

HARBOROUGH DISTRICT COUNCIL

MINUTES OF MEETING OF COUNCIL on

Monday 11 December 2023 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, Bilbie, Birch, Burell, Dann, Elliott (Vice-Chairman), Finan, Forman, Gair, Galton, Grafton-Reed, Graves, Hallam, Hollick, James, King, Knight, Knowles, Mahal, Modha, Nunn, Mrs Page, Rickman, Taylor, Whelband, Whitmore, Woodiwiss, and Worrell.

Officers present: J. Richardson, L. Elliot, C. Mason, J Young, V. Jessop, S. Hamilton, E. Newman

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Sarfas.

2. CHAIRMAN'S ANNOUNCEMENTS

It was moved by Councillor Elliot that a minute's silence be held for the Chairman's husband David, who had sadly passed away on 19 November 2023.

Councillor Johnson welcomed new Chief Executive John Richardson and thanked Interim Liz Elliot Chief Executive and also Clive Mason for their work as Interim Chief Executive and Deputy Chief Executive respectively.

Councillor Johnson gave a summary of events she and others had attended since the last Council Meeting.

Council agreed that the order of the agenda would be changed in order that 16 would be moved to before item 12 and item 18 moved to before item 13.

The Chairman also announced that there was a confidential report, and a recess would be called to ensure Members were able to read and consider the confidential report.

3. DECLARATIONS OF MEMBERS' INTERESTS

Councillor Bannister declared a registerable interest in relation to Item 12, Statement of Common Ground as a County Councillor for Leicestershire County Council and as well as with his work with Local Member of Parliament, Alberto Costa.

Councillor King declared a registerable interest in relation to the Motion on LLG Pension Scheme as he sits on that board and would not vote on that item.

Councillors Whelband declared a registerable interest in relation to Item 12 as a County Councillor for Leicestershire County Council and for his work with Local Member of Parliament, Neil O'Brien.

Councillor Page declared a registerable interest in relation to Item 12, Statement of Common Ground as a County Councillor for Leicestershire County, and in the Motion on the LLG Pension Scheme as she was the Chairman of the Pension Board and also on Item 16 as she had a paid membership for the Leisure Centre.

Councillor Galton declared a registerable interest in relation to Item 12, Statement of Common Ground as a County Councillor for Leicestershire County.

Councillor James declared a registerable interest in relation to the Motion on the LLG Pension Scheme as he was a recipient of that pension.

4. MINUTES

It was **RESOLVED** that the minutes of 6 November 2023 were an accurate and correct record of the meeting and signed by the Chairman.

5. REPORT OF THE LEADER

Councillor Knowles provided a written report to Members. Councillors asked questions on the report regarding:

- When the Member Development meeting would be.
- In relation to the Local Plan, had an email been sent to all 44 Parish Councils to ensure feedback by 1 December 2023? Also, would those responses be provided as supplementary information to ensure it was clear on what Parish Councillors thought of the Local Plan.

- What could further action could be taken in regards to the parking charges extras from the application that were discussed in your report.

Councillor Knowles announced that the next Member Development Advisory Panel was on the 4 January 2024.

Regarding the Parish Councils, the letters were sent out and he was more than happy to share any information received.

In terms of parking charges, Officers would investigate this further.

6. QUESTIONS AND PETITIONS SUBMITTED BY THE PUBLIC

To answer written questions or receive petitions submitted by the public

Ten questions were received, and 30 minutes were allotted for the questions to be asked and answers to be given.

All questions were contained in the supplementary agenda and would receive written responses in due course after the readjourned meeting on the 18 December 2023. The answers and any supplementary questions and answers would be published once available. Any new supplementary questions generated from answers received would need to address at the February Council meeting.

7. QUESTIONS SUBMITTED BY MEMBERS

There were several questions from Councillors. These were published in the agenda.

Answers to the questions were published in the additional meeting items.

The full answers were published in advance and contained under additional published items

Answers to supplementary questions are summarised as follows:

1. Councillor Mrs Page to Leader

Would the Leader agree that the reply to my question could be construed as discrimination against a local county councillor who has the best interests of Lutterworth at heart? The opposition Members cannot get replies from general questions anymore.

Answer:

No, I would not tolerate discrimination of any sort. As far as I am concerned the door is always open for Members to ask any question. County Councillors, with the information they have, are a vital tool to the authority.

2. Councillor Nunn to Leader

I am happy to see the environment grants have now been fully adopted by the coalition but how early in the new year will we see criteria and the launch for the scheme.

Answer:

Via Officers it was confirmed that the criteria has been written up by the Economic Development Officer and would be shared with the Leader. Therefore, it would be towards end of January or early February 2024 at the latest.

3. Councillor Whelband to Councillor Portfolio Holder for Environment and Climate Change

There is a large waiting list for allotments and a national campaign to provide more allotments. I have heard from a resident that she is currently on the waiting list and told it would be 3 years before she would be assigned an allotment. Therefore, could the Portfolio Holder do a review on the allotments and see if we are providing enough and/or if there was any way we could provide more.

Answer:

I believe we haven't taken on any new allotments in the last decade. But I will ask for more analysis of where the allotments are. I know that charities provide them to Parishes, but I will try to do a full audit on what and where they are and come back to you.

4. Councillor Worrell to the Leader

No supplementary.

Answer:

N/A

5. Councillor King to the Portfolio Holder for Planning

Given what you have said regarding the Council's response, are we able to view the consultation with those responses, in other words what the Council said to the government about the issues that we have, and will these be circulated to all Councillors before next Monday's meeting? I understand the first one came out in September 22 and then there was a refresh in July 23.

Answer:

I will take advice from Officers and from the directorate and make sure we get a written response to you. I would assume that you were aware of the September 22 response as you were Leader at that time. There was a short response in July 23 and the issues of any further consultations which haven't taken place yet. I don't see any reason why that can't be shared; however, I would take advice from the Officers and come back to you on that. What we do

know is that most of this bill has not yet been enacted. If it needs to be enacted through secondary legislation, there will be considerable need for further consultation. There will be further opportunities for this Council, in fact all Councils to commit going forward.

6. Councillor Mrs Page to the Portfolio Holder for Planning

The Leicestershire and Leicestershire managing growth and change study forms part of our consultation. However, that was what our last Local Plan was based upon. The last sentence in my reply sets that new evidence is currently underway focused on the opportune moment of the residual need to 2040. Does that mean that once this study is completed, it will be published and fed into the subsequent stage of preparing the new Local Plan and when agreed at the MAC, my residents will be enforced with this residual need?

Answer:

Councillor Page, and hopefully the whole Council know that the MAC does not have any Executive Decision-making powers and they only receive reports and then refer them to the democratic decision-making systems of each Council with recommendations arising from that report for Council. The residual need indicates that there is a further requirement that needs to be found and built into the local plan up to 2041 and it will go through this Council's democratic system process, and I will give my assurance that it will include consultation with all Members and of course parishes as well.

7. Councillor Rickman to the Portfolio Holder for Planning

It's regarding reviews. I have just had a consultation with a few accounts and at no point had it ever been made clear that when you do a review, a referendum may be required to update it. If that's so, why do we do reviews? They went over their Neighbourhood Plan, and it aligns immediately with the Local Plan. There were very few changes, and we were guided by one of the Officers of the Local Plan. He came and at no point in any meeting was it made clear that the review would not have any weight. My question is, has this been made clear to all Parish Councillors?

Answer :

I will ask for you to receive a supplementary response to your question. It's all about how significant those changes that are proposed to the Neighbourhood Plan are, whether it requires a referendum. However, we will ensure you get a written response on that.

8. REPORT FROM THE CABINET

Councillor Knowles introduced the report from Cabinet, detailing the Decisions taken by Cabinet from 27 November 2023, which was **NOTED**.

Councillor King asked if it could be made clear how motions and questions could be put to Cabinet. Officers would look into this and come back to Councillor King.

9. REPORTS FROM COMMITTEES

Councillor Knowles introduced the report summarising the activities of the following Committees since the last Council meeting in November:

- Communities Overview and Scrutiny Panel (16 November 2023)

The report was **NOTED**.

10. JOINT ARRANGEMENTS

Councillor Knowles introduced the report summarising the activities of organisations with which the Council has Joint Arrangements.

The Leicestershire Partnership Revenues and Benefits Joint Committee minutes of a meeting on 23 November 2023 were contained in Appendix A. The report was **NOTED**.

A discussion took place around whether the Partnership Revenues and Benefits Joint Committee could take place online and Liz Elliot explained that currently it was a constitutional requirement for the meeting to be in person. However, this could be investigated.

11. COUNCIL TAX BASE 2024/25

Councillor Graves introduced the report and explained that the Local Government Finance Act 1992, as amended, required the Council to fix the Council Tax base for 2024/25 between 1 December 2023 and 31 January 2024. This report set out the Council Tax base for the Council Tax in 2024/25 for both the Council and individual parish councils. The calculation also included the non-collection allowance (in percentage terms) to be made in 2024/25.

In association with fixing the Council Tax base, it was to recommend to Council the non-collection allowance (in percentage terms) to be made in 2024/25.

It was **RESOLVED** that:

- (i) the calculation of the Council Tax base for the year 2024/25 be approved;
- (ii) in accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012 SI 2012/2914, the amount calculated by Harborough District Council as its Council Tax base for the year 2024/25 shall be 38,921.90 and
- (iii) the Council Tax base for individual Parishes for 2024/25 be calculated in accordance with the same principles as the Council's overall Council Tax Base as detailed in Appendix A.

The proposal was made by Councillor Graves and seconded by Councillor Woodiwiss and upon being put to the vote was **CARRIED**.

12. PROCUREMENT OF LEISURE CONTRACT

Councillor Knowles introduced the report and it was explained that Appendix A was exempt; therefore, if discussed the public and press would be excluded on the grounds that the matters yet to be discussed involved the likely disclosure of exempt information as defined in paragraphs 3 and 5 of Schedule 12A to the Local Government Act 1972”.

Historically, in September 2021 Cabinet reviewed the outline business case to develop leisure facilities and agreed redevelopment of existing sites. The current contract for management of the leisure centres ends on 31st March 2024 and cannot be extended. In September 2022, Cabinet agreed the Leisure Procurement Strategy which set out the high-level strategic objectives for the future delivery of the leisure services and established a suitable balance between meeting the Council’s requirements and ensuring an attractive opportunity to the market. The Council’s Medium-Term Financial Strategy (MTSF) identifies a £zero cost to the Council for the next leisure contract. Capital funding of up to £9.75million has been set aside to support redevelopment of both leisure centres which will be repaid by the new incumbent operator. The new leisure contract would commence from 1st April 2024 for fifteen years, with the option to extend plus five years, plus five years. Totalling a twenty-five-year contract.

Comments were made around a disappointment in the lack of detail and information in the report. It was felt due to length of the contract a risk matrix with more details of the contract should be included. Councillor Knowles concluded that he was happy to have a conversation offline with those Councillors concerned; however, they felt it was necessary to get this to a vote and not delay the delivery of the Leisure contract.

It was **RESOLVED** that Council:

1. Approve the award of a contract for the Management of the Council’s two Leisure Centres located in Lutterworth and Market Harborough commencing 1 April 2024 for a period of fifteen years, with the option to extend the contract by plus five years, and plus five years, totalling twenty-five years, to contractor 1 as detailed in appendix A (exempt).
2. Delegates to the Director of Finance Officer (Section 151), in consultation with the Portfolio Holders, Finance and Culture, Leisure and Tourism and the Head of Legal Services, authority to negotiate, finalise and extend the contract, including any minor variations to terms or costings which meet the strategic objectives and benefits to the Council.

Councillor Knowles proposed the recommendations, and it was seconded by Councillor Woodiwiss and upon being put to the vote was **CARRIED**.

13. URGENT ITEMS (DECIDED BY CHAIRMAN)

Councillor Knowles proposed that the meeting should go into an exempt session to consider the urgent item, Legal Challenge to Secretary of State's Decision Letter relating to a new Cat B Prison: Land Adjacent to HMP Gartree, Welland Avenue, Gartree, Market Harborough, Leicestershire, LE167RP(DLUCC reference APP/F2415/W/22/3300227).

This was seconded by Councillor Galton and upon being put to the vote was **CARRIED**.

The public and press were then 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 paragraphs 3 and 5 of Schedule 12A to the Local Government Act 1972".

After consideration of the urgent item, the meeting recommenced in public session.

Councillor Knowles proposed that the outstanding agenda items be adjourned to the 18th December 2023, these being items 12, 13, 14 15 and 17. This was seconded by Councillor Galton and on being put to the vote was **CARRIED**.

The Meeting closed at 21:30