

HARBOROUGH DISTRICT COUNCIL  
MINUTES OF THE COUNCIL MEETING

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

13 October 2014

commencing at 6.30p.m.

Present:

Cllr Rook (Vice-Chairman).

Councillors:, Mrs. Ackerley , Bannister, Beesley –Reynolds, Beaty, Birch, Bowles, Dr. Bremner, Brodrick, Mrs. Burrell, Callis, Charlish, Dann, Dewes, Dunton, Elliott, Evans, Everett, Galton, Golding, Hall, Hallam, Dr. S. Hill, Holyoak, Johnson, King, Liquorish, Mrs. Page, Pain , Mrs Robinson, Spendlove-Mason, and Tomlin.

Officers: B. Jolly, B. Murgatroyd, N. Proudfoot, S. Riley and V. Wenham.

Apologies for absence were received from Cllrs Hall, Knowles, Mrs Simpson and Wood.

201 CHAIRMAN'S ANNOUNCEMENTS

In the absence of the Chairman, the Vice-Chairman gave his announcements. He announced that:

- i) The Chairman would be attending, with his family, the Remembrance Sunday service in Market Harborough and laying a wreath on behalf of the Council.
- ii) As Vice-Chairman he would be attending the Remembrance Sunday service at Lutterworth and laying a wreath on behalf of the Council.
- iii) On 11 November the Chairman would be joining those on the Square in observing a minutes silence.
- iv) On 4 December there would be a combined carol service and civic service to which members would receive an invitation.

202 DECLARATION OF MEMBERS INTERESTS

Cllr Spendlove-Mason clarified his interest declared at the previous meeting of the Council. The nature of his interest was a Disclosable Pecuniary Interest as his wife had a current planning application.

203 MINUTES

RESOLVED that: the minutes of the Council meeting held on 15 September 2014 be received and adopted

204 SEALING OF DOCUMENTS

Members noted the sealing of the following documents:

- S106 Agreement The Council Leicestershire County Council A Walter Smart & Son Linda Mary Jacklin and Rachel Smart.
- The Council and Cheuk Wai Ng Lease Unit F16 Harborough Market.

- The Council and Ashley Boyd Lease Unit F1 Harborough Market.
- Easement Stuart Street Kibworth The Council L Buzzard R C Buzzard.
- Memorandum Agreement Land at Scraftoft Hall Church Hill Scraftoft Scraftoft Hall Limited Davidsons Limited and the Council.
- Agreement relating to disabled facilities grants & private sector housing renewal programme delivered within Boroughs of Hinkley & Bosworth and Harborough.
- Licence High Street Car Park Fleckney Waring Lancaster Property Limited and the Council.
- Licence Tennis Courts Welland Park the Council Welland Park Tennis Club.
- Partnering Agreement Leicester & Leicestershire Joint strategic Planning Manager Blaby DC Charnwood BC The Council Hinckley & Bosworth BC Leicester CC Melton BC NWLDC Oadby & Wigston BC Leicestershire CC Leicester CC on behalf of Leicester & Leicestershire Enterprise Partnership.
- S106 Planning Agreement land east side of Leicester Road, Lutterworth.

## 205 REPORT OF THE LEADER

### **Flood alleviation**

This month will see work begin on a £1.5m investment into a flood alleviation scheme in Market Harborough. I attended the recent event, held at Enigma, which was hosted by Anglian Water to get more of an insight into the work which will take place. Work is due to be completed in Spring 2015, with a break for the Christmas period, and will improve how rain and surface water is carried away into the River Welland. I am pleased this project is happening. Yes, there will be some short-term disruption in the town centre, including some temporary loss of parking bays in the Commons car park, but this is for the greater good as it should prevent a repeat some of the serious flooding issues of the past. I'm told that it will offer protection from a 1/30 year event. Anglian Water has promised to work closely with the Council throughout the project. There may be more work to do in addition to this project with some of the local shops, but this is a hugely welcome step forward which this Council has been long pushing for. I'm certain it will have a positive impact on protecting the town from flooding in the future.

### **East Midlands in Bloom**

We saw a fantastic result for Market Harborough in the East Midlands in Bloom competition. I wished them luck in my last Leader's Report and it certainly worked! The Harborough in Bloom team, won the Large Towns category for the first time in nearly a decade. I was pleased that Welland Park – and its floral splendour - also picked up a horticulture award in the competition. I don't think enough credit is given to the council's parks team for the brilliant work they do. I met some of them recently and they should feel very proud of what they have helped achieve. Their efforts, alongside the brilliant volunteers from HiB, have reaped rewards and I'd like to congratulate all. Their hard work continues to bring enjoyment to so many local people and visitors.

## **Old Grammar School**

I am looking forward to the unveiling of the Old Grammar School – hopefully this month – after its restoration. The building is exactly 400 years old and it should be commended that the Market Harborough and the Bowdens charity was able to carry out the restoration work to mark this. I understand this iconic building will be looking rather different when it is unveiled with some of the traditional colours restored. It is one of the most recognisable buildings in the county and plays an important role in helping to grow the tourist trade across the Harborough district.

## **Billesdon referendum**

I'd like to congratulate all involved in the recent referendum in Billesdon which saw the village vote to adopt its neighbourhood plan. It's the second community in the Harborough district to do so. We're now one of just four councils in the country to have two or more adopted neighbourhood plans. The referendum also had the fourth largest turnout in the country, to date, for a neighbourhood planning referendum. Well done again to HDC staff and residents in the village. This is another great example of Localism at work.

## **Young Citizenship Event**

I recently had the pleasure of meeting some local students at Welland Park Academy as part of some Young Citizen Panel Sessions organised by HDC. The event was aiming to teach young people about local democracy and allow them to have their say on their community priorities. I was very impressed by how enthusiastic and inquisitive the students were, asking questions on our role, how much travelling we do, budget, and what we consider to be the most important issues. I would encourage all members to attend one of the remaining sessions; the next of which take place on 17<sup>th</sup> October at Kibworth High School and 5<sup>th</sup> November at Thomas Estley Community College.

## **Remembrance Day**

Finally, I wanted to take this opportunity – as the next Full Council isn't until December – to mention Remembrance Sunday taking place on November 9th. It is especially poignant this year in the 100<sup>th</sup> year since the start of World War One. I know Members will be attending local events happening around the district to mark this important occasion. I hope everyone in the district will pause and reflect on then and on Armistice Day, November 11<sup>th</sup> to remember those from the district, and elsewhere, who have made the ultimate sacrifice in battle. It's fitting then that we've welcomed the Royal British Legion into The Symington Building this week. The RBL does such good work for the British Armed Forces past and present, and their families, and will be working from the second floor of the building every Monday. We're delighted to have them with us.

Cllr Dann congratulated those involved in ensuring that the Billesdon Referendum had gone well  
Cllr Callis

## **206 RECOMMENDATIONS FROM THE EXECUTIVE -CEMETERY AT LEADERS FARM, LUTTERWORTH**

It was moved by Cllr Pain seconded by Cllr King and

RESOLVED that the acquisition of the Cemetery at Leaders Farm, Lutterworth be agreed as outlined in the s.106 agreement for £1.

### Summary of Reasons

To ensure adequate cemetery provision for the District.

To ensure that effective administration of the burial service is provided.

### 207 MINUTES OF EXECUTIVE

It was moved by Cllr Pain, seconded by Cllr Dann and

RESOLVED that the Minutes of the Executive held on 1 September 2014 be received and adopted.

### 208 REPORT OF CHAIRMAN OF SCRUTINY COMMISSION

The Community Leadership Scrutiny Panel met on the 11<sup>th</sup> September 2014 and the following items were discussed:

#### Harborough Hospital Progress

Dr. David Sharp from NHS England attended the Meeting to provide us with an update on the St. Luke's project. The statement can be read in full via the following hyperlink:

<http://www.england.nhs.uk/mids-east/2014/09/12/st-lukes-update/>

#### Registered Providers of Social Housing in Harborough District

In order to aid discussion, the Panel was joined by representatives from the following housing associations:

- Spire
- Aclaim
- Midlands Rural
- Waterloo

Among the points discussed were: is the amount of social housing in the District sufficient? Is the mix of social housing in the District adequate? What can be done to increase provision of social housing in the District?

#### Charities and Voluntary Organisations

Verbal reports were given by representatives of the following organisations to enable the Panel the opportunity to understand the outcomes and value for money gained from the funds provided to these organisations by the Council.

- Leicestershire Citizens Advice Bureau
- Voluntary Action Leicester (Val)
- Voluntary Action South Leicestershire (VASL)
- Lutterworth Volunteer Centre
- Lutterworth One Stop Shop

## Planning Enforcement

The Panel was joined by the Regulatory Services Manager. The Panel had an excellent discussion and produced a recommendation (see Minutes of the Meeting).

## Upcoming Scrutiny Events

- Scrutiny Commission Meeting: 27<sup>th</sup> November 2014
- Resource and Performance Scrutiny Panel Meeting: 6<sup>th</sup> November 2014

## 209 MINUTES OF SCRUTINY COMMISSION

It was moved by Cllr Beesley-Reynolds seconded by Cllr Bowles that the minutes of the Scrutiny Commission held on 4th September 2014 be received and adopted.

## 210 MINUTES OF COMMUNITY LEADERSHIP SCRUTINY PANEL

It was moved by Cllr Brodrick seconded by Cllr Tomlin and

RESOLVED that: the minutes of the Community Leadership Scrutiny Panel held on 11 September 2014 be received and adopted.

## 211 MINUTES OF PLANNING COMMITTEE

It was moved by Cllr Page, seconded by Cllr Tomlin and

RESOLVED that: the minutes of the Planning Committee held on 2 September 2014 be received and adopted.

## 212 MINUTES OF GOVERNANCE AND AUDIT COMMITTEE

It was moved by Cllr Evans seconded by Cllr Holyoak and

RESOLVED that the minutes of the Governance and Audit Committee held on 25 September 2014 be received and adopted.

## 213 APPOINTMENT OF HEAD OF PAID SERVICE

Members considered the appointment of the Corporate Director – Community Services as the Head of Paid Service from 22<sup>nd</sup> October 2014. Following the resignation of the previous Chief Executive in February 2014, on 7th April 2014 Council had decided to designate as Head of Paid Service the Corporate Director – Resources for an interim period of six months with the intention that the Corporate Director – Community Services for the subsequent six month period. The designation of the Corporate Director – Resources took effect from 22nd April 2014, therefore the six month interim period was due to expire on 21st October 2014. The operational aspects of the role of Chief Executive were allocated to the two Corporate Directors on a joint basis for a period of 12 months which it was proposed will remain in place.

RESOLVED that the Corporate Director – Community Services be designated as Head of Paid Service on an interim basis for a period of six months commencing on 22nd October 2014 with the intention of rotating the designation to the Corporate Director – Resources for the subsequent six month period.

### Summary of Reasons

The Council is required to appoint an officer of the authority to the position of Head of Paid Service in accordance with the provisions of the Local Government and Housing Act 1989.

### 214 ESTABLISHMENT OF AN EMPLOYMENT COMMITTEE

Members considered the establishment of an Employment Committee. It was reported that in most local authorities the senior staff (Chief Executive Officer, Deputy Chief Executive Officer and Directors) are usually on different contractual pay and conditions (JNC) to the remainder of the workforce. (JNC – Joint Negotiating Committee for Chief Executives of Local Authorities, NJC – National Joint Council for Local Government Services). This enables Senior Officers to either offer advice or determine the terms and conditions for other staff.

The Council's current structure has a two 2 Director model and all staff, including the two directors, are on NJC pay and conditions of service.

Whilst it is recommended that the Employment Committee considers terms and conditions and makes recommendation to Council, HDC are still bound to consult with Unison, as the recognised trade union, on matters which affect its members. This consultative obligation may be through the existing Employee Relations mechanism or through existing management arrangements.

Under the current constitution the Council has delegated the power to appoint staff, and to determine the terms and conditions on which they hold office (including procedures for their dismissal) to the Head of Paid Service. This power is contained within Section 112 of the Local Government Act 1972 and if members resolve to establish an Employment Committee to consider terms and conditions the delegation will need to be amended to reflect this change.

RESOLVED that

- i) an Employment Committee be established to consist of (7) members to be appointed by the Council in accordance with the proportionality rules set out in the Local Government and Housing Act 1989.
- ii) the function of consideration of the terms and conditions of employment of officers is referred to the employment committee which will make recommendations to Council to consider as appropriate.
- iii) the current delegation to the Head of Paid Service set out in part F of Part 3 Section B of the Constitution be amended to delete reference to Terms and Conditions.
- iv) the contractual conditions of the Director be changed to JNC conditions to negate the need for external advice to the Committee on an ongoing basis.

### Summary of Reasons

All officers are currently on the same pay/ terms and conditions of employment including the Head of Paid Service. Under the current Constitution, the Head of Paid Service has delegated authority to appoint staff and to determine the terms and conditions upon which such staff hold office including procedures for their dismissal. Should any situation arise whereby pay/ terms and conditions of employment need to change, it would seem inappropriate for staff currently on NJC contractual pay/ terms and conditions i.e. the Corporate Directors to make recommendations affecting the workforce as a whole whilst being subject to these conditions themselves. An Employment Committee is the appropriate body to consider terms and conditions and to make such recommendations to Council for

consideration if all staff remain on the same pay/terms and conditions (see 12 for alternative options).

The Head of Paid Service will maintain responsibility for the appointment of staff and procedures for their dismissal. This is always subject to the consultation requirements set out in the Officer Employment Procedure Rules in Part 4 (8) of the Constitution.

With reference to the above scenario, the Committee would need to receive impartial external advice as all Officers would be conflicted.

The meeting closed at 7.00pm