

HARBOROUGH DISTRICT COUNCIL
MINUTES OF THE EXECUTIVE MEETING

held in the Council Chamber

19 December 2011

commencing at 6.30p.m.

Present:

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

Officers: Matthew Bradford John Chester Richard Ellis Anna Graves Chhaya McDonald Kamal Mehta
Beth Murgatroyd Stephen Pointer Norman Proudfoot Peter Rowbotham

364 PORTFOLIO HOLDER ACTIVITY REPORTS

i) Community safety and enforcement

Cllr Golding reported that as part of "Operation Christmas Presence" a taxi licensing enforcement operation was carried out on the evening of 16 December 2011 in Market Harborough. Twenty-four vehicles were stopped by police traffic officers and given mechanical inspections, insurance and licensing checks. A number of issues were identified with vehicles and drivers that could have potentially affected the safety of the travelling public.

ii) Housing Infrastructure and Planning

Cllr Ackerley reported that she was pleased that the core strategy had been approved at Council on 14 November. The Community Infrastructure Levy Task Panel had recently held its first meeting.

iii) Waste and Recycling

Cllr Charlish reported that he had attended a masterclass on renewable energy organised by the East Midlands Climate Action Group. Other events were planned for the new year.

iv) Asset management and Finance

He had attended a day's presentation at PERA dealing with efficiency. Cllr Spendlove-Mason fed back to the Executive on the issues raised during the day. Issues included: the theme which had emerged was that objectives could be made within a year; Front line staff and residents were the best source of ideas; Communication and transparency was key to successful change and with regard to the cost of troubled families 80% of the cost of looking after families was spent on 20% of troubled families.

v) Leader

Cllr Rook reported that he had attended the following meeting/engagements:

21 November Localism Conference Northampton
24 November Attended an event at Downing Street on the Localism Act
29 November Attended a Governance conference with the Interim Chief Executive on the Governance changes under the Localism Act

vi) Corporate and Customer Services

Cllr Dann reported that he and Cllr Ackerley had also attended the Localism Conference at Northampton on 21 November

365 MINUTES

RESOLVED that the minutes of the Executive meeting held on 7 November 2011 be approved and signed as a true record.

366 DECLARATIONS OF MEMBERS' INTERESTS

None were declared.

367 STATUS OF SUPPLEMENTARY PLANNING GUIDANCE

It was reported that the adoption of the Core Strategy on 14th November 2011 has an effect upon the status of existing supplementary planning guidance (SPG) (or supplementary planning documents – SPD) which up to now have related to existing Local Plan policies many of which are to be replaced by policies in the Core Strategy. . SPG and SPD do not form part of the Development Plan (Core Strategy and Local Plan), they are intended to add detail to what the Development Plan says. They provide non statutory local authority approved planning guidance

.A single Development Management SPD to relate directly to Core Strategy policies would be the best means of providing up to date design guidance on a number of issues within a single concise document.

Until replaced, it is proposed that the Council should continue to treat specified Guidance or parts of it as a material consideration in the determination of planning applications. Whilst this guidance relates to policies which no longer exist, it has been subject to public consultation, been agreed by Council and been in operation for many years. To ignore the guidance would leave a policy vacuum that would not be in the public interest and could be harmful to interests of local importance. However formal planning decisions should relate to the Core Strategy and can only make reference to the Guidance if it related to a policy in the Local Plan which has not been replaced.

RESOLVED that

- i) the proposed status of existing Supplementary Planning Guidance and other documents listed in Appendix 1 be approved.
- ii) existing guidance where still relevant is consolidated in a single Development Management Supplementary Planning Document to be prepared during 2012 and incorporated into the Council's Local Development Scheme.

Summary of Reasons

To ensure that existing Guidance which is used in the development control process is revised and provide which an appropriate status.

368 SINGLE EQUALITY SCHEME 2011-2014

The Council has been working to a number of separate equality and diversity policies since 2005. These were developed and implemented as required in line with previous equality legislation and were the Corporate Equality Policy incorporating the Race Equality Scheme, Disability Equality Scheme and the Gender Equality Scheme.

With the introduction in October 2010 of the Equality Act 2010 and the public sector equality duty which came into force on the 5th April 2011, the previous equality and diversity schemes that the

council had adopted needed to be reviewed and refreshed to bring them into line with the new legislative requirements.

RECOMMENDED that the Partnership Single Equality Scheme as shown at Appendix A be adopted.

Summary of Reasons

Prior to the Equality Act 2010 equalities there were different strands of equalities legislation and the Council maintained several different equality and diversity policies. The 2010 Act brings the different strands of equalities legislation together under one Act and introduces a public sector equality duty. It was necessary to review and refresh existing policies and bring them into line with the new legislative requirements.

The Council is part of the Leicestershire Districts Equality and Diversity Partnership and the Partnership Single Equality Scheme has been developed for adoption by all partner authorities.

369 HARBOROUGH MUSEUM –DEVELOPMENT OF NEW BUSINESS MODEL

Harborough Museum has operated as a partnership between this Council, Leicestershire County Council and Market Harborough Historical Society since 1983. This partnership has had no legal basis in terms of the respective roles and responsibilities of each partner. In brief these are as follows:-

Harborough District Council

- Provision, maintenance and cleaning of the premises (Museum)
- Provision of Museum Assistants

Leicestershire County Council

- Provision of the Keeper to operate the Museum on a day to day basis, along with the provision of appropriate specialist support services
- The Meeting the costs of displaying work, collections, conservation and storage of equipment.
- Special Exhibitions programme

Market Harborough Historical Society

- Making available the existing Societies collection for use by the Museum
- Acquiring and holding in trust suitable items of local history interest.

As part of the medium term financial strategy Leicestershire County Council's Libraries, Heritage and Arts (LHA) Service has to make significant savings by 2014/5. Council minute 316 of the Cabinet meeting of 8 March 2011 approves the recommendations to progress option six of LRA review undertaken between June and November 2010. This identifies Partnerships as an option for delivery of Museum services, and includes the opportunity to devolved delivery through a trust, social enterprise or other organisation

RESOLVED that

- i) Harborough Museum become an Independent organisation with its own Governing Body
- ii) the establishment of a project board to oversee the development of a sustainable business model and implementation plan for the management and operation of Harborough Museum be approved

Summary of reasons

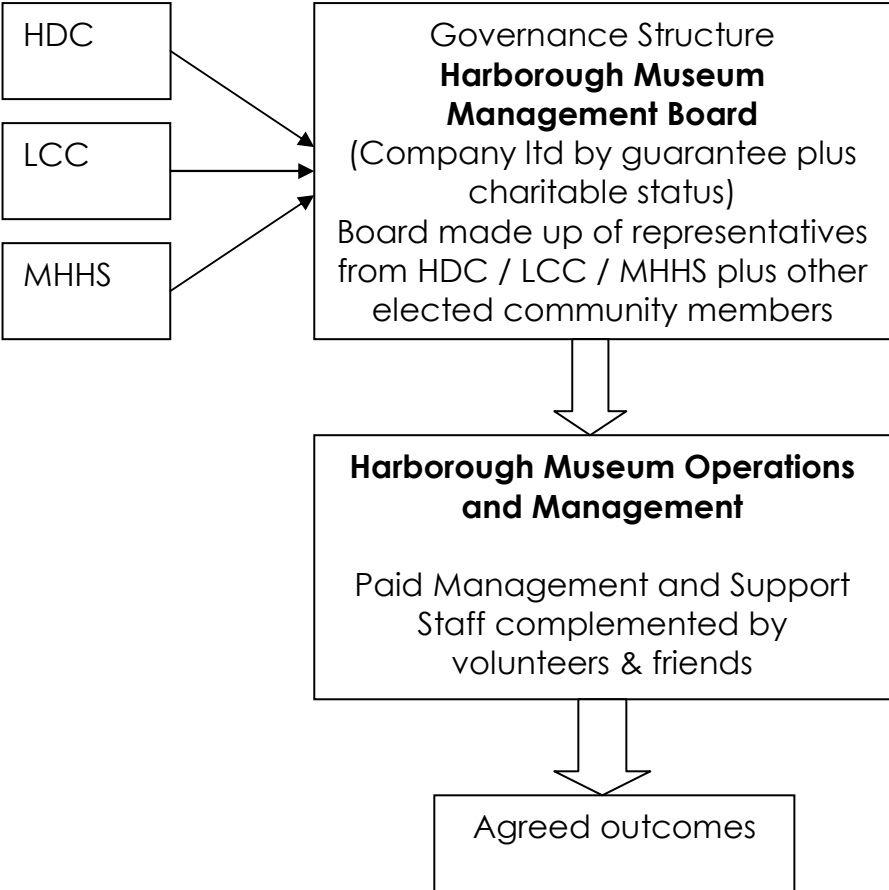
During the 2011/12 strategic business planning process Members approved a budget of £48,000 for the provision of Harborough Museum, this was made up of £40K allocation for the payment of the Museum Assistant and £8K NNDR. In addition, it was requested that the future provision and operation of Harborough Museum be considered and a report brought to Executive for discussion.

During the current financial, year an interim review of the Museum has been undertaken to allow for the Museum Assistant salary budget to match the allocated funding available. The outcome of this has meant a reduction in number of Museum Assistants from five to four, a reduction in opening days / hours and a net reduction in Museum Assistant contracted hours. As the major funder for the Hallaton Treasure project, the Heritage Lottery Fund (HLF) was consulted on the reduced opening and the Board approved a report submitted to them in June this year – (report Appendix A).

The project board will be made up of Members and Officers from both Harborough District Council (HDC) Leicestershire County Council (LCC) and Members of Market Harborough Historical Society (MHHS). A draft Terms of Reference for the project board can be seen in Appendix B to the report

The MHHS have been successful in applying to LCC for a Big Society grant. The funding received will support a Feasibility Study to be undertaken, and subsequent Action Plan produced. The feasibility study will be undertaken by an independent consultant employed by MHHS. The purpose of the Feasibility Study is to provide options for a sustainable and more viable long term business model for the operation of the museum. This will include governance structures and operational requirements. Leading on from the Feasibility Study will be an implementation plan to achieve the new Museum structure. This action plan may supersede the draft timescales identified in Appendix C. to the report This work will be overseen by the proposed project board.

The diagram below is an illustration of a governance and business model and how it could operate. It reflects the independence from each of the partner organisation, but still allowing direct input into the Management Board, along with the recruitment of Board Members from the wider community.



Any governance structure model that is introduced would need to limit the number of Members / Officer on the board of trustees to less than 20%, from both the District and County Council. This is to ensure that it is not a Local Authority controlled company.

370 LEICESTERSHIRE TOGETHER ENVIRONMENT BOARD

The Executive considered the Council's involvement in the Leicestershire Together Environment Board

The Board's remit will cover Waste, Street Scene, Climate Change, Flood Risk, Natural and Historic Environments and Green Spaces.

The Board will comprise of the following:

- **Specialist Partnerships** – These will be officer led and will include officers from all local authorities plus other specialist organisations.
- **The Executive** – will be chaired in rotation by a nominee from Leicestershire County Council's Environment and Transport Directorate and a District Chief Executive. Each of the four specialist partnerships will nominate a representative to sit on the Executive which will also have two representatives from the voluntary sector.
- **The Board** – will consist of the existing Waste Member Steering Group membership plus other portfolio holders from local authorities. Local charities and national organisations will also be invited to attend but will not be entitled to vote.

The Environment Board will form part of a wider county structure of theme boards that will include:

- Health & Wellbeing Board
- Children and Young People
- Community Safety & Criminal Justice
- Local Enterprise Partnership

RESOLVED that Harborough District Council endorses and participates in The Leicestershire Together Environment Board.

Summary of Reasons

The aim of the Environment Board is to create a partnership structure that considers the whole range of environmental issues affecting Leicestershire. The current arrangements are too disparate leading to strategic opportunities being overlooked or missed.

The proposed structure will bring together representatives from a wide range of public and voluntary sector organisations to agree a list of environmental priorities for Leicestershire.

371 HALF YEAR PERFORMANCE REPORT 2011/2012

The Executive considered the performance of the Council against the Business Plan actions and performance indicators for the period April-September 2011

RESOLVED that

- i) the performance within portfolios be noted
- ii) the new format for presentation of the performance information be approved

Summary of Reasons

The presentation of performance information for examination is part of the Council's overall performance management system. The system has been designed to monitor and manage the delivery to the greatest extent possible, the plans of the Council.

Performance data is presented in a different form to previous reports, allowing each Portfolio Holder to view the performance of their portfolio more easily.

372 DEVELOPING LOCALITY WORKING IN HARBOROUGH DISTRICT

It was reported that the move towards strengthening partnerships in Leicestershire arose from the insight that all public services need assistance from other organisations to meet their goals. Tough financial times mean it is more important than ever to demonstrate that public services are avoiding duplication and working well together to make a difference to the locality.

There are three types of partnerships which make up the new structure . These are Theme Boards, Specialist Groups and Locality Boards. The system is not intended as a hierarchy as there is a recognised democratic need to shape services at both county and district levels.

The two main proposals to reform partnership working in Leicestershire are a new process and set of principles, a new process whereby boards will set out their 3-5 key objectives by the end of December. There will then be a process that brings together partnerships and partners with similar objectives at the county and/or district level so that delivery plans can be in place for April 2012.

The set of principles underpinning these plans to drive better outcomes and cost effectiveness are;

- "Going the extra mile to tackle the problems of other partners
- Moving faster towards collective commissioning of services
- Tackling the root causes of stubborn problems
- Using partnerships to make hard decisions
- Doing the right thing at the right level
- Taking ownership to make the process work"

The timescales related to this agenda are as follows;

- End of December 2011 – Theme Boards, Specialist Groups and Locality Boards identify 3-5 draft priorities.
- January to March 2012 – Boards/Groups share priorities and identify and develop key relationships necessary to deliver them.

End of March 2012 – commissioning plans and supporting action plans are finalised for commencement from April 2012 onwards

The draft priorities help deliver the Council's priorities. These are:

- Developing Rural Broadband
- Helping Troubled Families
- Supporting the Welland Community Building project
- Reducing Rural isolation
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An all-Councillor workshop would be held early in 2012 on the significance of the changing structures , terms of reference and driving forward the changes

RESOLVED that:

- i) the approach and structures to deliver Locality Working be endorsed.
- ii) the draft Locality priorities be agreed for further investigation and consultation with partners.
- iii) the necessary resources necessary to deliver these proposals are considered and included in the Transformational Programme and Business Planning process for 2012/2013.

Summary of Reasons

To ensure Harborough has an effective means to coordinate partners and utilise the wider available resources to tackle local priorities.

373 PUBLIC HEALTH LOCAL DELIVERY

The White Paper Healthy Lives, Healthy People: outlines a new approach to public health that is designed to empower individuals to make healthy choices and gives communities the tools to address their own particular needs. Local authorities already play a significant part in public health through their role in areas such as environmental health, leisure, recreation, planning and housing. However, the

Government wants local authorities to have a specific duty, through the Health & Social Care Bill, to improve the health and wellbeing of their communities and reduce health inequalities from April 2013. Amendments to the Bill are currently being considered by the House of Lords.

The key changes in the Bill were reported to the Executive including the transfer of public health responsibilities. A dedicated professional public health service, Public Health England (PHE), will be set up within the Department of Health (DH). Public health responsibilities previously undertaken by Primary Care Trusts and Strategic Health Authorities will be divided between PHE and local councils. At a local level, Health & Wellbeing Boards are being established to take responsibility for the production of a joint health and wellbeing strategy.

RESOLVED that

- i) the implications and impact of the Health White Paper in relation to the delivery of services and for the residents of the district be noted.
- ii) the proposals to develop a local Health and Wellbeing Partnership be approved.
- iii) a briefing note on the new approach be issued to all Councillors

Summary of Reasons

The Healthy Lives, Healthy People White Paper and subsequently the Health and Social Care Bill 2011 has radically changed the delivery of public health by providing local authorities with a key role in public health delivery.

Local delivery structures need to be developed to enable the Council to effectively work with local partners to identify shared health priorities and deliver improved health and wellbeing outcomes.

374 PROPOSED POLICY FOR USE OF NEW HOMES BONUS-COMMENTS FROM CONSULTATION

The Executive considered the outcome of the consultation with Parishes, Harborough Improvement Team and the Civic Society on the proposed use of the New Homes Bonus for 2012/2013

RESOLVED that the consultation comments and the recommendations from the Scrutiny Panel for Resources be received and noted

RECOMMENDED that

- i) Policy option C be adopted on the basis that the majority of the attendees at the consultation event agreed with the proposed option**
- ii) the Executive determines and recommends to Council the split of the New Homes Bonus between support for the Council tax, the Locality Fund and the District-Wide Fund on an annual basis taking account of the Council's overall financial standing**

Summary of Reasons

At its meeting on the 7th November 2011, the Executive considered a report on the NHB which set policy options on its use for 2012/13. It resolved to consult on policy option C as set out in paragraph 5.2.2. of that report

A consultation event took place on 12th December 2011 with Parish Councils/Meetings, Harborough Improvement Team and the Civic Society in accordance with the resolution of the Executive.

The majority of the attendees agreed with policy option C

375 REVENUE BUDGET AND CAPITAL PROGRAMME MONITORING TO 30 SEPTEMBER 2011

The revenue budget for 2011/12 was approved by Council in February 2011. Budget monitoring is undertaken during the year against the working budget which represents the original approved budget adjusted for budgets carried forward from the previous financial year, virements and supplementary approvals.

Monitoring of actual capital expenditure against the approved budget is undertaken on a monthly basis with Budget Managers and reported to the Management Board on a quarterly basis. Members also have access to quarterly capital monitoring reports via the TEN Performance Management System.

The original Capital Programme for 2011/12 totalled £450,500 and was approved by the Council on 24 February 2011. Members agreed carry forwards from 2010/11 of £926,700 and additional variations of £1,299,400 on 19 September 2011.

Expenditure to date on schemes either completed or currently underway is generally in line with expectations with no significant areas of concern.

RESOLVED THAT:

i) the financial position against budget as at 30 September 2011 be noted.

ii) the Capital Programme scheme progress be noted.

RECOMMENDED that the Capital Programme be varied as set out below

Summary of Reasons

The Revenue budget at 30 September 2011 against phased budget is showing an under-spend of £177k. There are a number of variations and comments against cost centres are shown in Appendix A to the report. Further work on budget savings is being undertaken by budget managers and the position against each saving initiative is to be monitored at the Performance and Programme group meeting each month.

Variations to the Capital Programme must be approved by Council. The table below summarises those variations to the programme which have arisen during the second quarter of this financial year.

	Expenditure Budget Increase / (Decrease) £
S.106 Grants (i)	317,200
S.106 Grant (ii)	10,000
Website / Internet Upgrade	3,900
Upgrade CCTV Systems	(3,900)
Total Increase / (Decrease)	327,200

The reasons for the overall increase in capital expenditure budgets are summarised below:

- S106 grants (i) to Harborough District Council, Parish Councils & Community Organisations, recommended by the Grants Panel and approved by the Executive on 26 September 2011.
- S106 grant (ii) to Fleckney Parish Council to purchase land for recreational purposes. This is a follow-up grant to one approved in 2010/11 for the purchase of play equipment.
- Website / Internet Upgrade – due to unforeseen technical failures with the hosted Google Mini Disc a new Google appliance and associated configuration was required at an additional cost of £3,900. The Deputy Chief Executive authorised the expenditure with the cost to be met from savings elsewhere within the capital programme.

- Upgrade CCTV Systems – Upgrades to the CCTV system have been completed with a budget under-spend of £5,365. It is proposed to vire £3,900 of this under-spend to the Website project to cover the purchase of a new Mini Disc.

376 FORWARD PLAN OF KEY DECISIONS

RESOLVED that the forward plan of key decisions for the period of January 2012- April 2012 be approved for publication

Summary of Reasons

The Council is required by the Local Government Act 2000 and its own Constitution to publish regular Forward Plans of Key Decisions.

At its meeting on 29 August 2001, the Executive agreed that it should review each draft Forward Plan of Key Decisions, (minute 249(v)/2001 refers). It also was agreed that each Plan should cover a four-month period, with a monthly roll-forward of the Plan being effective on the first working day of each month.

377 DRAFT GENERAL FUND REVENUE ACCOUNT BUDGET FOR 2012/2013 AND FUTURE YEARS

The Executive was presented with the headline first draft of the General Fund Budget 2012/13 and future years and capital project proposals for 2012/13. The Executive was also informed of the provisional Local Government Finance settlement for 2012/13. Information was presented on the risks relating to shortfall in funding, the short term nature of the time limited council tax freeze grants, the changes to the future funding of local government and the risk regarding the localisation of the support for Council tax

RESOLVED that:

- i) it be noted that the provisional Local Government Finance Settlement for 2012/13 is £3,696,174 which includes the second year payment of the 2011/12 council tax freeze grant of £139,598.
- ii) the summary first draft of the General Fund Revenue Account Budget for 2012/13 and future years be noted .
- iii) the proposed schemes to be included in the capital programme for 2012/13 be noted
- iv) the risks discussed in section 12 of the report be noted.

Summary of Reasons

The first draft of the budget for 2012/13 and future years has been substantially completed. Detailed work is continuing to finalise it. The Deputy Chief Executive normally reports the summary of the draft at this stage in the budget cycle together with the government's announcement on the provisional Finance Settlement for the Council for 2012/13.

Also, the draft forecast financial plan for the years 2013/14 and 2014/15 has been substantially completed.

This is an update report to the Executive on the position regarding the budget and financial planning process and the headline position at this stage.

378 APPOINTMENT OF SPECIALIST CONSULTANTS FOR THE TRANSFORMATION TEAM

The Executive was informed of the appointment of external specialist consultants to the Transformation Team to support the development and implementation of the Transformation Programme.

RESOLVED that the decision to appoint a number of specialist consultants on a temporary basis to the Transformation Team to support the development and implementation of the Transformation Programme be noted.

Summary of Reasons

The Contract Procedure Rules dictate that contracts awarded under Section 2.1, paragraph E are reported to the Executive at the earliest opportunity.

379 SECTION 100A LOCAL GOVERNMENT ACT

RESOLVED that except for those Members present not being Members of this Executive, the public and press be 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 1&2 of Part I of Schedule 12A to the Local Government Act 1972

380 COMMUNITY ALARM CENTRE(LIFELINE)

RESOLVED that

- i) it be noted that Leicestershire County Council intends to procure a single Community Alarm Centre (Lifeline) with a live date of December 2012.
- ii) this Council's intention not to tender for the 3 year contract for the provision of a county wide Community Alarm Centre be confirmed.
- iii) subject to the availability of capital funding and landlords consent, the CCTV be re sited to alternative premises.
- iv) HART and Pubwatch be notified of the change in CCTV monitoring arrangements.
- v) tenders be sought for the provision of an out-of-hours emergency telephone service and lone worker service.
- vi) robust business continuity plans are put into place to deliver the Council's contractual commitments until 31st December 2012.
- vii) a further report be submitted as further details and implications of the county- wide procurement exercise are known with recommendations on managing the impact on the Council in the short term and long term.

Summary of Reasons

The Council's existing contractual arrangements for the provision of a community alarm service expires on 31st December 2012. The Council is not in a position to tender for the new county wide contract as the technology does not meet the required standards for the provision of Telecare. It is also not a TSA (Telecare Services Association) accredited service.

The Council should have plans in place for the transition of this service, including plans for the continuity of the essential residual services such as the out of hour's emergency telephone service (e.g. dangerous structures, homelessness etc.) and the lone worker system.

381 UPDATE ON THE HOME IMPROVEMENT AGENCY CONTRACT

RESOLVED that

- i) the extension of the existing contract with Mears Home Improvement Ltd until the commencement of the Countywide Home Improvement Agency on the 1st October 2012 be approved.
- ii) officers to work with Leicestershire County Council to undertake a joint commissioning exercise to procure a Home Improvement Agency to delivery the Council's disabled facilities grant programme and the implementation of the Private Sector Housing Renewal Policy.
- iii) a further report be brought to the Executive to advise on the outcome of the procurement process for the Countywide Home Improvement Agency.

Summary of Reasons

The current contract for the Home Improvement Agency (HIA) with Mears Home Improvement Ltd expires at the end of 31st March 2012.

The Supporting People funding for the Agency will continue until the commencement of the Countywide Home Improvement Agency. The proposed date for the commencement of this contract is 1st October 2012.

Mears Home Improvement Ltd has confirmed that provided that the funding from Supporting People is in place, they remain viable to provide the HIA function for the Council without the core grant funding until the commencement of the Countywide HIA

The meeting closed at 9.05pm