentation of performance information for examination is part of an overall system of performance management designed to deliver to the greatest extent possible, the plans of the Council. Quarterly performance information is produced and discussed within one to one meetings between Managers, Heads of Service and Directors as well as being shared with staff in team meetings. These procedures are complemented by discussions at Management Board through Performance Clinics, to provide a corporate and strategic oversight. Performance information is available to all Councillors and staff throughout the year via the TEN Performance Management System.

As previously agreed by the Executive, performance reports for the first and third quarters of a financial year would highlight under performing indicators and business plan actions, with a full report on all indicators and actions provided for the half year and year end.

This report provides information on all the local performance indicators, national indicators, where published data exists, progress against our Business Plan actions and Equality Impact Assessments, and progress on mitigating high level risks to the Council's operations. Please note that in addition to the summarised information in this report full details including graphs and trends are available on the TEN Performance Management System, accessible via the Council intranet.

## 99 PRODUCTION OF ANNUAL REPORT

The Executive considered the content of the Annual report which was due for publication

RESOLVED that

- i) members delegate to officers to make any changes which are necessary to the Annual Report arising from discussions at this meeting both on this report and other items on the agenda.
- ii) Members agree the publication of the Annual Report, as attached at Appendix A to the report, subject to any changes as a result of i) above.

### Summary of Reasons for the Recommendations

The Council is required to publish information on its performance, including an overall summary and details on its Performance Indicators.

## 100 GRANT OF A LICENCE FOR GREAT GLEN WILDSpace GROUP

The Executive was informed of a decision made by the leader of Council in consultation with the Chief Executive to grant a licence to Great Glen Wildspace Group (GGWSG) to manage and maintain the area of open space at Bridgwater Drive Great Glen.

RESOLVED that the decision to approve the granting of a licence to GGWSG for a period of ten years be noted

## 101 VEHICULAR RIGHT OF ACCESS TO THE LUTTERWORTH TOWN ESTATES CHARITY IN STATION ROAD CAR PARK LUTTERWORTH

Following the Executive consideration of this matter on 21 September 2010 (Minute 263 2010-2011 refers) during negotiations on the legal agreement it has been agreed between the parties that it would be more appropriate for the Council to grant an easement (with the right to divert) to Lutterworth Town Estates Charity to access its land which is locked by the Council's land. All other matters remain the same as previously decided on 21 September 2010.

RESOLVED: that approval be given to the grant of an Easement (as opposed to a Licence, as originally proposed on 21<sup>st</sup> September) to Lutterworth Town Estates Charity at Station Road Car Park, Lutterworth in exchange for the agreed pieces of land owned by the Charity and used by the Council to site its recycling bring-site.

### Summary of Reasons for the Recommendations

The Charity owns land that can only be accessed via the council's car park in Station Road, Lutterworth.

The Charity owns land adjacent to the car park which it has offered to transfer to the Council in return for the Council granting to it an Easement for vehicular access through the car park to its land.

## 102 REVIEW OF STREET TRADING CONTROLS

Consideration was given to amendments to the existing street trading regime and also to the proposals to recover the cost of operating the street trading scheme. The proposed scheme had been submitted to the Scrutiny panel for Places on a number of occasions and the Panel's recommendations were included in the report.

The Executive commented on the cost to the Council of a trading consent being surrendered during the life of the consent. It was suggested that a fee be charged for this to cover the administrative costs

RECOMMENDED that

i) Council approve and adopt the Street Trading Policy and the proposed scheme of designation of areas of control as set out in Appendix 4 to the report (attached) subject to the inclusion of a £30 administrative fee for surrendering a trading consent during the life of the consent and;

ii) Council approve the setting of the annual fee for a street trading consent at £1000 and the daily fee at £50. This fee to be implemented during the financial year 2011-12 and to be reviewed annually along with all other fees and charges..

### Summary of Reasons for the Recommendations

Harborough District Council passed a resolution on 9<sup>th</sup> October 1996 under Section 3 of the Local Government (Miscellaneous Provisions) Act 1982 to adopt the powers relating to street trading .Once a district council has adopted the provisions of the Act, they may choose to designate any street within its area as a prohibited, licence or consent street.

As a result of the resolution controls were put in place in the town centre areas of Market Harborough and Lutterworth to restrict trading. It was agreed that the rest of the district be reviewed at a later date and that trading be allowed to continue without regulation in these areas.

In the last 18 months a small number of traders have caused concern to residents due to trading activities. The number of roadside traders has increased, partly due to the neighbouring authorities of Oadby and Wigston Borough Council and Leicester City Council reviewing their street trading policies and implementing tighter controls. There has never been a transparent written policy for street trading.

It is clear that the existing street trading regime should be amended to ensure that the system is equally applied to all traders, whilst allowing rural communities to benefit from transient trading. It is permissible to charge for the issuing of street trading consents and to cover the cost of administering such a scheme, which is now proposed.

### 103 HOMELESS TEMPORARY ACCOMMODATION –UPDATE ON SERVICE PROVISION AND APPROVAL OF CHARGING STATEMENT

Members of the Executive were provided with an update on the current and proposals for future temporary accommodation for homeless households and the Council's charging policy. The portfolio holder was asked to arrange for a report to be submitted to a future meeting of the Executive on the potential for partnership working on single homeless accommodation.

RESOLVED that

- i) the arrangements for current and future provision of temporary accommodation for homeless households to whom the Council has an interim duty to accommodate be noted.
- ii) the Charging Statement for temporary accommodation as outlined at Appendix 2.to the report be approved
- iii) opportunities for obtaining access to further units of temporary accommodation predominantly for single persons, working in partnership with neighbouring districts and housing providers be explored.

### Summary of Reasons for the Recommendations

The Homelessness Strategy 2008-13 identified as a priority action the need to replace the hostel as temporary accommodation for the homeless, (a report to the Executive Meeting of 20<sup>th</sup> April 2009 described the inadequacies of the Council's hostel). The Hostel is no longer used for temporary accommodation and is currently being marketed for sale.

In order to continue to provide temporary accommodation for homeless families the Council has two units available:

- Unit 1 – a first floor two bedroom maisonette which the Council owns situated in the Market Harborough area
- Unit 2 – working in partnership with Seven Locks Housing the Council has the use of a ground floor 2 bedroom flat within their housing stock in the Lutterworth area

Both units of accommodation provide temporary accommodation for homeless families.

Single homeless households, to whom the Council owes a duty to provide temporary accommodation are, wherever possible, referred to appropriate Hostel accommodation (only available outside of the district) and where this is not available, placed in Bed and Breakfast accommodation (generally only available outside of the district).

District Councils within Leicestershire have been able to refer single homeless applicants to Hostels in Wigston, Leicester and other areas. Leicester City are now operating a more strict local connection criteria with Leicester which means applicants without a connection are not always accepted.

There has been a 7% increase in the number of single people in urgent housing need seeking housing advice over the last two years. 762 Housing advice interviews were completed in 2010/11 and 40% of these were single households. There has also been an increase in the number of homeless declarations taken this year in comparison to the same period last year, and an increase in the number of single homeless applicants where we have reason to believe they are in priority need for re-housing and therefore the Council has a duty to provide temporary accommodation

There is evidence to suggest the need to explore alternative ways of securing temporary accommodation for single person households and more cost effective options.

The lack of available Hostel accommodation and the cost of Bed and Breakfast accommodation are drivers for exploring the opportunity for districts to share in the provision of temporary accommodation.

Any bid to the Homes and Communities Agency for funding toward developing purpose built temporary accommodation may be dependent upon partners contributing capital, land and/or charitable funding for it to be viewed favourably. It may be necessary to consider releasing capital or assets in the future to support such a bid. Other shared options could involve leasing suitable premises and these options will be explored working with willing Local Authority partners in Leicestershire.

Charges for the use of temporary accommodation, in particular the charges for applicants occupying Bed and Breakfast accommodation need revising. The proposed charge for B&B accommodation is set out in the Charging Statement

Rent and service charges for Unit 1 have been reviewed and utility meters installed to enable occupants to pay for utilities as they use them. The rent levels for both Unit 1 and Unit 2 are similar and set as affordable rents as demonstrated in Appendix 2 rather than market rents. Single applicants are currently not able to benefit from affordable rents when they are placed in commercial B&B accommodation and it is therefore essential not to financially disadvantage this household type. Housing Benefit may be available to families living in self contained temporary accommodation such as Units 1 and 2 (dependent upon household income) to assist with the cost of the rent and eligible service charge.

However, not all homeless households are eligible to receive Housing Benefit in full or part payment of their accommodation charges. There are also limitations relating to the payment of Housing Benefit for a claimant living in Bed and Breakfast accommodation arranged by the Local Authority as temporary accommodation. This is because Housing Benefit (HB) guidance limits the payment of HB to claimants living in non self-contained accommodation. Payment is limited to the one bedroom self-contained Local Housing Allowance rate, which in Leicestershire is currently £86.54 per week. The recommendation in paragraph 2.2 therefore seeks the approval to establish a charging statement for temporary accommodation that is fair and reasonable to all households regardless of the type of accommodation they are provided with, and does not seek full reimbursement of the cost.

#### 104 RESPONSE TO HS2 CONSULTATION

The Leader removed himself from the Chair for consideration of this item and took no further part in the discussion. The Deputy leader assumed the chair.

A report was submitted to the Executive inviting it to formulate a response to the Government consultation on high speed rail

On 11<sup>th</sup> March 2010 the Department for Transport had published a White Paper setting out the route of the proposed HS2 line between London and Birmingham.

The consultation document "High Speed Rail: Investing in Britain's Future" was published in February 2011 The Department for Transport were seeking responses to 7 questions by the end of the consultation period, 29<sup>th</sup> July 2011. The consultation questions are set out in the table below:

1	This question is about the strategy and wider context	Do you agree that there is a strong case for enhancing the capacity and performance of Britain's inter-city rail network to support economic growth over the coming decades?
2	This question is about the case for high speed rail	Do you agree that a national high speed rail network from London to Birmingham, Leeds and Manchester (the Y network) would provide the best value for money solution (best balance of costs and benefits) for enhancing rail capacity and performance?
3	This question is about how to deliver the Government's proposed network	Do you agree with the Government's proposals for the phased roll-out of a national high speed rail network, and for links to Heathrow Airport and to the High Speed 1 line to the Channel Tunnel?
4	This question is about the specification for the line between London and the West Midlands	Do you agree with the principles and specification used by HS2 Ltd to underpin its proposals for new high speed rail lines and the route selection process HS2 Ltd undertook?
5	This question is about the route for the line between London and the West Midlands	Do you agree that the Government's proposed route, including the approach proposed for mitigating its impacts, is the best option for a new high speed rail line between London and the West Midlands?
6	This question is about the Appraisal of Sustainability	Do you wish to comment on the Appraisal of Sustainability of the Government's proposed route between London and the West Midlands that has been published to inform this consultation?
7	This question is about blight and compensation	Do you agree with the options set out to assist those whose properties lose a significant amount of value as a result of any new high speed line?

It was reported that Buckinghamshire County Council was leading a campaign opposing HS2 called 51m. 51m was comprised of thirteen local authorities which had joined together in a national campaign to actively challenge the HS2 scheme. The Group was known as "51m" because that represented how much HS2 will cost each Parliamentary Constituency...£51million  
RESOLVED that

i) the response to the consultation questions should be in the affirmative to question 1 and in the negative to questions 2-7

ii) responsibility for drafting a response to the Department for Transport be delegated to the Portfolio holder for Housing Infrastructure and Planning and the Head of Community Services

iii) approval be given for this Council to join the 51m group

The Leader resumed the Chair

#### 105 FORWARD PLAN OF KEY DECISIONS

RESOLVED that the forward plan of key decisions for the period of August 2011 –November 2011 attached at Appendix B be approved for publication

#### 106 PEST CONTROL AND DOG WARDEN SERVICE

It was reported that the current pest control and dog warden service was contracted out under one single contract which was due to end in October 2011. The business planning process identified the pest control activity as a service to cease from the end of October and the budget for 2011/12 had been reduced accordingly to reflect the cessation of the service. Whilst the current contract allows for an extension for a further two year period, the removal of the pest control element of the contract in its current format means that the dog warden service cannot be extended as a stand alone contract. Consequently it will be necessary to undertake a new procurement process.

RESOLVED that

- i) a procurement process is undertaken with the support of the Welland Procurement Unit for the pest control and dog warden contract for the commencement of the service from 1<sup>st</sup> April 2012; and
- ii) that a charging structure for pest control treatments is introduced to commence at the same time as the new Contract from 1<sup>st</sup> April 2012; and
- iii), a further report be submitted on the outcome of the procurement process and recommendation on the award of the Contract; and
- iv) approval be given to the provision of the existing pest control and dog warden service for a further 6 month period to allow for the re-tendering process to take place.; and
- v) a budget provision for the six month extension to the existing arrangements of £12,000 and a procurement budget provision of £2,000 be approved.

#### Summary of Reasons for the Recommendations

The pest control service has been identified within the business planning process as an activity which should cease following the completion of the current contract period which ends in October 2011. The contract contains a break clause which permits the Council to exit it at the end of the current contract period or to extend it for a further 2 year period.

In March 2011, the Executive agreed that further negotiations should be undertaken with the pest control contractor with regards to extending the current contract by introducing a charging structure for pest control treatments. However subsequent legal advice has been given confirming that it would not be possible to amend the existing contract in such a manner and to maintain both the pest control and dog warden service it would be necessary to undertake a new tender process.

Due to the mandatory element of the dog warden service it is necessary to continue this service. Various options were considered with regards to the provision of a pest control service and it is felt that including pest control in the tender process would ensure a level of control whilst still recognising the savings required through the introduction of a charging structure for treatments. The benefits to the council in maintaining a service include the ability to provide concessionary rates for vulnerable households, the control over the charging structure generally and on the standard or service delivered.

Another benefit of having a pest control service is that whilst there is not a statutory duty to provide such a service and there are several pieces of legislation which could be used to ensure individuals keep their land free from rats and mice, it is recognised that where a local authority does not provide a pest control service there can be an increase in the number of "DIY" solutions carried out by individuals. Such treatments are generally ineffective and could result in local public health problems and can lead to an increase in the amount of uncontrolled poison in the environment.

It will be necessary to extend the current contract for either three months or to expire on the 31<sup>st</sup> March 2012 to allow sufficient time to undertake a procurement process to re-issue the contract.

The meeting closed at 8pm